

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/7/2012
Reference No.: CB-039-2012
Draft No.: 2
Proposer(s): County Executive
Sponsor(s): Harrison, Davis, Franklin, Lehman, Patterson
Item Title: An Act amending provisions of the Prince George's County Code concerning towing regulations and procedures for providing notice of vehicle impoundment from private property

Drafter: Cheryl F. Collins, DER
Resource Personnel: Lea G. Reed, DER

LEGISLATIVE HISTORY:

Date Presented:	6/5/2012	Executive Action:	11/21/2012 S
Committee Referral:	6/5/2012 - THE	Effective Date:	1/7/2013

Committee Action: 9/27/2012 - FAV(A)

Date Introduced: 10/9/2012
Public Hearing: 11/7/2012 - 10:00 AM

Council Action (1) 11/7/2012 - ENACTED
Council Votes: WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:-, OP:A, IT:A, KT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

05-268, 26-142.08, 26-142.09, 26-142.10, 26-142.11, 26-142.12, 26-142.13, 26-142.14

COMMITTEE REPORTS:

Transportation, Housing and Environment Committee

Date 9/27/2012

September 27th , 2012

Committee Vote: Favorable with Amendments, 5-0 (In favor: Council Members Olson, Patterson, Toles, Davis and Lehman)

The Legislative Officer provided a summary of the Proposed Draft 2 of the bill and referral comments that were received. CB-39-2012 amends certain provisions of the Prince George's County Code concerning towing regulations and procedures for providing notice of vehicle impoundment from private property.

The Committee supported several amendments as follows:

1. Page 2, line 20 to 31 - deleted Sec. 26-142.05 – Tow slip.
2. Page 3, line 4 - Sec. 26-142.08 - require three (3) days notice instead of two (2) for impounded vehicle.
3. Page 2, line 6 - Sec. 26-142.08, Page 4, line 6 – Sec. 26-142.09 and Page 4, line 20 - require use of certified mail

instead of registered mail.

4. Page 5, starting at line 22 - added provisions within Sec. 26-124.14 (a)(1) & (2) for \$30 fee charge for notification letters sent by towing companies.

All amendments are reflected in Draft 2 of CB-39-2012.

Fred Scheler, owner of Henry's Wrecker Service, provided additional information and spoke in support of this legislation with the proposed amendments. Lea Reed, DER, indicated that the Department agreed with the amendments and that the Department may come forward with additional legislation in the next session to address the State towing legislation.

The Office of Law determined that CB-39-2012 was in proper legislative form and with no impediment to its adoption.

The Office of Audits and Investigation indicated there will be a positive fiscal impact as it relates to savings in postage costs and processing of notification letters as a result of adopting CB-39-2012.

September 13th, 2012

CB-39-2012 was discussed in Committee; a representative from Department of Environmental Resources (DER), Lea Reed, clarified the aim of this bill. Kerry Watson, County Executive Council Liaison, indicated a possible \$125,000 cost savings by shifting notification requirements from County to the industry. Fred Scheler, owner of Henry's Wrecker Service also outlined issues with the bill. CB-39-2012 was held pending another THE Committee on the 27th of September to allow DER and staff to propose changes to the bill after reviewing State towing legislation passed this year (SB 401/HB 160 – Chapter 228 of the Laws of 2012).

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This bill requires that tow companies, instead of the County, issue impound notification letters to the registered owners of any vehicles impounded from private property. The County currently processes private impound notification letters, spending over \$95,000 per year on postage. No other County in the State sends private impound notification letters.

CODE INDEX TOPICS:

INCLUSION FILES:
