



SPONSOR: Rep. Osienski

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 3
TO
HOUSE BILL NO. 351

1 AMEND House Bill 351 by deleting lines 14 through 16 in their entirety and inserting in lieu thereof the
2 following:

3 “(4) “Private parking area” means any privately owned facility or portion thereof held open to the general
4 public for motor vehicle parking and that includes 1 or more spaces that are intended by the owner of the facility to be
5 used primarily by the owner’s customers, residents, lessees, or guests.”.

6 FURTHER AMEND House Bill 351 on lines 25 through 27 by deleting “Public parking area does not mean
7 general residential roadways or other roadways on which motor vehicles are commonly parked for extended periods of
8 time, unless clear and conspicuous signs are posted to specify the time or other limits to such parking.” as it appears therein
9 and inserting in lieu thereof “Public parking area does not mean non-commercial roadways or other roadways on which
10 motor vehicles are commonly parked for periods of time in excess of 24 hours.”.

11 FURTHER AMEND House Bill 351 by deleting lines 34 through 36 in their entirety and inserting in lieu thereof
12 the following:

13 “This chapter applies to non-consensual towing of motor vehicles from private or public parking areas. This
14 chapter does not apply to the towing of motor vehicles at the direction of police under Chapter 69 of this title, the towing of
15 abandoned motor vehicles under Chapter 44 of this title, or the towing of motor vehicles by a city, county, or state agency
16 authorized to tow such vehicles under § 4181A and § 7003 of this title.”.

17 FURTHER AMEND House Bill No. 351 by deleting lines 43 through 44 in their entirety and inserting in lieu
18 thereof the following:

19 “(3) If the towing will take place from a private parking area during a time when such parking area is held
20 open to the general public for parking, obtain a prior written authorization from the owner of the private parking area to
21 tow the motor vehicle. The prior written authorization may be conveyed electronically and must include all of the
22 following.”.

23 FURTHER AMEND House Bill No. 351 on line 151 by deleting “motor vehicle” as it appears therein and
24 inserting in lieu thereof “non-commercial motor vehicle or rental vehicle under § 2002 of Title 18”.

SYNOPSIS

This amendment to House Bill 351 incorporates House Amendments 1 and 2 to House Bill 351 and does the following:

- (1) it clarifies the definition of a private parking area;
- (2) it modifies language that removes residential roadways and other roadways on which motor vehicles are commonly parked in excess of 24 hours from the definition of public parking areas, and deletes an exception to this provision that would make these roadways public parking areas if conspicuous signs are posted to specify the time or other limits to such parking;
- (3) it provides an exemption for the towing of vehicles for unpaid tickets;
- (4) it allows the prior written authorization required for a non-consensual tow of a vehicle from a private parking area to be conveyed electronically;
- (5) it specifies that the \$500 cumulative total fee cap applies to the owners and operators of non-commercial motor vehicles.

In addition, this amendment specifies that the \$500 cumulative total fee cap also applies to the owners and operators of rental vehicles.