

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

Date: (Filing No. H- )

**STATE AND LOCAL GOVERNMENT**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 899, L.D. 1228, “An Act To Promote Transparency and Public Safety When Public Servants Request Towing Services”

Amend the bill by striking out the title and substituting the following:

**'An Act To Promote Transparency in Nonconsensual Towing and Roadside Assistance'**

Amend the bill by inserting after the title and before the enacting clause the following:

**'Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 29-A MRSA §1864** is enacted to read:

**§1864. Record of nonconsensual tow or roadside assistance**

The Department of Public Safety and the county sheriffs shall each maintain a centralized record of the following information relating to any nonconsensual tow or roadside assistance provided or arranged by the State Police or a county sheriff or by an employee of either:

**1. Date, time and location.** The date, time and location of each nonconsensual tow or roadside assistance;

**2. Registered owner.** The name of the registered owner of the towed motor vehicle;  
and

**3. Towing company.** The name and telephone number of any towing company providing the roadside assistance or towing services.

**COMMITTEE AMENDMENT**

1 For purposes of this section, "nonconsensual tow or roadside assistance" means the  
2 towing of a motor vehicle, its contents or other items related to removing the motor vehicle  
3 from a roadway or a parking area without the consent of the owner, possessor, agent, insurer  
4 or lienholder.

5 The Department of Public Safety and the county sheriffs shall provide access to the  
6 information on an annual basis.

7 **Sec. 2. Report.** The Department of Public Safety and the county sheriffs shall report  
8 to the Joint Standing Committee on State and Local Government by January 15, 2022 on  
9 the centralized record system and the information collected pursuant to the Maine Revised  
10 Statutes, Title 29-A, section 1864. The committee may report out a bill in the Second  
11 Regular Session of the 130th Legislature related to the reports.'

12 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
13 number to read consecutively.

#### 14 SUMMARY

15 This amendment replaces the bill. It adds a mandate preamble. It requires the State  
16 Police and county sheriffs to each maintain a centralized record of all nonconsensual tows  
17 and roadside assistance provided or arranged for by the State Police or a county sheriff or  
18 by an employee of either. It requires the Department of Public Safety and the county  
19 sheriffs to report to the Joint Standing Committee on State and Local Government by  
20 January 15, 2022 on the data collection required by this legislation. The committee has  
21 authority to report out a bill in response to the reports.