



DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

MEMORANDUM

DATE: March 21, 2017

TO: Honorable Floyd Prozanski, Chair
House Human Services and Housing Committee

FROM: Cheryl Hiemstra, Deputy Legislative Director

SUBJECT: Senate Bill 133 – Towing

This testimony is presented in support of Senate Bill 133.

BACKGROUND

Vehicle towing often happens in tense situations – either the tow happens when a vehicle is disabled due to a crash or mechanical failure, or a vehicle is in a prohibited location and needs to be removed. The Department of Justice Consumer Hotline receives consumer complaints regarding many subject areas, and towing complaints are fairly common. Already this year, the Department of Justice has received 40 written complaints, 131 written complaints were received in 2016. Often there is confusion regarding when a tower may tow, how the tower may tow, and what information should be communicated before the tow.

The Department of Justice discussed providing more clarification in the statutes with representatives of the towing community, and SB133 was the result. Although the bill will need some further clarification, the bill is intended to provide needed updates that will benefit both the tower and the consumer.

CONCEPT

SB133 non-substantively shifts language to make it easier to find related information in a single statute. The bill also states that a consumer may request a copy of the photograph of the vehicle showing the vehicle parked in violation – current law did not require that specifically. Also, some towers have been towing vehicles to facilities that are quite far away, and raise costs for consumers in the process. The bill requires a tower to tow to the nearest available facility as allowed by statute to avoid these unnecessary extra charges to a consumer. Another point of clarification is when a “hookup” is complete – when a tow truck is hooked to a vehicle triggers certain obligations by both the tower and the consumer. A brighter line of when a hookup is complete will aid in preventing and solving disputes between towers and consumers.

Contact: Cheryl Hiemstra, Deputy Legislative Director, 503-378-6002, Cheryl.Hiemstra@doj.state.or.us