



Department of the Secretary of State

Bureau of Motor Vehicles

Potential Regulation of the Towing Industry in Maine 2026

Findings from a working group convened to study the potential need for regulation of the towing industry within Maine.



Potential Regulation of the Towing Industry in Maine

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Introduction

The safety of those who choose to live in and visit Maine is one of the Bureau of Motor Vehicles' (BMV's) four strategic pillars.

Beginning September 25, 2025, the BMV began convening a working group, as required by 2025 Resolve 77 to perform two overarching tasks:

- **Identify regulatory options:** Identify potential methods for regulating the towing industry in Maine and assess how each approach would affect interested and affected groups.
- **Develop recommendations:** Determine recommendations and draft statutory or regulatory language for towing industry regulation to be submitted to the Legislature.

The full resolve can be read in Appendix A of this report.

The towing industry in Maine provides a valuable service, and its contributions to Mainers and visitors who need their services cannot be overstated.

This working group has coordinated its efforts to provide an outcome that maintains a focus on the good of the consumer and associated stakeholders, while balancing the needs of the towing industry.

A key point this working group addressed, that should be clarified at the start, is the difference between a consensual and non-consensual tow.

A **consensual tow** is the towing, recovery, removal, or transportation of a vehicle that is expressly authorized by the vehicle's owner, operator, or other person entitled to possession..

A **non-consensual tow** is the towing, recovery, removal, or transportation of a vehicle without the express permission of the vehicle's owner, operator, or other person entitled to possession.

The working group has reached the following conclusions:

- **Regulation is needed:** Maine's towing industry requires a clear regulatory framework, overseen and enforced by the BMV, for consistency and accountability statewide.
- **Consumers and agencies need protections:** Customers, citizen groups, and public agencies need strong and actionable boundaries to prevent deceptive, predatory or irresponsible towing practices.
- **The industry benefits from clear standards:** Towing operators need a cohesive and well defined set of rules and regulations that support fair business practices, promote equitable competition and create a level playing field across the industry.

It is for these reasons, which are explained in-depth in this report, that the Towing Industry Working Group unanimously agreed there must be additions and changes to current laws and standards regarding the towing industry.

This working group met the first and third Thursday of each month starting September 25, 2025, until January 29, 2026.

Members could attend in person at the BMV's administrative office, or online via Microsoft Teams.

To view the full list of voting and non-voting members of this working group, see Appendix B.



Considering the Need for Towing Industry Regulation

The working group began its efforts by addressing the primary issues within the towing industry, and if those warranted a need for a regulatory framework.

Consumer and industry representatives raised concerns that the working group considered. The next section provides overviews of these concerns, and explores them in more detail.

Consumer and Associated Stakeholder Concerns

Consumer and associated stakeholder representatives reported that many of their concerns stem from how certain towing practices affect the overall consumer experience, as well as the ability of associated stakeholders to uphold and enforce consumer rights when those rights are violated.

The greatest concerns for consumers and associated stakeholders are:

- Non-consensual tows creating situations where an individual is unable to locate their vehicle while fees accumulate.
- Fees that appear to be arbitrary, unnecessary and/or predatory in nature.
- Consumers having difficulty enforcing their rights.
- Lack of transparency in how towing practices are performed.

Towing Industry Concerns

The towing industry finds most of their concerns focused on being able to run sustainable business models that balance the duty to serve Maine's communities with the practical reality of running what are almost entirely small businesses and not larger corporate chains.

The greatest concerns for the towing industry are:

- Ensuring that costs associated with operating a towing company do not become impracticable.
- Preventing the over-regulation of Maine's towing industry.
- Maintaining a streamlined process when working with organizations such as the BMV.
- Making sure agencies that work with towing companies do not show favoritism when requiring towing assistance or other services offered by these companies.

Maine is not the only state considering regulation. A ProPublica article highlights Connecticut's efforts to protect consumers, specifically those who are low-income.

Connecticut's Department of Motor Vehicles (DMV) commissioner has submitted recommendations to the state's legislature.

These recommendations include but are not limited to:

- Requiring tow companies to make a larger effort to notify owners their cars were towed.
- Mandating the sending of two letters once a vehicle has been towed and a third if it hasn't been claimed and an auction is imminent.
- Offering that the DMV will set up an online portal on its website listing every towed car so people can find which tower has their vehicle, when it was towed and when an auction will occur.

To view the full article, see Appendix C.



Consumer and Associated Stakeholder Concerns

Individuals in Maine have increasingly found themselves facing a series of compounding challenges related to towing practices.

These issues can quickly escalate into substantial financial burdens or, in some cases, the loss of their vehicle.

Consumers have raised these concerns both with members of the working group and directly with the BMV, specifically its Division of Enforcement Services.

The representative of the Office of the Maine Attorney General (AG), for example, noted their Consumer Protection Division has received over 100 unique complaints regarding the towing industry since 2019.

That number is considered significant by the attorney general's office.

The BMV has also documented numerous complaints spanning a wide range of towing related issues.

Because Maine lacks a comprehensive regulatory framework for the towing industry, consistent and detailed data on citizen complaints and towing practices is difficult to obtain.

As a result, the working group relied available information supplemented by the professional expertise and firsthand experience of its members.

Non-Consensual Tows and Difficulty Locating Vehicles

Individuals in Maine have reported a range of difficulties following both predatory and legitimate non-consensual towing encounters.

An example of a recurring issue is when a vehicle owner is unable to determine where their vehicle has been taken, often because they did not receive information at the time of the tow.

This problem is common in situations where the driver is arrested or transported by emergency services after a crash, leaving them unable to communicate with the towing operator.

This issue is exacerbated by instances when personal items inside the vehicle including items of financial value, essential medications or documents containing personally identifiable information are transported along with the vehicle, often without the owner's knowledge.

Because towing companies are not currently required to provide information to the vehicle owner or to any party acting on the owner's behalf, individuals may go extended periods without knowing the location of their vehicle or their belongings.

These circumstances have led to situations in which vehicle owners face mounting storage fees or risk losing their vehicle entirely. The lack of mandated communication requirements contributes significantly to these outcomes and underscores the need for clearer regulatory standards.

Fees Within the Towing Industry

A core concern within the towing industry, not just unique to Maine, is the number of fees charged by the towing industry.

Consumers may find themselves in situations where they are charged, in their opinion and the opinion of some members of the working group, duplicative and overly expensive fees.



The AG representative explained that their office has seen individuals come through dealing with:

- “Emergency fees” that are charged in non-emergent situations.
- “Fuel charges” that ostensibly pay for a vehicle to idle at the scene, but impose fuel rates averaged for the business’s collective fuel costs for prior years.
- Fees for paperwork the business is required by statute to provide the Secretary of State.
- Fees that are duplicative, e.g., businesses charging for mileage or vehicle wear and tear under more than one fee.
- Storage fees that at times have significantly exceeded legal limits. Title 29-A §1857 states daily storage fees must be reasonable (the term “reasonable is not defined in the law) and may not exceed \$1500 for a 30-day period.
- Bait-and-switch pricing — businesses refusing to honor a quoted price, or tacking on last-minute fees.
- Businesses refusing to allow vehicle owners to retrieve personal items, such as winter clothing and footwear.
- Lack of accountability — there is currently no mechanism for a vehicle owner to dispute towing or storage fees until the business applies for title to the vehicle. The vehicle owner can file a lawsuit, but that is often prohibitively expensive and further delays resolution or vehicle return.

The insurance industry’s representative noted that there are concerns regarding how consumers are treated, and that there are towing practices which seem to generate unnecessary costs for motor vehicle owners.

The representative of the Maine Motor Transport Association (MMTA) has also received consumer complaints and explained they have seen charges that on the surface appear to be excessive and were added to simply

overcharge the consumer, especially for non-consensual tows.

Examples include restocking fees, picture taking fees, administrative fees, gate fees and excessive fees for manpower and supervision, which are often duplicated with fees for drivers.

Towing companies often receive training on invoicing from vendors whose motto is to invoice without leaving money on the table.

Enforcing Consumer Rights

When consumers believe they have been wronged by a towing company, whether due to a misunderstanding or intentional misconduct, they must then navigate the process of enforcing their rights.

This can range from attempting to resolve the issue directly with the towing business to pursuing civil legal action.

However, unless the towing company has filed the necessary paperwork with the Secretary of State to claim title to the vehicle, consumers have no formal mechanism to dispute towing or storage charges short of filing a lawsuit.

Litigation is often prohibitively expensive, particularly because many of the vehicles involved have low market value.

As a result, financially at risk groups and individuals are disproportionately affected by towing disputes and abandoned vehicle claims.

The absence of clear rules or standards governing towing and storage fees makes it difficult for consumers to present a strong case even when they do seek legal recourse.

In short, disputing towing and storage charges under the current system is an uphill climb, with few avenues to provide relief.



The absence of a regulatory body that focuses on the towing industry has created circumstances where:

- Consumers often do not know where their vehicle has been towed. They do not have a say in where it is towed.
- A towing company may misapply the law, an example being overcharging for storing abandoned vehicles.
- A lack of standardization makes it difficult for entities like law enforcement to bridge any gaps between companies and consumers.
- A variety of other issues occur.

Towing Industry Transparency

Issues around non-consensual tows, fees and consumer rights are all compounded by a lack of overall transparency in the towing industry within Maine.

The very fact the towing industry provides an essential service creates conditions that a lack of transparency only exasperates.

A situation where a company non-consensually tows a car and then does not tell a consumer where their vehicle is going, how their pricing structure works or how to even contact them isn't an isolated or unique experience.

