

## SB 548 A STAFF MEASURE SUMMARY

### Senate Committee On Judiciary

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**Action Date:** 04/04/19

**Action:** Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

**Vote:** 7-0-0-0

**Yeas:** 7 - Bentz, Fagan, Gelser, Linthicum, Manning Jr, Prozanski, Thatcher

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Michael Lantz, Counsel

**Meeting Dates:** 3/20, 4/4

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#### WHAT THE MEASURE DOES:

Creates State Board of Towing (Board). Establishes nine-member Board and administrative officer position. Grants rulemaking authority. Empowers Board to investigate complaints, penalize violations, and order removal of tower from Department of State Police rotation list. Directs Oregon Department of Transportation to impose disciplinary action as requested by Board. Lists funding sources. Declares emergency, effective on passage.

#### ISSUES DISCUSSED:

- Consumer issues related to towing
- Funding for regulatory agencies
- Overview of towers work group
- Effects of amendments

#### EFFECT OF AMENDMENT:

Replaces the measure.

#### BACKGROUND:

Oregon does not have a state agency tasked with overseeing the towing industry, which can lead to confusion about where complaints against towers should be directed and which agency should investigate those complaints. The Oregon Department of Justice, which has limited civil jurisdiction over towing issues under the Unlawful Trade Practices Act, has had an ongoing towing work group to address these problems.

Senate Bill 548 A creates a State Board of Towing within the Oregon Department of Transportation (ODOT). It establishes a nine-member Board to be appointed by the Governor. The Board is composed of four towers, a representative from the insurance industry, an individual from the Department of State Police tow program, a chief of police, a consumer advocate, and a member of the public. The measure also directs the Board to appoint an administrative officer, grants the Board rulemaking authority, and empowers the Board to investigate consumer complaints, penalize violations, and order the removal of a tower from the State Police rotation list. Funding for the Board is drawn from the State Board of Towing Account to be established within the State Treasury. Money within the account will be separate from the General Fund and will come from money appropriated by the Legislative Assembly and civil penalties imposed by the Board.