

SB 488 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/21

WHAT THE MEASURE DOES:

Requires Office of Attorney General to study fees and costs incurred by people whose vehicles are stolen and subsequently recovered. Sunsets December 31, 2018. Declares emergency, effective immediately.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure. Removes provision declaring an emergency. Creates requirement that law enforcement agency provide tower with motor vehicle owner's contact information when motor vehicle has been reported stolen and is recovered. Specifies that contact information may only be used by tower to notify person that motor vehicle has been recovered and its current location. Requires tower to notify owner within 24 hours. Creates provision allowing registered owner of motor vehicle totaled after theft of motor vehicle to transfer title to tower instead of paying tower fees. Specifies that tower is responsible for Department of Transportation fees for transferring title. Adds exception from requirement to surrender certificate of title when vehicle is totaled if owner of vehicle transfers title to tower that recovered vehicle after vehicle was stolen. Adds exception to offense of acting as vehicle dealer without certificate for towers who receive title from owner of vehicle recovered totaled after theft. Prohibits tower from bringing action against owner or taking affirmative steps to collect compensation for fees associated with tow of vehicle if police report shows vehicle was towed after theft and tower foreclosed a lien on, sold and recovered proceeds from selling vehicle.

BACKGROUND:

Senate Bill 488 requires the Office of the Attorney General to study the fees and costs incurred by people whose vehicles are stolen and subsequently recovered and towed. The study must analyze the reason for the costs and fees and determine if it is possible to mitigate the costs without unduly disrupting the towing business. The office must report to the Legislative Assembly by September 15, 2018. SB 488 would sunset on December 31, 2018.