A consumer doesn't know if a company reaches a minimum standard because the enforcement mechanisms in place don't have the details, attention or weight to make an actionable difference in cases at a frequent enough rate that it has been brought to the attention of agencies across the state.

Consumers, correctly, expect the state to intervene in situations where a needed service is, malicious or not, creating circumstances that affect not only everyone, but a disproportionate number of fiscally disadvantaged Mainers.



Towing Industry Concerns

The towing industry within Maine has also, through its participation in the working group, voiced a number of concerns that see them attempting to best balance the needs of Mainers who require their services, while also creating an environment that does not alienate those who run these businesses.

The reality for many towing companies is that they do not have the resources of larger corporate chains, as most of them are considered “mom and pop shops” or are smaller organizations akin to this designation.

Representatives of the Towing and Recovery Association of Maine (TRAM) informed the working group that companies face a litany of issues from the increasing price of towing equipment to preventing what many in the industry see as favoritism shown to specific companies by towns and state agencies.

Towing Company Costs

Being able to run a towing company that not only provides services to Mainers at a fair cost, but also is sustainable in its business model, is one of the greatest concerns regarding the towing industry any suggested regulation would need to take into account.

According to TRAM, towing companies around Maine field around 3,000-4,000 calls per day. They’re asked to, among other duties, assist local motorists in moving their personal vehicles, businesses need help in moving unauthorized vehicles left on their property and law enforcement needs aid in moving vehicles in a multitude of situations.

In all of these situations towing companies are required to utilize tools that have increased in price, and they are working with insurance agencies whose prices have increased as well.

These costs are not all absorbed by the industry, and as a result consumers are also subject to price increases to help offset the ever increasing cost of business.

Preventing Over Regulation

While the towing industry’s representatives within the working group acknowledge the good regulation can be accomplished, they caution against creating a restrictive business atmosphere through overenthusiastic regulation.

The towing industry believes that regulations can affect its business model at nearly every level, and an example of this in action is below.

State processes that involve steps, such as snail mail, have arguably slowed down the process on companies acquiring, for example, abandoned vehicle titles. While the BMV’s Titles Division takes in applications and turns them around within given timelines, TRAM reports that they have seen titles arrive anywhere from 65 to 100 days after beginning the process with the state.

It should be noted that BMV records do not reflect their time lag. The abandoned vehicle process is not a regulation the industry finds unreasonable, but the current method of delivery for this item, alongside the incredible overall demand for titles, has led the towing industry to suggest that the state being overly involved in occurrences they have not been up to this point may increasingly complicate the process.

The BMV was responsible for a total of 5,395 title applications in the year 2025. During that same year, it issued 4,182 titles. If you track the data in total from 2021 to 2025 those numbers are 23,325 and 18,778 respectively.

To view this data, and additional points relevant to it, see Appendix D.



Streamlined Processes

Towing companies have worked with state organizations for many years, and as a result have had a good deal of time work with systems they would like to see adapted to make their interactions with the state, and general operations with each other and consumers, more streamlined.

These companies must balance the needs of consumers, local and state agencies and third party organizations sometimes all at once. While everyone has best practices, these can at times prolong certain jobs and therefore create more wear and tear on the industry's material resources and employees.

The TRAM representative discussed with the working group the possibility of adopting the "New Hampshire Model" to assist in this regard.

To view Vice President Hatch's proposal, see Appendix E.

Utilizing this model, and combining it with existing Title 29-A legislation, Vice President Hatch began by stating the industry would like to see streamlining brought to:

- The formation of a towing rotation list and how it is utilized.
- Requirements to becoming a towing driver and to using towing trucks.
- Mandatory record keeping.
- Abandoned motor vehicle processes.
- The reasons that a towing company may be called upon for assistance.
- Transparency regarding charges issued by towing companies.
- Courtroom hearings regarding the industry.
- Disciplinary actions that are enacted upon towers and motor vehicle owners.
- A host of other compliance related issues.

Preventing Favoritism

A common complaint levied by the towing industry, especially when working with law enforcement or local agencies, is that these organizations show favoritism towards an individual or group of towing companies when conducting their business.

TRAM believes a towing rotation would serve as a great step in reducing this issue.

TRAM went on to say a rotation would assist small companies competing in the marketplace and allow for call volume to be more evenly distributed.

He continued by explaining that most municipalities already have towing rotations, and alongside that comes a standardized list of rules, policies and in some cases set rates.

There is also a point made here that, were something like that adopted at the state level, it could help in better allowing for disciplinary action when someone, any role, violates rules and regulations.

TRAM did highlight that at this time county sheriffs and the Maine State Police (MSP) do not have rotations, and as a result are able to call whomever they so choose in a given circumstance.

MSP did note, in response, that their policy is to call the closest available towing company when they require assistance.

In addition to these overall remarks, TRAM discussed that a rotation could also help prevent scammers from arriving on a scene ahead of reputable towing industry representatives.

TRAM pointed to Indiana having a tow rotation as an example of this sort of system in action and having a meaningful impact.



Proposed Legislative Language

Following the discussions regarding towing industry regulation, and hearing grievances on the current system from the working group, the decision was made to provide legislative language that would act as an initial framework for a statewide regulations and policies for the towing industry.

This working group reviewed, modified and edited the draft.

It went line-by-line to verify the language is properly vetted and placed within the suggested framework.

This has also given every working group member, and any members of the public who attended these working group meetings, the chance to contribute to the suggested language.

Inspiration for this language has been taken from states around the nation who have already established themselves within similar guidelines.

This includes the New Hampshire Model, as addressed by TRAM in the prior section, and research done by the BMV.

Additionally, a presentation by the National Insurance Crime Bureau's (NICB) Senior Director of Strategy, Policy and Government Affairs Howard Handler helped to inform the working group of potential legislative and regulatory fixes to predatory towing.

To view the legislative and regulatory fix suggestions see Appendix F. The entire presentation can be viewed by going to [maine.gov/sos/working-group-regulation-towing-industry](https://www.maine.gov/sos/working-group-regulation-towing-industry) and viewing the "Related Documents" section.

The structure here builds upon regulatory concepts that have long been successfully applied within Maine's dealer industry, adapting those proven oversight mechanisms to the towing environment in a practical and defensible way.

Leveraging an existing and proven regulatory structure allows for more efficient and practical implementation, rather than attempting to establish operational standards without clearly defined regulatory authority.

The framework the working group developed aligns closely with five core regulatory principles. It reflects a measured and consistent approach grounded in established regulatory models nationwide.

The following page lays out these five core concepts.



The five core concepts summarized below reflect regulatory practices identified in other states and provide a foundation for establishing an effective and sustainable regulatory program.

While several of these concepts are set forth within the legislative framework, others are appropriately addressed through rulemaking authority granted under the legislation, allowing for thoughtful implementation, stakeholder input, and administrative flexibility as the program is developed.

- **Rate Regulation and Fee Transparency**

- Establishing of maximum allowable rates for non-consensual towing.
- Setting of daily caps on storage fees, administrative fees and after-hours release fees.
- Requiring of public disclosure of all rates and fees to ensure transparency.

- **Licensing, Insurance and Qualification Standards**

- Requiring the licensing of towing businesses.
- In some jurisdictions, requiring individual operator licensing.
- Establishing minimum insurance requirements.
- Setting standards for storage facilities.

- **Consumer Protections and Rights**

- Requiring reasonable access to vehicles during normal business hours.
- Allowing for the retrieval of personal belongings without unnecessary barriers.
- Requiring prompt notification to vehicle owners.
- Prohibiting unreasonable or restrictive release practices.

- **Regulatory Oversight, Enforcement Authority and Complaint Process**

- Designating a regulatory agency with authority to:
 - License towing businesses,
 - Investigate complaints,
 - Audit operational records,
 - Inspect facilities,
 - Establish record retention requirements and
 - Require cooperation with investigations.

- **Operation Standards and Safety Requirements**

- Establishing equipment safety and maintenance standards.
- Requiring compliance with applicable federal and state safety regulations.
- Requiring secure vehicle storage practices.
- Requiring documentation of a vehicle's condition at the time of tow.

To view the proposed legislative language in full, see Appendix G.



Continued Work On Towing Industry Regulations

The suggested language provided by this working group is meant to be a starting point.

Creating an entirely new set of rules and regulations, then either creating or growing new or existing agencies, is going to be an ongoing and likely years long project.

While the working group's current goal will have been completed upon the submission of this report, it will continue the work of evolving.

The next steps for this working group will be establishing a committee that:

- Sets standardized fees for non-consensual towing.
- Reviews abandoned vehicle laws.
- Sees the BMV developing rules to carry out laws that are passed by the legislature.
- Develops much needed computer systems.

These efforts will be done in order to build a practical and equitable set of circumstances for everyone involved with and affected by the towing industry.



Conclusion

The working group approached the topic of introducing potential regulations for Maine's towing industry with an open mind. It relied, in part, on the professional experience of its members to come to its decision.

The working group came to a unanimous decision that action must be taken to assist the towing industry and Maine's consumers through regulation.

Towing industry representatives have informed the working group that they are supportive of regulations that serve to strengthen the industry and keep bad actors out, although their support of specific articles of the proposed legislative language is at times cautious.

A representative of the heavy towing and recovery industry informed the working group that they support the establishment of licensing requirements and understand the role a regulatory framework can play in strengthening professionalism and accountability within the towing industry.

They acknowledged that additional standards and oversight may be necessary to address problematic practices and help ensure a level and responsible operating environment.

While they noted some concern regarding the potential burden of increased regulation, they expressed an understanding of its purpose and the importance of maintaining clear standards that protect both consumers and reputable operators.

The TRAM representative, who also serves as a light-duty towing operator, informed the working group that they are generally supportive of the establishment of licensing requirements and view licensing as a reasonable

and appropriate step toward strengthening professionalism and accountability within the industry.

