



## Towing & Recovery Professionals of Maryland

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### MEMORANDUM

TO: The Honorable William C. Smith, Jr., Chair and Members of the Judicial Proceedings Committee

FROM: Jeffrey O. Hurley, Sr, President, Towing & Recovery Professionals of Maryland  
Ted Dent, 1<sup>st</sup> Vice President, Towing & Recovery Professionals of Maryland

DATE: March 29, 2023

RE: **HB 1002 Commercial Vehicles – Police-Initiated Towing – Alterations**

POSITION: **SUPPORT**

The Towing & Recovery Professionals of Maryland (TRPM) SUPPORT HB 1002. This bill establishes a Committee on Rate Setting and Complaint Resolution for Police-Initiated Towing to be overseen by the Department of State Police. The bill further requires the Committee to recommend maximum rates for police-initiated towing and recovery to the Department by December 1, 2023 and the Department to approve these rates by January 1, 2024. In addition to recommending rates for police-initiated towing and recovery, the Committee must review rates at least every three years, recommend a process for resolving towing complaints, and make any additional recommendations it considers appropriate. Most importantly, with the notification of approved maximum rates by the Department of State Police, HB 1002 will STRIKE from the statute language in 16A-101 that would require a tow company to release the vehicle to the owner or owner's authorized agent on payment of 20% of the invoice if a dispute exists over the invoice.

This bill represents a compromise by the following organizations – Towing & Recovery Professionals of Maryland, Maryland Motor Truck Association, and the Owner-Operator Independent Drivers Association. Returning Committee members may recall legislation last session on this topic, HB 487 (CH. 575, Acts of 2022). The parties agreed on several provisions in HB 487, but implementation of two very concerning pieces were delayed until October 1, 2023 and a letter was issued by the House and Senate committee chairs to establish an interim workgroup to make recommendations for consideration this session. This bill is the outcome of this interim workgroup and TRPM would like to sincerely thank the Delegates, Senators and staff for working with us on this matter.

TRPM believes the Committee structure outlined in this bill will provide a process for establishing and reviewing maximum rates, resolving disputes, and addressing other matters of importance to the industry such as insurance liability matters. TRPM is aware of the Department of Maryland State Police seeking an amendment to allow for an exception to the tow rates established for any jurisdiction in which the Department has an MOU in place. Although allowing for this is not a concern, TRPM believes the amendment is not necessary as this can be a consideration of the Committee when discussing rates and addressed as part of the Committee's recommendations.

For these reasons, TRPM SUPPORTS HB 1002 as introduced and urges a FAVORABLE Committee report.