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Representative Mark Bryant introducing
**LD 1228, An Act To Promote Transparency and Public Safety When Public Servants
Request Towing Services**
Before the Joint Standing Committee on State and Local Government

Good afternoon, Senator Baldacci, Representative Matlack and distinguished members of the Joint Standing Committee on State and Local Government. I am Representative Mark Bryant of District 24, which includes part of Windham. I am here today to present **LD 1228, An Act To Promote Transparency and Public Safety When Public Servants Request Towing Services.**

The bill before you requires the Central Fleet Management Division within the Department of Administrative and Financial Services, Bureau of General Services to develop standards governing requests for roadside assistance or towing services. This language was drafted in error.

I proposed this bill so that the state could develop statewide standards governing requests for roadside towing services. The bill, as drafted, inadvertently gives that authority to the Central Fleet Management Division. That is why I have proposed an amendment that strikes the bill language and instead requires the Maine State Police and county sheriffs to keep a centralized record of all non-consensual tows and roadside assistance provided or arranged for by the Maine State Police or a county sheriff.

The purpose of keeping this log is to ensure accountability, transparency and fairness in non-consensual towing jobs initiated by the State Police and county sheriffs. This is critical for rural areas where towing is particularly expensive. In urban and more populous parts of the state, central dispatch already maintains these types of logs. That is not the case for rural parts of the state.

By keeping a record, towing companies, law enforcement and the public can all access this information. This will ideally ensure that when a vehicle is stranded on the side of the road or abandoned up in Aroostook County, there will be no perceptions of favoritism in whichever towing company is called. It will additionally ease the burden on motorists who have to find their

vehicle after it has been towed by providing them with easily accessible and well organized data. Ultimately, this bill, as amended, protects consumers, towing companies and the state by holding us all accountable for providing the best services possible.

I thank you for your time, and I will be happy to answer any questions you may have, although I know that there are others here to testify in favor of this bill who will be far more knowledgeable.

Suggested Amendment: 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 striking out everything after the title and inserting 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.

Be it enacted by the People of the State of Maine as follows:

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

§1864. Record of nonconsensual tow and roadside assistance. Beginning January 1, 2022, the Department of Public Safety and the county sheriffs shall develop and maintain a centralized record of the following information relating to any nonconsensual tow or roadside assistance provided or arranged by the Maine State Police or a county sheriff or an employee of either:

- A. The date, time and location of each nonconsensual tow or roadside assistance; and
- B. The name of any towing company providing the roadside assistance or towing services.

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

SUMMARY

This amendment replaces the bill. It requires the Maine State Police and County Sheriff's to keep a centralized record of all nonconsensual tows and roadside assistance provided or arranged for by the Maine State Police or county sheriff or an employee of either. The amendment adds a mandate preamble.