They expressed appreciation for the collaborative process undertaken by the working group and recognized that the proposed legislative framework represents meaningful progress in addressing ongoing and emerging challenges within the towing and recovery sector.

The representative noted that while the framework addresses many important areas, additional work may still be needed to address certain operational challenges faced by towing companies, including the timely disposition of unclaimed or junk vehicles and the absence of a consistent and effective statewide rotation system.

They also expressed interest in ensuring that any rate and fee caps are informed by careful study and analysis, and were supportive of continued evaluation to help establish appropriate guardrails that balance consumer protection with the operational realities of towing providers.

Overall, the representative indicated that the legislative package reflects a thoughtful and constructive effort by the working group, incorporates many provisions that will help address growing concerns within the industry, and represents a positive and important step toward establishing a fair, consistent, and effective regulatory framework.

TRAM did provide a written statement to the working group, providing further clarity on their position.

To read the statement, see Appendix H.



While establishing a comprehensive rotation framework statewide would be a more complex undertaking, the legislative package does include language authorizing the BMV to implement an electronic towing management system.

This system is primarily intended to support public reporting and oversight of non-consensual tows, but it is also designed with the flexibility to support more modernized notification processes for abandoned vehicles and improved logistical coordination.

Over time, this could include features such as rotation management, equipment matching based on recovery needs, and proximity-based dispatch considerations.

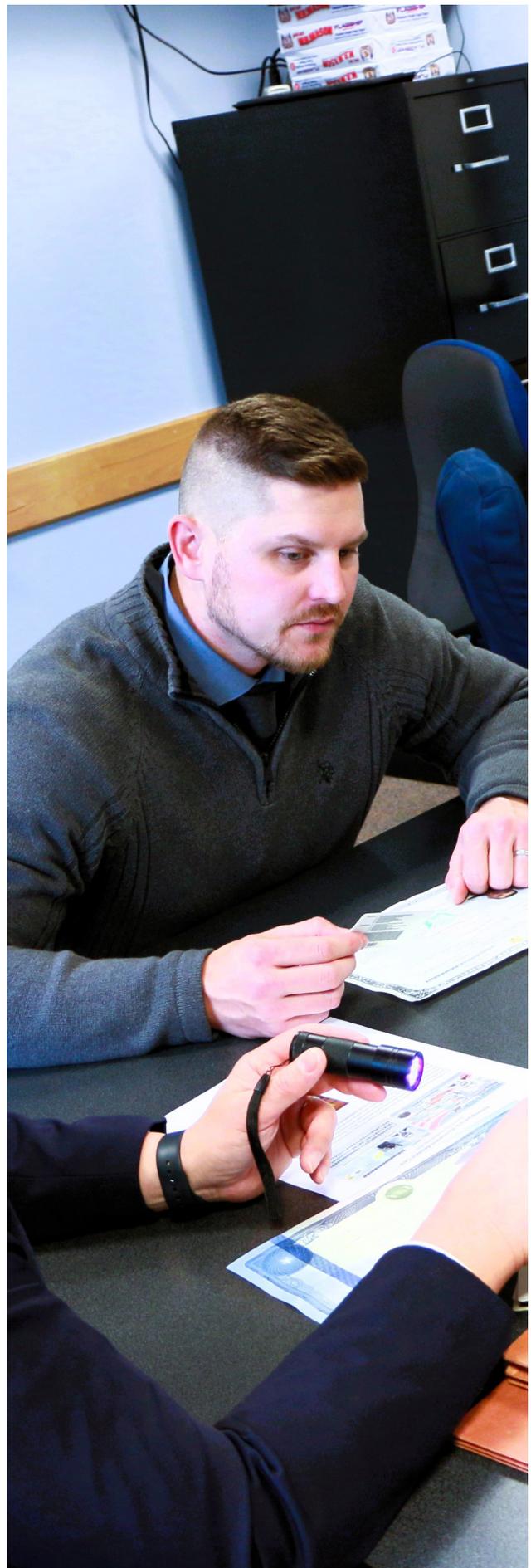
Importantly, the inclusion of this authority is intended to create a scalable foundation that can evolve as needs are identified.

This provides a pathway to address ongoing concerns related to abandoned and junk vehicle disposition, storage challenges and rotation fairness while allowing solutions to be implemented with stakeholder input.

Any development and implementation of such a system would also occur with input from the Towing Advisory Committee referenced in the legislative package, ensuring continued collaboration with industry representatives and affected stakeholders.

It is the responsibility of this working group to consider the safety and security of both Mainers and the towing industry which has contributed so much to the effective running of the state's roads and highways.

By introducing this new legislative language the concerns of both consumers and the industry are able to be addressed and acted upon in a way that creates fair and equitable ground for those involved.



Appendix

Appendix A: Resolve, to Convene a Working Group to Evaluate Potential Regulation of the Vehicle Towing Industry and the Impact on State Agencies and Industries

LAW WITHOUT
GOVERNOR'S
SIGNATURE

JUNE 15, 2025

CHAPTER

77

RESOLVES

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-FIVE

S.P. 572 - L.D. 1377

Resolve, to Convene a Working Group to Evaluate Potential Regulation of the Vehicle Towing Industry and the Impact on State Agencies and Industries

Preamble. Whereas, motor vehicles are an essential part of everyday life for many people residing in Maine; and

Whereas, deceptive, irresponsible and predatory towing practices impose financial burdens and logistical hardships on those who rely on their vehicles for everyday use; and

Whereas, the towing industry affects many different industries and state agencies because of the differing ways the industry conducts its business; now, therefore, be it

Sec. 1. Working group. Resolved: That the Department of the Secretary of State shall convene a working group, referred to in this resolve as "the working group," to evaluate potential solutions regarding regulation and enforcement of regulation of the towing industry.

Sec. 2. Working group membership. Resolved: That the working group membership is as follows:

1. One member representing the light vehicle towing industry, appointed by the Secretary of State;
2. One member representing the heavy vehicle towing and recovery industry, appointed by the Secretary of State;
3. One member representing the trucking industry, appointed by the Secretary of State;
4. One member representing credit unions, appointed by the Secretary of State;
5. One member representing large financial institutions, appointed by the Secretary of State;
6. One member representing the insurance industry, appointed by the Secretary of State;
7. One member representing the legal interests of people earning low income in the State, appointed by the Secretary of State;



8. One member representing a State Police traffic division, appointed by the Chief of the State Police;
9. One member representing the consumer protection division of the Office of the Attorney General, appointed by the Attorney General;
10. The deputy secretary of state having oversight over the Department of the Secretary of State, Bureau of Motor Vehicles or the deputy secretary's designee; and
11. The Secretary of State or the secretary's designee.

Sec. 3. Duties. Resolved: That the working group shall:

1. Identify and examine potential methods for regulating the towing industry to protect drivers from deceptive, predatory or irresponsible practices;
2. Identify and examine how identified regulations under subsection 1 could be most efficiently and comprehensively enforced;
3. Consider how any identified regulations under subsection 1 would impact the agencies, industries and citizen groups represented on the working group and any potential further impacts to agencies, industries and citizen groups not represented;
4. Examine the issue regarding disposition of the vehicle when the owner is involuntarily hospitalized, paying particular attention to the length of holding before a vehicle is considered "abandoned" as defined under the Maine Revised Statutes, Title 29-A, section 1852 and the total storage charges;
5. Examine the laws governing notification to vehicle owners and lienholders, if any, when a vehicle is towed or left without permission on a residential or business property, including, but not limited to, the time required for notification and storage fees; and
6. Make recommendations based on the findings of the working group.

Sec. 4. Staff assistance. Resolved: That the Department of the Secretary of State shall provide necessary staffing services to the working group.

Sec. 5. Report. Resolved: That, no later than February 3, 2026, the working group shall submit a report that includes its findings and recommendations, including any necessary implementing legislation, to the Joint Standing Committee on Transportation. The joint standing committee may submit legislation related to the report to the Second Regular Session of the 132nd Legislature.



Appendix B: Working Group Voting and Non-Voting Member List

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Appendix C: Connecticut Towing Industry Regulation ProPublica Article

DMV Commissioner Proposes More Reforms to Connecticut Towing Law — ProPublica



Regulation

“Step in the Right Direction”: Connecticut DMV Commissioner Calls for More Reforms to State Towing Law to Protect Drivers

The recommendations to require more notification to car owners and to streamline the process for selling unclaimed vehicles follow a Connecticut Mirror and ProPublica investigation into towing practices.



The Connecticut Department of Motor Vehicles commissioner, Tony Guerrero, is planning to announce five reforms to the state's towing laws. Shahrazad Rasekh/CT Mirror

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Despite a slew of reforms enacted last year to rein in the practices of towing companies, more needs to be done to protect consumers whose cars face removal and possible sale, the commissioner of the Connecticut Department of Motor Vehicles said Tuesday.

DMV Commissioner Tony Guerrero laid out five recommendations he plans to make for the legislature to consider during its session that begins in February. The recommendations follow a [Connecticut Mirror](#) and [ProPublica investigation](#) that exposed how state law for decades favored towing companies at the expense of low-income consumers. They also follow months of meetings with a group of industry and consumer representatives.

The recommendations would require towing companies to make more effort to notify owners that their cars have been towed and streamline the process by which the firms can sell unclaimed vehicles.

The commissioner announced his proposal at the last scheduled meeting of a working group of towing and consumer representatives. The group was created as part of a towing reform law passed last year after the news organizations showed how towing companies were seeking the DMV's permission to sell some cars after as little as 15 days, one of the shortest time frames in the country. Many low-income residents were towed for minor violations, sometimes from their own apartment complexes, only to lose their cars when they couldn't afford to get them back before they were sold.

