

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
First Reader

Senate Bill 392 (Senator Peters)  
Judicial Proceedings

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**Towing or Removal of Vehicles From Parking Lots - Reclamation Hours**

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This bill limits the hours during which a person in possession of a vehicle that has been towed or removed from a parking lot is required to provide an opportunity for the vehicle owner (or the owner's agent) to retake possession of the vehicle. Under the bill, the vehicle must be available for reclamation from 6 a.m. to midnight (rather than 24 hours per day). The bill also makes a conforming change to associated signage requirements.

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**Fiscal Summary**

**State Effect:** Minimal increase in general and special fund expenditures to the extent signage changes are necessary as a result of the bill's changes. Revenues are not affected.

**Local Effect:** Minimal increase in local government expenditures to the extent signage changes are necessary as a result of the bill's changes. Revenues are not affected.

**Small Business Effect:** Meaningful.

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**Analysis**

**Current Law:** The owner or operator of a parking lot (or the owner's or operator's agent) may not have a vehicle towed or otherwise removed from the parking lot unless the owner, operator, or agent has conspicuously placed signs that indicate, among other things, that State law requires the vehicle be available for reclamation 24 hours per day, 7 days per week.

Generally, if a vehicle is towed or otherwise removed from a parking lot, the person in possession of the vehicle (1) must immediately deliver the vehicle directly to the storage

facility stated on the required signage; (2) may not move the towed vehicle from that storage facility to another storage facility for at least 72 hours; and (3) must provide the owner of the vehicle with immediate and continuous opportunity (24 hours per day, 7 days per week) to retake possession.

**Small Business Effect:** The bill significantly reduces the required hours of operation for any companies involved in the towing of vehicles. Therefore, to the extent any such businesses modify their hours of operation as a result of the bill, the bill has a meaningful impact.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel, Baltimore, Garrett, and Montgomery counties; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 11, 2020  
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