

SENATE BILL 578

E4

(6lr3125)

ENROLLED BILL

— *Judicial Proceedings/Environment and Transportation* —

Introduced by **Senator James**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Department of State Police – Police-Initiated Towing –**
3 **Alterations**

4 FOR the purpose of altering certain provisions related to the rates the Department of State
5 Police sets for towing companies involved in ~~certain~~ police-initiated towing to
6 include the towing and recovery of ~~certain~~ *light-duty* vehicles; *altering the duties of*
7 *the Committee on Rate Setting and Complaint Resolution for Police-Initiated Towing*
8 *and Recovery*; and generally relating to police-initiated towing of motor vehicles.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 2–314 and 2–314.1
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Public Safety**

4 2–314.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) “Approved rates” means the maximum rates approved by the
7 Department that apply to police-initiated towing and recovery services.

8 (3) “Authorized tow company” means a company providing towing and
9 recovery services at the request of the Department and designated on the tow list.

10 (4) “Heavy-duty towing” means towing and recovery of a vehicle including
11 trailers and semitrailers with a gross vehicle weight rating over 26,000 pounds.

12 **(5) “LIGHT-DUTY TOWING” MEANS TOWING AND RECOVERY OF A**
13 **VEHICLE INCLUDING TRAILERS OR SEMITRAILERS WITH A GROSS VEHICLE WEIGHT**
14 **RATING OF 10,000 POUNDS OR LESS.**

15 **[(5)] (6)** “Medium-duty towing” means towing and recovery of a vehicle
16 including trailers or semitrailers with a gross vehicle weight rating from over 10,000
17 pounds to 26,000 pounds.

18 **[(6)] (7)** “Per pound billing” means a method of calculating a fee for
19 towing and recovery services using a formula that considers the weight of the vehicle,
20 equipment, or cargo that is the subject of the towing and recovery and multiplies the weight
21 of the vehicle, equipment, or cargo by a monetary amount.

22 **[(7)] (8)** “Police-initiated towing” means the towing or recovery of a
23 **[commercial]** motor vehicle which was authorized, requested, or dispatched by the
24 Department.

25 **[(8)] (9)** “Recovery” means winching, hoisting, up-righting, removing, or
26 otherwise relocating a vehicle when the vehicle is found in a location, state, or position in
27 which it cannot be removed from the location, state, or position using only the vehicle’s own
28 power, even if it were in complete operating condition.

29 **[(9)] (10)** “Tow list” means the list of towing businesses authorized by the
30 Department to perform police-initiated towing services of disabled or abandoned
31 ~~commercial~~ vehicles within the Department’s jurisdiction.

32 **[(10)] (11)** “Towing” means using another vehicle to move or remove a
33 vehicle.

1 (b) The Department shall:

2 (1) establish and maintain a tow list, by county, of qualifying tow
3 companies for use by the Department in carrying out the duties of this subtitle; and

4 (2) make the tow list available to the public on request.

5 (c) The Department may adopt regulations to establish standards for tow
6 companies, including application procedures and minimum qualification requirements, and
7 must include on the list all qualifying tow companies.

8 (d) The Department shall:

9 (1) require a tow company that is on the tow list to ban the use of per pound
10 billing ~~by October 1, 2023;~~

11 (2) establish the approved rates for ~~LIGHT-, medium-, and heavy-duty~~
12 towing and recovery that may be charged by a tow company on the tow list ~~by January 1,~~
13 ~~2024, BASED ON RECOMMENDATIONS MADE BY THE COMMITTEE ON RATE SETTING~~
14 ~~AND COMPLAINT RESOLUTION FOR POLICE-INITIATED TOWING AND RECOVERY~~
15 ~~ESTABLISHED UNDER § 2-314.1 OF THIS SUBTITLE;~~ and

16 (3) develop a process to receive, investigate, and adjudicate complaints
17 from a vehicle owner or operator or the owner's designee against an authorized tow
18 company regarding the police-initiated towing of a ~~commercial~~ motor vehicle, including a
19 process to suspend or remove an authorized tow company from the tow list.

20 (e) (1) An authorized tow company may charge less than but may not charge
21 more than the approved rates authorized by the Department for a police-initiated towing
22 and recovery.