If the legislature adopts the recommendations, towing companies would no longer place values on vehicles that they tow, which now determines whether a tower can start the sales process in 15 days or 45 days. Instead, all cars would be sold at a public auction after 30 days, Guerrero said.

Other recommendations include requiring towing companies to send two letters to the registered owner of the vehicle after it's towed, one certified and one not. If the car isn't claimed, towers would have to send a third letter to the owner after 30 days to inform them when and where the auction will be held. The towing companies would be required to either advertise the auction on their websites or publish legal advertisements in local newspapers.



The DMV would also be required to set up a portal on its website listing every towed car so that people can find out which tower has their vehicle, when it was towed and when the auction will be.

If a vehicle receives no bids and the car owner shows up, the towing company would be required to offer the car back to them at whatever their costs are before selling it for scrap.

There was little pushback from industry leaders or consumer advocates on Tuesday even though towing representatives had previously complained that the changes would add costs and consumer lawyers had objected that the recommendations didn't go far enough to protect drivers.

The proposal also didn't address the initial task the legislature assigned to the group: how to handle the profits from the sales of towed cars. Currently, towing companies are supposed to hold onto proceeds for a year so owners or lenders can claim them. After that, any unclaimed funds, minus towing fees, are required to be turned over to the state. But CT Mirror and ProPublica found that hasn't happened in part because [the DMV never set up a system to collect the money](#).

Guerrera said after the meeting that the DMV has set up a process to monitor whether towing companies are turning funds over to the state. He said they won't know if the system is working until October because the money from sales of towed cars must be held for a year.

After Guerrera finished outlining his proposal, Eileen Colonese, secretary of the industry group Towing & Recovery Professionals of Connecticut, said Guerrera's plan doesn't address a key issue: The last registered owner of the vehicle is not necessarily the owner when it's towed.

"I still believe that until the state of Connecticut comes up with a process to figure out who really owns the vehicles, all of this stuff that we're doing is pretty much nonsensical because we're still not notifying the current owner of the vehicle," Colonese said.

Consumer advocate and attorney Raphael Podolsky said Guerrera's recommendations are a "step in the right direction, but there's still a lot of issues that need to be addressed until the system is fixed."

Guerrera said his plan was "inspired" by the discussions during the previous four committee meetings. He said he hopes the portal on the state's website will also help DMV personnel better track what towing companies are doing with vehicles.

Under the revised law, which went into effect on Oct. 1, towing companies must now give people warning before removing vehicles from apartment parking lots unless there's a safety issue. They also must accept credit cards, let people retrieve their belongings and be available on weekends for people to pick up their cars. And although the sales process can begin after 15 days for vehicles worth less than \$1,500, towers must wait 30 days before selling them.

Guerrera said he expects that the working group will keep meeting.

"I want to have continuous meetings, whether it's quarterly or twice a quarter, to try and narrow down any issues that come up or that need to be fixed so that we can create a system that works for everybody," Guerrera said.

Ginny Monk of The Connecticut Mirror contributed reporting.

<https://www.propublica.org/article/connecticut-towing-dmv-proposal-update>



Appendix D: Abandoned Vehicle Title Statistics 2021-2025

ABANDONED VEHICLE STATISTICS

Year	2021	2022	2023	2024	2025
Title Applications Received	3,854	4,231	4,757	5,088	5,395
Titles Issued	3,294	3,626	3,772	3,904	4,182
Ownership Letters for Non-Titled Vehicles	83	74	91	175	179
Total Issued (Title and Ownership Ltr)	3,377	3,700	3,863	4,079	4,361
Notification Letters Created	4,871	4,981	6,595	6,982	7,511
Hearings	22	22	47	38	42
% of Title Applications Issued	87.60%	87.40%	81.20%	80.10%	80.80%



Appendix E: Towing and Recovery Association of Maine’s “New Hampshire Towing Legislation” Recommendation

Towing & Recovery Association of Maine proposed usage of current New Hampshire Towing Legislation for Maine

The State of New Hampshire spent nearly ten years designing their legislation involving the towing Industry. New Hampshire’s legislation model is very comprehensive and was designed to provide rules and regulations for towing services for their State Police Department. The NH legislation encompasses the formation of a rotation list, use of that list, driver and truck requirements, mandatory record keeping, abandoned motor vehicle processes, Reasons for towing, transparency of charges for these services, Hearing policies, disciplinary actions for both the towers as well as the vehicle owners, and many other compliance issues.

The Towing & Recovery Association (TRAM) believes that using some NH Legislation combined with our current Title 29A Legislation can help significantly reduce many of the issues that were brought forth during this working group. We also have suggestions to help encompass all non-consensual towing and not limit it to Police Rotations.

We know that the use of Towing Rotations has been brought up on both sides of this issue, and both felt that it would aid in lowering the cost of towing consumers. Rotation lists will make it fair for small companies to compete and allow for a more evenly distributed call volume. Most municipalities have towing rotations in Maine. These Maine municipalities have set rules, policies, and some set rates for their local towing rotations. We believe that having a rotation list also helps with accountability and disciplinary action if needed. The State Police and County Sheriff's Departments in Maine currently do not have rotations and often can call whomever they want to call. The Towing & Recovery Association of Maine strongly urges the formation of rotation lists at the State and County levels.

NH towing legislation also has mandatory record keeping requirements and a more detailed policy regarding releasing vehicles and holding contents. We



would recommend making some changes to Title 29A that would help clean up some complaints regarding these issues in Maine. The storage policy in Title 29A is confusing to some people. The storage rate for abandoned motor vehicles in Maine should just read \$50 per day and not include \$1500 maximum for 30 days. It is confusing as it is currently written for the consumer. Title 29A is an abandoned motor vehicle law, and the rules surrounding the legislation rely on that vehicle being defined as abandoned. We believe that much of what is written in Title 29A should only be attached to an abandoned vehicle, but we might want to move new Legislation items out of that Title 29A assignment.

The Towing & Recovery Association also would like to follow NH by using transparency of charges, accountability, and disciplinary action as the way to move forward to help with regulation of towing industry in Maine.

The State of New Hampshire requires their towing companies to annually provide the State Police with an updated list of all rates that their companies would charge. They use these price lists as a guide to what a “reasonable” rate is if a problem arises and will hold companies accountable to only charge what they submitted. They use hearings to determine if any wrongdoing or overcharging has occurred and rule within 7 days of the hearing.

Our proposal for Maine is to use BMV resources and Hearing officers to help facilitate a similar system with a couple of changes. TRAM would help develop a rate sheet document that would be submitted annually by every towing company that wanted to perform nonconsensual towing to the BMV office. We would suggest that the State of Maine makes it mandatory that every towing company must submit their rate schedule before lawfully towing any nonconsensual vehicle. If a complaint arises, the complainant could ask for a hearing within 20 days after paying their towing bill. The complaint could be handled by BMV hearing officers, and they could compare the bill with the companies' rate schedule that was submitted. The Hearings officer could then rule to give money back if overcharging occurred or rule that the towing rates were in line. The real benefit to this approach is that after the first year of



rates being submitted, we can get a look at the median amounts for the different towing related charges and can really calculate what a fair and reasonable rate in Maine is for those fees.

TRAM also recognizes the issues around private property towing, and we suggest a couple of solutions. The companies that perform private property towing would also have to submit their fees to the BMV. We also would suggest any multiunit residential building or commercial property must have proper signage before having a vehicle towed from their property. We suggest that the towing companies Name, contact phone number and towing and storage rates must be on the signage for that property. This will give the consumer the knowledge of where their vehicle is and the fees involved.

TRAM has brought up several times that abandoned vehicles are a major problem, and they aid some of the increased costs that are spread to other vehicles that are being paid for. We ask that we look at the disciplinary action that NH uses which is fined based and can result in the loss of license or right to register a vehicle. We would like everyone to consider a \$250 fine for first time abandonment of a vehicle and possible suspension of registration for habitual offenders. Abandonment could be defined by when the title was issued by the State of Maine, which then could trigger the fine. We have spoken to many NH towers and officials, and this type of disciplinary action has helped significantly lower the number of abandoned vehicles. TRAM would also like to push for a digital platform to submit abandoned title paperwork. We feel it would expedite the process and save consumers / lienholders money if notification happens faster. A digital platform should also lessen the work from BMV.

TRAM has spent a lot of time dissecting the State of New Hampshire towing Laws, and we believe that the combination of Title 29A and what we have proposed will go a long way in fixing many of the issues brought forth during this work group. There will be many items to clarify as we develop this new legislation, but it does give us a path to move forward.



Thank you for allowing me to give you this proposal today.

Scott Hatch

Towing & Recovery Association of Maine

Vice President



Legislative and Regulatory Fixes

Licensing:

- Holds towers responsible with potential for license revocation
- Often decided and/or appealable to a towing board

Solicitation:

- Prohibits towers from soliciting at the scene
 - Protects consumers
 - Protects the public from towers racing to the scene or fighting amongst each other
- Implement a tow rotation program



Legislative and Regulatory Fixes

Access:

- Reasonable business hours
- Working phone with calls returned within a reasonable time

Fees:

- Set or require reasonable fees
- Prohibit nebulous fees
- Fees should be disclosed on a rate sheet at the tow-scene and posted to the place of business
- Invoices should be itemized
- Require multiple, common forms of payments



Legislative and Regulatory Fixes

Notification:

- Towing companies should notify owners, lienholders, and insurers of vehicle possession

Vehicle Markings:

- Tow trucks should be well marked with the company name, address, phone number, and license number.



