

SB 488 A STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski, Sen. Riley

Senate Committee On Judiciary

Action Date: 04/18/17

Action: Do pass with amendments and requesting subsequent referral to Ways and Means be rescinded. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Whitney Perez, Counsel

WHAT THE MEASURE DOES:

Requires law enforcement agency to 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. Specifies that fees for storage may not accrue until tower first attempts notification. Allows owner of totaled motor vehicle that is recovered after theft to transfer ownership interest to tower instead of paying tower fees, and prohibits towers from collecting fees through other means if transfer occurs within 14 days of notification. Specifies that tower is responsible for Department of Transportation fees for transferring title. Adds exception from requirement to surrender certificate of title if owner of vehicle transfers title to tower that recovered vehicle after vehicle was stolen or if tower transfers the title to a dismantler within 30 days. Adds exception to offense of acting as vehicle dealer without certificate for towers who receive title from owner of vehicle recovered after theft. Allows owner to inspect towed vehicle.

ISSUES DISCUSSED:

- Three policy issues addressed
- Impetus for bill
- Financial impact on towers

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Occasionally vehicles that have been reported stolen are towed after being recovered. These vehicles may be in totaled condition following the theft. The owner or operator of these vehicles bears the cost related to the towing of the vehicle. SB 488-A requires that law enforcement agencies provide towers with the motor vehicle owner's contact information when a motor vehicle has been reported stolen and is recovered. It specifies that this contact information may only be used by the tower to notify the person that the motor vehicle has been recovered and provide its current location. SB 488-A also specifies that fees for storage may not accrue until the tower first attempts notification. It also creates a provision allowing the registered owner of motor vehicle that is recovered in a totaled condition after theft to transfer title to the tower instead of paying the tower's fees, and prohibits towers from collecting fees through other means if the transfer occurs within 14 days of notification. SB 488-A makes conforming changes to give effect to these new provisions. Finally, SB 488-A allows an owner of a towed vehicle to inspect the towed vehicle.