23 (2) **THE APPROVED RATES FOR LIGHT-DUTY TOWING AND RECOVERY**
24 **MAY NOT EXCEED ~~A PERCENTAGE OF THE~~ 80% OF THE MAXIMUM APPROVED RATES**
25 **FOR MEDIUM-DUTY TOWING AND RECOVERY CHARGED BY A TOW COMPANY.**

26 (f) If a vehicle owner or the owner's designee requests the use of a specific towing
27 company, the Department shall honor that request and allow the vehicle owner to engage
28 the services of the requested towing company except when:

29 (1) the requested towing company cannot arrive at the location of the
30 vehicle within a reasonable time period;

31 (2) a traffic safety problem exists and the requested towing company
32 cannot arrive at the location within 30 minutes of a police employee's arrival at the location
33 of the vehicle; or

1 (3) the vehicle is disabled in the roadway as a result of a collision or vehicle
2 fire and the requested towing company cannot arrive within 30 minutes of a police
3 employee's arrival at the location of the vehicle.

4 2-314.1.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) "Approved rates" has the meaning stated in § 2-314 of this subtitle.

7 (3) "Committee" means the Committee on Rate Setting and Complaint
8 Resolution for Police-Initiated ~~LIGHT-DUTY, Medium-Duty, and Heavy-Duty~~ Towing
9 and Recovery.

10 (4) "Police-initiated towing" has the meaning stated in § 2-314 of this
11 subtitle.

12 (5) "Recovery" has the meaning stated in § 2-314 of this subtitle.

13 (b) There is a Committee on Rate Setting and Complaint Resolution for
14 Police-Initiated ~~LIGHT-DUTY, Medium-Duty, and Heavy-Duty~~ Towing and Recovery.

15 (c) The Committee consists of the following members:

16 (1) two representatives of the Towing and Recovery Professionals of
17 Maryland, appointed by the President of the Towing and Recovery Professionals of
18 Maryland;

19 (2) a representative of the Maryland Motor Truck Association, appointed
20 by the President of the Maryland Motor Truck Association;

21 (3) a representative of the Owner-Operator Independent Drivers
22 Association, appointed by the President of the Owner-Operator Independent Drivers
23 Association;

24 (4) a representative of the Maryland Transportation Authority Police,
25 appointed by the Secretary of Transportation;

26 (5) a representative of the State Highway Administration, appointed by the
27 Administrator of the State Highway Administration; and

28 (6) a representative of the Maryland Insurance Administration, appointed
29 by the Insurance Commissioner.

30 (d) (1) A member of the Committee shall be appointed for a 3-year term.

1 (2) A member of the Committee may be reappointed at the end of the
2 member's term.

3 (e) The Department shall provide staff support for the Committee.

4 (f) A member of the Committee:

5 (1) may not receive compensation as a member of the Committee; but

6 (2) is entitled to reimbursement for expenses under the Standard State
7 Travel Regulations, as provided in the State budget.

8 (g) The Committee shall:

9 (1) ~~on or before December 1, 2023,~~ recommend approved rates **FOR**
10 **LIGHT-DUTY, MEDIUM-DUTY, AND HEAVY-DUTY TOWING AND RECOVERY** to the
11 Department that should be charged for police-initiated towing and recovery services;

12 (2) meet at least once every 3 years to review and consider modification of
13 the approved rates;

14 (3) request information and comments from other parties of interest to
15 assist with its work;

16 (4) recommend to the Department a process for resolving towing
17 complaints; ~~and~~

18 (5) EXAMINE AND REPORT ON INSURANCE MATTERS RELATED TO
19 VEHICLES REGISTERED AND INSURED OUT OF STATE;

20 ~~(6) EXAMINE AND REPORT ON INSURANCE MATTERS RELATED TO~~
21 ~~COST AND CLEANUP OF CARGO AND DEBRIS; AND~~

22 ~~(7) TO:~~

23 (I) VEHICLES REGISTERED AND INSURED OUTSIDE THE STATE;

24 AND

25 (II) THE COST AND CLEANUP OF CARGO AND DEBRIS; AND

26 (6) make any additional recommendations to the Department that the
27 Committee considers appropriate.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2026.