Legislative and Regulatory Fixes

Documentation:

- Towers should photograph the tow scene and tow
- Towers should document in writing the vehicle and its identifiers

NCOIL Model:

- Consumer Protection Towing Model Act
 - Adopted in 2018; re-adopted in 2023

Appendix G: Proposed Legislative Language

NEW CHAPTER 10 or Add additional Subchapter 7 in Chapter 9 and change to “Dealers and Towing” OR “Vehicle Business Licensing”? Towing Business License

NOTE: Except where otherwise specifically provided in this Act, the provisions of this legislation take effect in accordance with the standard statutory effective date following enactment. Certain components, including the licensing implementation schedule and the rulemaking and adoption process, contain delayed effective dates as expressly set forth in the Act.

These phased timelines are necessary to allow the Department adequate time to hire and train personnel, develop and program data systems, draft and adopt rules, create required forms, and establish administrative procedures necessary for consistent statewide implementation and enforcement.

An appropriation effective upon enactment would enable the Department to begin this preparatory work immediately. Early funding will also facilitate an orderly transition for existing businesses, allowing them time to understand and prepare for compliance with the new statutory requirements prior to full implementation.

Subchapter 1: GENERAL PROVISIONS

§TBD. Definitions

As used in this subchapter, unless the context otherwise indicates:

1. **Towing.** “Towing” means the act of loading, hauling, carrying, removing, transporting, or otherwise conveying a vehicle from one location to another by means of a tow truck, carrier, flatbed, wrecker, or any other vehicle or equipment designed or used for vehicle recovery or transport, regardless of whether the movement is consensual or nonconsensual.
2. **Recovery.** “Recovery” means using specialized equipment, techniques, or procedures to lift, upright, winch, extricate, stabilize, or otherwise remove a vehicle, conveyed contents, or load that is disabled, stuck, overturned, off the roadway, or involved in a crash or incident, when the vehicle and contents cannot be moved by ordinary towing. Recovery may include removing the vehicle from a ditch, embankment, water, snow, mud, or other location where normal towing cannot be safely performed.
3. **Tow truck.** “Tow truck” means any motor vehicle, including any motor vehicle and trailer, or equipment combination, that is designed, equipped, or used for towing or recovery. “Tow truck” includes a “Wrecker” as defined in Section 101 subsection 93.
4. **Towing business.** “Towing business” means a person, firm, corporation, or other business entity engaged in the business of towing or recovering vehicles for compensation, whether by consensual or non-consensual means, and includes a person, firm, corporation or other business entity that arranges for, dispatches, contracts for, or otherwise holds itself out



as providing towing or recovery services for compensation. The term also includes the storage, impoundment, or holding of vehicles in connection with those towing or recovery services, whether performed directly or through an agent or subcontractor.

5. **Abandoned vehicle.** “Abandoned vehicle” means any vehicle that meets the criteria for abandonment as provided in Title 29-A, chapter 15, subchapter 3.

6. **Secondary Storage Location.** “Secondary Storage Location” means a location, separate from the primary business location, used solely for the storage of vehicles in the custody of a towing business, where no other business operations occur and public access is permitted only under supervision or escort by authorized personnel.

7. **Consensual tow.** “Consensual tow” means the towing, recovery, removal, or transportation of a vehicle that is expressly authorized by the vehicle’s owner, operator, or other person entitled to possession. A consensual tow includes, but is not limited to:

- A. A tow requested directly by the vehicle owner or operator;
- B. A tow performed pursuant to a service agreement, motor club contract, or roadside assistance plan; and
- C. A repossession tow conducted by or on behalf of a secured party, lienholder, or other person legally entitled to reclaim possession of the vehicle, provided that the tow is performed in accordance with applicable repossession laws and any requirements established under this chapter.

8. **Non-consensual tow.** “Non-consensual tow” means:

- A. The towing, recovery, removal, or transportation of a vehicle without the express permission of the vehicle’s owner, operator, or other person entitled to possession, when such action is authorized or directed by:
 - 1) A law enforcement agency, public safety agency, or other governmental authority with jurisdiction;
 - 2) A property owner, lessee, or person in lawful control of private property, in accordance with this chapter and any posted parking restrictions;
 - 3) A municipality or other governmental entity acting under statutory or ordinance-based authority; or
 - 4) Any other person or entity legally authorized to order the removal of a vehicle without the owner’s consent.
- B. The removal of vehicles from a public way, including emergency removals of disabled, accident-damaged, obstructing, or hazardous vehicles, and abandoned vehicle tow-aways.

A non-consensual tow does not include repossession tows, which are considered consensual tows under subsection 7.



9. **Light-Duty.** “Light-Duty” means the towing and/or recovery of vehicles with a combined gross vehicle weight of 10,000 pounds or less.
10. **Medium-Duty.** “Medium-Duty” means the towing and/or recovery of vehicles with a combined gross vehicle weight between 10,001 and 26,000 pounds.
11. **Heavy-Duty.** “Heavy-Duty” means the towing and/or recovery of vehicles with a combined gross vehicle weight of 26,001 pounds or more.
12. **Fee.** “Fee” means a specific, itemized charge imposed in addition to the applicable towing rate for a service, condition, or cost that is ancillary to or separate from the act of towing or recovery, including but not limited to storage, administrative processing, after-hours release, labor beyond the base service, equipment usage, or disposal costs
13. **Rate.** “Rate” means the fixed or variable price charged for towing or recovery services, whether expressed as a flat fee, hourly charge, mileage charge, or combination thereof, and includes any standard charges customarily applied to a category of service.

Subchapter 2: APPLICATION AND FEES FOR TOWING BUSINESS LICENSE

§TBD. Application

1. **Application.** A towing business shall apply for a license by filing with the Secretary of State an application in the form prescribed by the Secretary and by paying the required fee.
2. **Contents of application.** An application must include:
 - A. The applicant’s name, type of business organization, and place of business;
 - B. The qualifications and business history of the applicant and, for a corporation or partnership, of each officer, director, or partner;
 - C. Disclosure of any criminal convictions within the past 5 years or civil judgments involving violent crimes, fraud, misrepresentation, or conversion;
 - D. A description of all tow trucks operated, including proof of registration, inspection, and insurance;
 - E. A declaration of all tow types engaged in as part of their business; and
 - F. Any other information required by the Secretary of State.
3. **Background checks.** The Secretary of State shall conduct a criminal history record check on each applicant and on each officer, director, or partner of the applicant. Convictions for theft, fraud, violent crime, or deception may be grounds for denial.
4. **Term.** Licenses issued on or after the effective date of this subsection must be issued on a staggered basis and expire on the last day of the month, one year from issuance.



5. License Implementation Process. The Secretary of State shall begin the process of licensing towing businesses beginning on July 1, 2027, with a full implementation completed by June 30, 2028. Implementation may be completed in accordance with a process outlined by the Secretary of State. Towing businesses that were actively engaged in business before July 1, 2027, can continue to operate until the appropriate implementation date. New towing businesses established on or after July 1, 2027, must license with the Secretary of State before engaging in any towing business services.

TBD. Fees for licensure.

- 1. Initial application fee.** For a towing business license under this subchapter is \$150. The fee is not refundable.
- 2. Towing business license.** The annual fee for a tow license or renewal is \$150.
- 3. Annex.** Each annex location of the towing business must be approved and licensed by the Secretary of State. The annual fee for an annex location is \$150.
- 4. Secondary storage location.** Each secondary storage location of the towing business must be approved by the Secretary of State. The annual fee for each supplemental storage location is \$100.

§TBD. Action on application.

The Secretary of State shall act on an application for an initial or renewal license within 90 days of receipt.

If the Secretary refuses to grant or renew a license, written notice must be provided to the applicant with an opportunity for a hearing to show cause why that license should be granted or renewed.

§TBD. License term; renewal

- 1. Term.** A towing business license is valid for one year from the date of issuance and must be renewed annually.
- 2. Renewal procedure.** A renewal application must be submitted before expiration on a form or in a manner prescribed by the Secretary of State and must be accompanied by the renewal fee and any updated documentation.

§TBD. License suspension, revocation, and denial

- 1. Authority.** The Secretary of State may, for good cause shown and based on substantial evidence, deny, suspend, revoke, or modify a towing business license when necessary to protect public safety or prevent consumer harm. A suspension, revocation, or modification takes effect only after the Secretary of State provides notice to the licensee, except that an immediate suspension may be issued when required to address an imminent threat to public safety. A licensee may request a hearing within 10 days of receiving notice, and upon such



request, the action is stayed pending the outcome of the hearing, unless the Secretary of State determines that a stay would endanger public safety.

2. Grounds. Grounds for denial, suspension, revocation, or modification may include, but are not limited to the following:

- A. **A material misstatement in the application for a license;**
- B. **Failure to comply with this subchapter or any rule adopted under it;**
- C. **Violation of any provision of this Title relating to motor vehicle operations, towing, abandoned vehicles, or consumer protection, or a violation of 17-A or this Title;**
- D. **Failure to maintain a valid place of business or required insurance;**
- E. **Failure to maintain a surety bond;**
- F. **Fraudulent or deceptive business practices or a violation of the Maine Unfair Trade Practices Act;**
- G. **Conviction of a crime involving a violent act, theft, fraud, or misrepresentation.**
- H. **Submission of a check, draft, money order, or other form of payment to the Secretary of State that is dishonored or refused upon presentation;**
- I. **Certification by the State Tax Assessor that a tax, other than property tax, deemed final under Title 36 remains unpaid in an amount exceeding \$1,000 for a period greater than 60 days after notice of the finality of the tax and that the person has refused to cooperate with the Bureau of Revenue Services in complying with a reasonable plan for meeting that liability; or**
- J. **Failure to appear at a hearing required by the Secretary of State, failure to appear in court to answer a summons, or failure to pay fines or fees for a violation of this chapter.**

2-A. Transitional licensing period; grandfathered eligibility; sunset.

