

SENATE BILL 107

I4

(PRE-FILED)

4lr1444
CF 4lr0918

By: **Senator James**

Requested: November 1, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law – Statutory Liens – Motor Vehicles Towed or Removed From**
3 **Parking Lots**

4 FOR the purpose of establishing that a certain person has a lien on a motor vehicle towed
5 or removed from a privately owned parking lot for certain charges under certain
6 circumstances; establishing the circumstances in which the lien is extinguished;
7 providing for the retroactive application of this Act; and generally relating to
8 statutory liens and motor vehicles.

9 BY adding to

10 Article – Commercial Law
11 Section 16–202(e)
12 Annotated Code of Maryland
13 (2013 Replacement Volume and 2023 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Commercial Law**

17 16–202.

18 **(E) (1) A PERSON HAS A LIEN ON A MOTOR VEHICLE IF THE PERSON TOWS**
19 **OR REMOVES THE MOTOR VEHICLE FROM A PRIVATELY OWNED PARKING LOT UNDER**
20 **TITLE 21, SUBTITLE 10A OF THE TRANSPORTATION ARTICLE, ON BEHALF OF THE**
21 **PARKING LOT OWNER OR AGENT, FOR ANY CHARGE INCURRED FOR ANY:**

22 **(I) TOWING;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **(II) RECOVERY;**
2 **(III) STORAGE; OR**
3 **(IV) NOTICE PROVIDED.**

4 **(2) A LIEN CREATED UNDER THIS SUBSECTION SHALL BE**
5 **EXTINGUISHED IF THE MOTOR VEHICLE IS RECLAIMED AND THE CHARGES GIVING**
6 **RISE TO THE LIEN ARE PAID BY:**

- 7 **(I) THE OWNER OF THE MOTOR VEHICLE;**
8 **(II) THE LESSEE OF THE MOTOR VEHICLE;**
9 **(III) THE OPERATOR OF THE MOTOR VEHICLE;**
10 **(IV) THE INSURER OF RECORD;**
11 **(V) ANY SECURED PARTY; OR**
12 **(VI) ANY AUTHORIZED AGENT OF THE MOTOR VEHICLE OWNER.**

13 **(3) A LIEN IS CREATED UNDER THIS SUBSECTION WHEN ANY**
14 **CHARGES GIVING RISE TO THE LIEN ARE INCURRED.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
16 apply retroactively and shall be applied to and interpreted to affect any action for the
17 wrongful retention of a motor vehicle arising out of the towing or removal of the motor
18 vehicle from a privately owned parking lot under Title 21, Subtitle 10A of the
19 Transportation Article occurring before the effective date of this Act.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2024.