

# House Bill 3172

Sponsored by Representative LEIF, Senator HEARD

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Reduces notice period before towing vehicle from private property to 24 hours.

## A BILL FOR AN ACT

1  
2 Relating to towing vehicles from private property.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 98.830 is amended to read:

5 98.830. (1) A person who is the owner, or is in lawful possession, of private property on which  
6 a vehicle has been abandoned may have a tower tow the vehicle from the property if:

7 (a) The person affixes a notice to the vehicle stating that the vehicle will be towed if it is not  
8 removed;

9 (b) The notice required by paragraph (a) of this subsection remains on the vehicle for at least  
10 [72] **24** hours before the vehicle is [removed] **towed**; and

11 (c) The person fills out and signs a form that includes:

12 (A) A description of the vehicle to be towed;

13 (B) The location of the property from which the vehicle will be towed; and

14 (C) A statement that the person has complied with paragraphs (a) and (b) of this subsection.

15 (2) A tower who tows a vehicle pursuant to this section is immune from civil liability for towing  
16 the vehicle if the tower has a form described in subsection (1) of this section, filled out by a person  
17 purporting to be the owner or a person in lawful possession of the private property from which the  
18 vehicle is towed. This subsection does not grant immunity for any loss, damage or injury arising out  
19 of any negligent or willful damage to, or destruction of, the vehicle that occurs during the course  
20 of the towing.

21 (3) A tower is entitled to a lien on a vehicle towed under this section and its contents for the  
22 tower's just and reasonable charges. The tower may retain possession of the towed vehicle and its  
23 contents until the just and reasonable charges for the towage, care and storage have been paid [*if*  
24 *the tower complies with the requirements of ORS 98.812 (2)*].

25 (4) The lien created by subsection (3) of this section may be foreclosed only in the manner pro-  
26 vided by ORS 87.172 (3) and 87.176 to 87.206 for foreclosure of liens arising or claimed under ORS  
27 87.152.

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.