Notwithstanding subsection 1, the following transitional provisions apply to allow existing towing businesses to continue operation during the initial implementation of this subchapter.

- A. **Grandfathered eligibility.** For a period of 12 months following the effective date of this subchapter, the Secretary of State may issue a towing business license to an applicant who has been actively engaged in the towing business in this State prior to the effective date of this subchapter and would otherwise be ineligible under subsection 1, paragraph G, if the Secretary of State determines that licensing the applicant does not pose a present risk to public safety or consumer protection. In making this decision, the Secretary of State may consult with the Towing Advisory Committee.
- B. **Nothing in this section affects the Secretary of State’s authority to deny, suspend, or revoke a license for any other reason listed in subsection 1.**
- C. **Sunset clause.** This subsection will be repealed 48 months after the effective date of this subchapter. After that date, all applicants must meet the eligibility standards established in subsection 1 without exception.



3. Probationary License Status. The Secretary of State may, in lieu of initiating the suspension of a license under subsection 1, place a towing business licensee on probationary status for a specified period.

A. A probationary license under this subsection must be based on a written compliance agreement between the Secretary of State and the licensee that identifies the deficiencies to be corrected and the corrective measures required.

B. A probationary license agreement may include reasonable conditions, operational limits, reporting requirements, or other terms directly related to achieving compliance. The duration of the probationary status must be no longer than reasonably necessary to remedy the identified deficiencies.

C. Failure of the licensee to meet the terms of the compliance agreement constitutes immediate grounds for the Secretary of State to suspend the license.

4. Hearing and appeal. The procedures of chapter 23, subchapter III, article 3 apply to any license denial, suspension, or revocation.

5. Continuing towing business after suspension or revocation. A person may not continue to engage in any activity requiring a towing business license after suspension or revocation of the towing business license. A person who continues to engage in the towing business after suspension or revocation is guilty of a traffic infraction for which a fine of not less than \$1,000 for each violation may be assessed.

§TBD. Vicarious liability

1. Acts of officers, directors, trustees, or partners. There is sufficient cause for the denial, suspension or revocation of the license of a partnership or corporation if an officer, director, trustee or partner has committed an act or omitted a duty that would be cause for denying, suspending or revoking a license to the party as an individual.

2. Acts of employees. A licensee is responsible for the acts of an employee acting as the licensee's agent, if the licensee approved of or had knowledge of the acts or other similar acts and, after such approval or knowledge, retained the benefit, proceeds, profits, or advantages accruing from those acts or otherwise ratified those acts.

Subchapter 3: LICENSING OF TOWING BUSINESSES

§TBD. Licensing of Tow Businesses

1. Requirement. A person may not engage in the business of towing or recovering motor vehicles for compensation without first obtaining a towing business license issued by the Secretary of State.

2. Exceptions. This section does not apply to:

A. A person towing a vehicle owned by that person;



- B. A dealer licensed under Chapter 9 engaged in incidental towing as part of roadside assistance provided to its customers; or
 - C. A governmental entity towing vehicles within its jurisdiction.
 - D. A person engaging only in repossession towing as long as they comply with Title 32, Chapter 109-A.
3. **Penalty.** Operating without a valid towing business license is a traffic infraction for which a fine of \$250 for the 1st offense, \$500 for the 2nd offense, and \$1,000 for 3rd and subsequent offenses may be assessed.

§TBD License Requirement

1. **Facilities.** To qualify for a towing business license, an applicant must maintain the following facilities:
- A. Located within the State;
 - B. Easily accessible and open to the public at all reasonable times;
 - C. In which the business of a towing business, including the storage of motor vehicles, may be lawfully carried on in accordance with building codes and zoning or land-use ordinances;
 - D. In which the public may contact the towing business at all reasonable times;
 - E. In which is kept and maintained the equipment, books, records and files necessary to conduct the business; and
 - F. Displaying an exterior sign, permanently affixed to the land or building, that indicates the business name.

A licensed towing business shall notify the Secretary of State within 10 days of any change in the location of its place of business.

2. **Storage Facilities.** A towing business that stores vehicles shall maintain a storage area that:
- A. Is located at or adjacent to the place of business, unless otherwise authorized by the Secretary of State;
 - B. Provides reasonable protection against theft or unauthorized access consistent with the size and nature of the operation, which may include natural barriers, controlled access signs, lighting, locks, controlled access, or operational procedures, without requiring specific security equipment;
 - C. Is accessible to owners, lienholders, insurance companies, and law enforcement personnel at reasonable times; and
3. **Display of License.** The towing business license must be displayed in a conspicuous place at each primary or annex location occupied in conducting business.

§TBD Equipment



1. Tow truck or vehicle information disclosure.

A. Initial disclosure. A licensed towing business shall provide the Secretary of State with identifying information for each tow truck used in the business. The information must be submitted on forms prescribed by the Secretary of State and include:

- 1) The current active registration number and plate type;
 - 2) Proof of valid and current insurance; and
 - 3) Any additional information the Secretary of State determines necessary for licensing, permitting, or enforcement purposes.
- 1) **Updates to information.** A towing business shall notify the Secretary of State within 30 days of acquiring any wrecker or recovery vehicle to be used in the business.

2. Towing and Recovery Equipment.

A. Equipment Standard. A licensed towing business shall maintain all tow trucks in accordance with the following requirements. Each vehicle used in the business must:

- 1) Comply with all applicable state and federal safety requirements;
- 2) Be actively registered, insured, and inspected if required; and
- 3) Be equipped to safely perform towing, recovery, and transport operations appropriate to the class of vehicle being serviced.

§TBD Identification.

1. **Business name.** A tow truck operated by a licensed towing business must display the name of the licensed business on both sides of the vehicle in letters at least 3 inches in height and clearly visible.

Subchapter 4: AUTHORIZED SERVICE FEES

§TBD. Towing Advisory Committee

1. **Authority and Scope.** The Secretary of State shall establish and oversee a Towing Advisory Committee, referred to in this subchapter as the “committee”, to evaluate and regulate towing-related rates and fees within the State. The committee is authorized to examine statewide rate and fee structures, and the full range of costs associated with towing and recovery services, establish and define all permissible towing-related rate and fee types, set maximum allowable rates and fees for non-consensual towing and related services, and establish a methodology for rate and fee adjustments based on objective, verifiable economic indicators.

2. **The Towing Advisory Committee shall consist of an odd number of members and include, at a minimum, representatives from the following stakeholder groups:**



- A. The towing industry, including representatives of both light-duty and heavy-duty tow businesses;
- B. Law enforcement;
- C. Consumer protection, through a representative of the Maine Office of the Attorney General;
- D. The insurance industry;
- E. Financial institutions;
- F. The Deputy Secretary of State overseeing the Bureau of Motor Vehicles or their designee; and
- G. The Secretary of State or their designee.

3. Rulemaking. The Secretary of State shall adopt rules to implement this section, including but not limited to:

- A. The composition, qualifications, appointment process, and terms of committee members;
- B. Procedures for the committee meetings, public input, data collection, and decision-making;
- C. Requirements for periodic review of rate and fee schedules; and
- D. Standards and procedures for the filing, investigation, and resolution of towing rate and fee disputes.

Rules adopted under this section are routine technical rules as defined in Title 5, Chapter 375, subchapter 2-A.

§TBD. Towing business rates and fees.

1. **Establishment of non-consensual tow maximum rates and fees.** The Secretary of State, after consultation with the committee, shall issue a periodic maximum fee schedule for light-duty, medium-duty, and heavy-duty tows. This schedule should be posted no later than January 1st of each applicable calendar year.
2. **Unauthorized and excessive rates and fees.** A towing business may not charge for any type of rate or fee that is not authorized by the committee or any fee that is in excess of the maximum rate and fee schedule on non-consensual tows established under this subsection.
3. **Exceptions; special circumstances.** A towing business may exceed the maximum rate and fee schedule established under this section when the tow involves circumstances requiring extraordinary time, labor, equipment, or risk, including but not limited to:
 - A. Hazardous materials exposure or containment;
 - B. Recovery of a vehicle that is submerged, overturned, off-road, or otherwise requiring specialized or heavy recovery equipment;
 - C. Severe weather conditions or roadway hazards necessitating additional personnel or equipment;



D. A recovery operation directed by law enforcement, fire personnel, or an incident command requiring specialized procedures.

4. **Documentation required.** A towing business invoking the exception under paragraph A shall document on the invoice specific circumstances that justify the additional rate and fees and maintain all supporting records in accordance with section §TBD (Records). Supporting documentation must include, at a minimum, photographs and a written summary describing the special circumstances necessitating the additional charges.

5. **Public posting of rates and fees.** The Secretary of State will be responsible for posting the non-consensual maximum rates and fees. The current rate and fee schedule approved by the Towing Advisory Committee shall be posted on its website.

§TBD. Complaints Against a Towing Business.

1. **Filing a Complaint.** Any consumer, insurer, law enforcement agency, or governmental entity may file a written complaint with the Secretary of State on a potential violation of law, including but not limited to complaints alleging that a towing business has charged fees in excess of the maximum rates and fees established under this chapter and rule. The Secretary of State shall be responsible for the investigation of all initial overcharging complaints.

2. **Preliminary Review.** Upon receipt of a complaint, the Secretary of State shall conduct a preliminary review to determine whether the allegations, if true, would constitute a violation of law or rule. If so, the Secretary of State shall enforce the provisions of this subchapter. The Secretary of State may refer matters involving alleged overcharged rates and fees, rates and fees not already established by the committee or involve special circumstances to the Towing Rate Review Committee for advisory review. The Secretary of State may request documentation, including but not limited to invoices, records, contracts, photographs, or statements from the towing business and the complainant.

