



Testimony to the House Environment and Transportation Committee
HB514: Commercial Law-Statutory Liens-Motor Vehicles Towed or Removed from Parking Lots
Position: Opposed

February 15, 2024

The Honorable Marc Korman, Chair
Environment and Transportation Committee
Room 251, House Office Building
Annapolis, MD 21401
Cc: Members, Environment and Transportation Committee

Chair and Members of the Committee:

Economic Action Maryland (formerly the Maryland Consumer Rights Coalition) is a statewide coalition of individuals and organizations that advances economic rights and equity for Maryland families through research, education, direct service, and advocacy. Our 12,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

HB514 seeks to overturn decisions established in multiple Maryland Courts¹ that state clearly that a trespass tower cannot hold onto a vehicle until all towing fees have been paid. The reasoning is clear-to do so creates perverse incentives for unscrupulous actors to tow more vehicles whether the tow is proper or not because they will be paid regardless.

HB514 is unconstitutional, violating the Maryland Constitution's due process clause. Retroactivity has been rejected time and time again and should certainly be done so again in this legislation.

Finally, this legislation seeks to interfere with litigation² pending before the Federal Court in Maryland and is inappropriate to bring forward while that case is moving.

For all these reasons, we strongly oppose HB514 and urge an unfavorable report,

Best,

Marceline White
Executive Director

¹ (*T.R. v. Lee*, 55 Md. App. 629 (1983) *Cade, t/a G&G Towing v. Montgomery County*, 83 Md. App. 419, 427 (1990))

² *Hall v. HWS, LLC, et al.*, Civil Action No. 8:22-cv-00996-PJM