

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 578

(Senator James)

Judicial Proceedings

Public Safety - Department of State Police - Police-Initiated Towing - Alterations

This bill requires the Department of State Police (DSP), by *January 1, 2024*, to establish approved rates for tow companies involved in police-initiated towing and recovery of light-duty vehicles (gross vehicle weight of 10,000 pounds or less). This rate setting is not part of the statutory responsibilities of the Committee on Rate Setting and Complaint Resolution for Police-Initiated Medium-Duty and Heavy-Duty Towing and Recovery.

Fiscal Summary

State Effect: DSP can implement the bill with existing budgeted resources. Revenues are not materially affected.

Local Effect: The bill does not materially affect local government finances or operations.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary/Current Law:

Police-initiated Towing – In General

Under current law, “police-initiated towing” is defined as the towing or recovery of a *commercial* motor vehicle that was authorized, requested, or dispatched by DSP. The bill removes the limited application to *commercial* vehicles. Under the bill, police-initiated towing applies to *all* vehicles for which towing or recovery was authorized, requested, or dispatched by DSP.

Current law defines “tow list” as the list of towing businesses authorized by DSP to perform police-initiated towing services of disabled or abandoned *commercial* vehicles within DSP’s jurisdiction. The bill does not alter this provision and retains its limited application to commercial vehicles.

Department of State Police Requirements and Procedures for Police-initiated Towing

Current law requires DSP, among other things, to establish and maintain a tow list, by county, of qualifying tow companies for police-initiated towing by DSP. DSP had to require a tow company on that list to ban the use of per pound billing by October 1, 2023. By January 1, 2024, DSP had to establish the approved rates for medium- and heavy-duty towing and recovery that may be charged by a tow company on the tow list. The bill expands this provision to require DSP to establish approved rates for light-duty towing and recovery by that same date, *January 1, 2024*.

Under current law, a tow company may charge less than (but not more than) the approved rates. “Approved rates” are the maximum rates approved by DSP that apply to police-initiated towing and recovery services. As noted above, the bill prohibits the approved rates for light-duty towing and recovery from exceeding a percentage of the approved rates for medium-duty towing and recovery charged by a tow company. The bill does not specify a percentage.

Committee on Rate Setting and Complaint Resolution for Police-Initiated Medium-Duty and Heavy-Duty Towing and Recovery

Chapter 669 of 2023 established the Committee on Rate Setting and Complaint Resolution for Police-Initiated Medium-Duty and Heavy-Duty Towing and Recovery within DSP, which is responsible for recommending approved rates for police-initiated towing and recovery services (required to be done by December 1, 2023). The bill clarifies that the committee’s responsibilities apply to medium-duty and heavy-duty towing and recovery services.

Under current law and unchanged by the bill, the committee must also:

- meet at least once every three years to review and consider modification of the approved rates;
- request information and comments from other parties of interest to assist with its work;
- recommend to DSP a process for resolving towing complaints; and
- make any additional recommendations to DSP that the committee considers appropriate.

Small Business Effect: The bill’s provisions may have a meaningful impact on small business tow companies or small businesses that are the subject of police-initiated towing.

Additional Comments: As noted above, the bill repeals the limited application of “police-initiated towing” to commercial vehicles. However, the bill retains references to the towing and recovery of commercial vehicles in related provisions. This analysis assumes that the provisions described above continue to apply to commercial vehicles, as specified.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 30 (Delegate Foley) - Environment and Transportation.

Information Source(s): Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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sj/aad

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