3. **Committee Review.** The committee shall convene or be consulted as needed to assist the Secretary of State by providing technical expertise in reviewing complaints. The Secretary of State may share with the committee documents related to the complaint, including but not limited to invoices, records, contracts, photographs, or statements from the towing business and the complainant. After review, the committee shall provide the Secretary of State with recommendations of appropriate resolution, disposition, including whether an overcharge occurred.

4. **Frivolous or Bad-Faith Complaints.** The Secretary of State shall dismiss any complaint determined to be frivolous, malicious, retaliatory, or filed in bad faith. A complainant who knowingly submits false information may be referred for prosecution under Title 17-A for filing a false report.

5. **Overcharging Complaint Resolution.** The Secretary of State may, by notification to the towing business, order that refunds be paid by a certain date or the release of the vehicle without additional fees based on the date of the initial complaint. If the order is not followed,



the Secretary of State may take administrative action against the towing business and/or impose certain penalties.

6. Administrative Penalties related to Overcharging. The Secretary of State may impose an administrative penalty in the form of a monetary fee based on a schedule. The schedule will be based on 1% to 100% overcharge of the maximum allowable rates and fees established by the committee. A fee of no less than \$30 and no more than \$5,000 may be assessed. A schedule of fees will be included in the rule. A licensee may request a hearing within 10 days of receiving the administrative fee notice, and upon such request, the action is stayed pending the outcome of the hearing. Administrative fees collected will be deposited into funds maintained by the Bureau of Motor Vehicles in the following manner:

A. Three-quarters of the assessed fee will be placed into the Motor Vehicle Services Fund established under section 159.

B. One-quarter of the assessed fee will be placed into a Motor Vehicle Victim Fund established under section 159-A.

Subchapter 5 TOWING PROCEDURES

§TBD. Procedures for consensual towing

1. Consensual towing. A towing business performing a consensual tow must:

A. Obtain clear authorization from the vehicle owner or operator before initiating service;

B. Provide the owner or operator with a written or electronic estimate of towing and associated rates and fees before commencing the tow, when practicable.

2. Requirement to itemize invoice. Before demanding payment for any charge relating to a consensual tow, the towing facility must itemize the invoice, in detail, for all costs incurred with the recovery, towing, cleanup, or storage of the towed vehicle or its contents. The total cost for the customer must be clearly identified on the invoice.

3. No liability without itemization. A customer who has received a consensual tow is not liable for any charge not itemized on the invoice under subsection 2.

4. Release of vehicle. Immediately upon payment or other satisfactory arrangement, the towing business must release the vehicle. The towing business may not hold the vehicle on condition of payment of any fee not authorized by the committee.

§TBD. Procedures for repossession towing

1. A towing business hired to perform a repossession tow on behalf of a secured creditor, lender, repossession company licensed under title 32, chapter 109-A, or their authorized agent must:



- A. Possess a written or electronic authorization identifying the creditor, the vehicle, and the agent performing the repossession;
- B. Notify the appropriate law enforcement agency and provide the vehicle identification and name of the secured creditor, lender, repossession agency, or their authorized agent, and contact information. The notification must be before or immediately after towing the vehicle.
- C. Before moving the vehicle, take reasonable safety measures to ensure that the repossession can be conducted without breaching the peace, creating a traffic hazard, or endangering any person on the premises; and
- D. Document the condition and location of the vehicle, including taking photographs and recording the time and address where the vehicle was secured.

§TBD. Procedures for non-consensual towing

1. Non-consensual towing. A towing business performing a non-consensual tow may do so only when authorized by:

- A. A law enforcement agency;
- B. A property owner or lessee acting under state or municipal law or ordinance; or
- C. Other authority granted by law.

2. Prohibition on towing based solely on signage. A towing business may not initiate a non-consensual tow from private or public property based solely on the presence of a “No Parking,” “Unauthorized Vehicles Will Be Towed,” or similar sign. This subsection does not apply to a towing business with an existing contract in place with the property owner or person in charge of the property or premises where the vehicle is located, which authorizes proactive enforcement of the parking restrictions.

3. Abandoned vehicles. All non-consensual towing, notice, storage, and disposal of vehicles must comply with the requirements of Chapter 15, Subchapter 3 (Abandoned Vehicles). If, after the effective date of the rules, a complaint is filed with the Secretary of State pursuant to this chapter/subchapter, any claim under Chapter 15, subchapter 3 shall be stayed pending resolution of the complaint.

4. Requirement to itemize invoice. Before demanding payment for any charge relating to a nonconsensual tow, the towing facility must itemize the invoice, in detail, for all costs incurred with the recovery, towing, necessary cleanup, or storage of the towed vehicle, parts, or its contents. The total cost for the customer must be clearly identified on the invoice.

5. No liability without itemization. A customer who has received a nonconsensual tow is not liable for any charge not itemized on the invoice under subsection 5.

6. Release of vehicle. Immediately upon payment or other satisfactory arrangement, the towing business must release the vehicle. The towing business may not hold the vehicle on condition of payment of any fee not authorized by the committee.

§TBD. Procedures for non-consensual vehicle towing, management, and reporting



1. The Secretary of State may establish and implement an electronic management system for non-consensual vehicle tows; the system may include, but is not limited to, reporting and notification processes.
2. **Rulemaking.** The Secretary of State shall adopt rules to implement, administer, and enforce the electronic program that may be established under this section.

§TBD. Failure to claim a vehicle.

1. A vehicle owner or person entitled to possession who has been provided notice by the towing business, within a reasonable time not to exceed 14 days, must claim the vehicle or make arrangements with the towing business for guaranteed payment and release.
2. Nothing in this paragraph limits a towing business's authority to proceed under Chapter 15, Subchapter 3, Abandoned Vehicles, if a vehicle remains unclaimed after the expiration of the notice period.
3. A person who is unable to claim their vehicle within the notice period due to circumstances beyond their control, such as hospitalization, incarceration, military deployment, serious illness, or other similarly unavoidable situations, may be exempt from the requirement of this section

To invoke this exemption, the person must provide the Secretary of State with reasonable evidence of the circumstance as soon as practicable. The Secretary of State, upon verifying that the reasonable cause exemption is valid, will notify the towing business involved. The Secretary of State shall adopt rules and necessary forms to establish this exemption.

§TBD. Voluntary Acceptance of Certificate of Title in Lieu of Towing, Recovery, and Storage Charges related to non-consensual tows.

1. **Authority.** A towing business licensed under this section may accept the voluntary transfer of ownership of a motor vehicle from the owner of record in lieu of payment of towing, recovery, storage, and administrative charges, subject to the limitations of this section.
2. **Voluntary Transfer Required.** The transfer of ownership must be voluntary and executed by the owner of record as shown on the certificate of title or by a person legally authorized to act on behalf of the owner of record. The towing business may not require, coerce, or condition services upon the owner's agreement to transfer title.
3. **Waiver of all Charges.** Upon both parties' agreement and acceptance of the certificate of title by the towing business:
 - A. All towing, recovery, storage, and related costs owed by the owner are deemed satisfied and permanently waived; and
 - B. The towing business may not pursue the owner or any other party for additional payment related to the vehicle.



3-A. Lienholder consent required. If a lien is recorded on the certificate of title, the towing business may not accept transfer of the ownership unless the lienholder provides a written lien release or written consent to transfer.

4. Application for Title. A towing business accepting ownership under this section shall apply to the Secretary of State for a certificate of salvage or a Certificate of Title in the name of the towing business as applicable, within 30 days of the transfer, and shall pay the applicable fee established under section 603, provided the towing business submits:

- A. The properly assigned certificate of title;
- B. A signed statement from the owner that the transfer of the vehicle was voluntary;
- C. A properly signed lien release;
- D. A statement affirming that all towing and storage charges have been waived; and
- E. Any additional documentation required by the Secretary of State.

5. Disposition of Vehicle. A towing business that acquires ownership of a vehicle under this section may sell, transfer, dismantle, or otherwise dispose of the vehicle. A towing business is not considered a motor vehicle dealer under section 851 solely for the sale or disposal of a vehicle acquired under this section.

6. No Deficiency Collection. Acceptance of title under this section constitutes satisfaction of all claims the towing business may have against the owner related to the towing and storage of the vehicle.

7. Rulemaking Authority. The Secretary of State may adopt rules to implement this section, including valuation standards, reporting, documentation requirements and consumer disclosure forms.

§TBD. Compliance with Abandoned Vehicle laws.

1. A towing business must comply with all laws related to Abandoned Vehicles as outlined in Chapter 15, Subchapter 3.

2. Penalty. A towing business that fails to comply with this section commits a traffic infraction for which a fine of \$250 for the 1st offense and \$500 for subsequent offenses may be assessed.

§TBD. Records

1. Required records. A licensed towing business shall maintain accurate and current records, including but not limited to:

- A. The vehicle description including the vehicle identification number and registration number if available;
- B. All signed tow authorizations, invoices, and release documents;



- C. The date, time, detailed location, and nature of each tow, including descriptions of any special circumstances resulting in increased charges or fees;
- D. The identity of the vehicle owner and/or the person or agency authorizing the tow;
- E. Name of the agency, and if available, the officer authorizing the tow;
- F. Records of fees charged, and payments received;
- G. Copies of any notifications to vehicle owners;
- H. A towing business shall obtain photographic images of each vehicle at the time of tow, including its condition and the location from which it was removed. The photographs must be time- and date-stamped and retained in accordance with rules adopted by the Secretary of State.
- I. Proof of insurance, registration, and inspection for each tow vehicle; and Storage records, including the name and contact information for anyone who removes items from the vehicle.

2. **Personnel records.** A towing business shall maintain a current record of all drivers and employees authorized to perform towing or recovery services, including:

- A. Full name, driver's license number, and license class;
- B. Date of hire and termination, if applicable; and
- C. Documentation of training or certification required by state or federal law.

3. **Retention.** Records required under this section must be retained for at least 5 years and made available on request.

4. **Inspection authority.** The records, tow trucks, and any stored or impounded vehicles in the possession of a licensed towing business must be available for inspection during normal business hours by representatives of the Secretary of State, the Office of the Attorney General, or by a law enforcement officer.

5. **Penalty.**

- A. A towing business that fails to comply with this section commits a traffic infraction for which a fine of \$500 for the 1st offense and \$1000 for subsequent offenses may be assessed.
- B. A towing business or employee who obstructs or refuses a lawful inspection under this subsection commits a traffic infraction for which a fine of \$500 for the 1st offense and \$1,000 for subsequent offenses may be assessed.

§TBD. Enforcement and penalties

1. **Criminal actions.** Nothing in this chapter/subchapter may be construed to exempt a towing business or its agents from compliance with any state or federal criminal law. Any suspected criminal conduct arising from or related to towing operations will result in a full law enforcement investigation and, when warranted, prosecution.



2. Traffic infractions. Except as otherwise provided, violations of this subchapter or of rules adopted under this subchapter are traffic infractions for which a fine of \$250 for the 1st offense and \$500 for subsequent offenses may be assessed.

3. Administrative actions. The Secretary of State may impose administrative penalties, including but not limited to warning letters, fees or license suspension, for any violation of this subsection.

4. Record of violations. The Secretary of State shall make a good-faith effort to maintain a record of all warnings and infractions issued under this section. Patterns of repeated violations may be considered in licensing actions or in future rulemaking.

5. Deceptive Business Practices. Violations by persons subject to licensure and compliance under this subchapter may constitute a deceptive or unfair trade practice under the Maine Unfair Trade Practices Act, Title 5, section 207 et seq. The Secretary of State may refer any towing business, officer, or employee to the Office of the Attorney General or other appropriate authority if there is evidence of conduct that may include, but is not limited to, violations that constitute misappropriation of property, excessive or repeated overbilling, or unauthorized towing.

§TBD. Rules

1. Routine and Technical Rules Development. The Secretary of State, by no later than January 1, 2027, shall adopt rules to carry out this subchapter and Chapter 15, Subchapter 3, including but not limited to:

- A. Licensing and renewal procedures;
- B. Background-check standards;
- C. Establishment and oversight of the Towing Advisory Committee;
- D. Types of fees authorized for towing services;
- E. Non-consensual tow and recovery rate and fee-schedule methodology and adjustments;
- F. Record-keeping and reporting requirements; and
- G. Standards of conduct for consensual and non-consensual towing.
- H. Administration and oversight of Abandoned Vehicles

2. Rule Classification. Rules adopted under this section are routine technical rules as defined in Title 5, Chapter 375, subchapter 2-A.

§159-A. Motor Vehicle Fraud Victim Fund

1. Fraud Fund created. The Motor Vehicle Fraud Victim Fund, referred to in this section as “the fraud fund,” is established as a nonlapsing fund within the Bureau of Motor Vehicles. The fraud fund is administered by the bureau.



2. Use of fraud funds. Money in the fraud fund may be used by the bureau to provide restitution for actual financial loss suffered by a person as a result of a violation of laws or rules enforced by the bureau, when:

- A. The loss arises directly from the conduct of a bureau-regulated business;
- B. The complaint has been investigated by the bureau, and
- C. If the bureau determines that payment from the fund is appropriate and in the public interest. Payment from the fund may not exceed the amount of the verified actual financial loss and may not include punitive damages, attorney's fees, or consequential damages unless expressly authorized by rules related to specific licensing; and
- D. Use of the funds will not commence until there is adequate funding to pay financial losses in a first come first serve basis. There is no obligation for the Bureau to pay the losses if adequate funds do not exist.
- E. Fraud prevention and public awareness. To support fraud prevention, public education, outreach, investigation, and enforcement activities related to laws administered by the bureau.

3. Limitation on use of fraud funds. The establishment of the fraud fund and any payment from the fund does not create a right or entitlement to compensation. The bureau and the State are not liable for any claim or deficiency if money in the fund is insufficient.

4. Rulemaking. The Secretary of State shall adopt a rule for allowed uses of the fraud fund by January 1, 2027.

5. Source of funds. The fund consists of:

- A. One-quarter of administrative penalty fees collected from bureau-regulated businesses; and
- B. Any other money accepted from public or private sources, as allowed by law

§951. Licensing of dealers

4. Exemptions. Financial institutions, as defined in Title 9-B, section 131, subsections 17 and 17-A, are exempt from the requirements of this section when selling vehicles repossessed and sold by full-time employees of the institution. Financial institutions that do not use full-time employees to repossess and sell vehicles must use dealers licensed pursuant to this chapter.

Any public or nonprofit organization that, for the purpose of making vehicles available to low-income persons, accepts donated vehicles and provides them to low-income persons at a cost that is no more than the cost of ensuring that the vehicle is in good operating condition is exempt from the requirements of this section. A public or nonprofit organization that transfers a vehicle under this subsection is subject to the provisions of Title 10, chapter 217 and shall register with the Secretary of State and maintain a certificate of training as required by the Secretary of State.



Any public or nonprofit organization whose sole or primary purpose is to provide transportation for persons 65 years of age or older that accepts donated vehicles for the purpose of providing that transportation or accepts in trade for transportation services the vehicles belonging to persons 65 years of age or older who use those transportation services is exempt from the requirements of this section. A public or nonprofit organization that transfers a vehicle under this subsection is subject to the provisions of [Title 10, chapter 217](#) and shall register with the Secretary of State and maintain a certificate of training as required by the Secretary of State.

Any licensed towing business, as defined in section TBD is exempt from the requirements of this section when selling vehicles obtained through a non-consensual towing-related process under the provisions of section TBD.

§1102. Exemptions

The following are exempt from this subchapter:

5. Towing businesses. A licensed towing business or garage that tows accident-damaged vehicles and stores them while awaiting disposition or that acquires vehicles pursuant to section TBD (refers to section established under this new towing law) or [chapter 15, subchapter III](#), if the vehicles are disposed of through sale or transfer immediately upon gaining ownership.

§1852. Abandonment defined

For the purposes of this subchapter, a vehicle is considered "abandoned" if the owner or lienholder does not retrieve it and pay all reasonable charges for towing, storing and authorized repair of the vehicle within 14 days after the notices to the owner and lienholder are sent by the Secretary of State or 14 days after the advertisement is published as required in [section 1854, subsection 4](#).

If the towing or storage facility has knowledge or has been notified by the Secretary of State that the owner of the vehicle is unable to claim their vehicle within the notice period due to circumstances beyond their control, such as hospitalization, incarceration, military deployment, serious illness, or other similarly unavoidable situations at any time during the applicable 14-day period, the time allowed for the owner to retrieve the vehicle and pay all reasonable charges under this section is extended for an additional 30 days.

There is a rebuttable presumption that the last owner of record of a motor vehicle found abandoned, as shown in the files of the office of the Secretary of State is the owner of the motor vehicle at the time it was abandoned and the person who abandoned it.

§1856. Change of ownership

D. Evidence of compliance. A person who has complied with section 1854, subsection 4 shall present evidence of compliance to the Secretary of State immediately after the 14-day



notice period. The Secretary of State may not issue a letter of ownership or certificate of title until at least 21 days after the date on which the person who has possession of and control over the vehicle notified the Secretary of State by complying with section 1854, subsection 1 or 1-A and section 1854, subsection 2. If a 30-day extension has been granted under section 1852, the Secretary of State may not issue a letter of ownership or certificate of title until 51 days after the date on which the person who has possession of and control over the vehicle notified the Secretary of State by complying with section 1854, subsection 1 or 1-A and section 1854, subsection 2.

E. Issuance of certificate; letter of ownership. The Secretary of State, upon being satisfied that notice has been made to all parties with an interest in the vehicle, may issue certificates of title or letters of ownership as follows.

F. For a vehicle not required to be titled, on presentation of sufficient evidence and payment of a \$5 fee, the Secretary of State may issue a letter of ownership to the owner of the premises on which the vehicle is located.

G. For vehicles subject to chapter 7, on presentation of sufficient evidence and application for certificate of title in accordance with section 654 and payment of a fee set forth in section 603, the Secretary of State may issue a certificate of title to the owner of the premises on which the vehicle is located.

If the owner or lienholder of the vehicle retrieves it and pays the towing, storage and repair charges before the Secretary of State issues a letter of ownership or certificate of title, the person holding the vehicle must immediately release it to the person paying the charges and must immediately notify the Secretary of State of the release.

A person who refuses to release a vehicle when reasonable charges are paid or does not notify the Secretary of State that the vehicle is no longer in the person's possession commits a Class E crime.

If the vehicle owner or lienholder files a complaint for overcharging with the Secretary of State, no letter of ownership or certificate of title may be issued until the complaint is resolved.

§1857. Limits

If the notification to the Secretary of State required by [section 1854](#) is made more than 14 days after receipt of a vehicle described in [section 1851](#) or if notification is not submitted to the Secretary of State, the person holding the vehicle may not collect more than 14 days of storage fees. Daily storage charges must be reasonable and total storage charges may not exceed \$1,500 for a 30-day period. If, after the effective date of the rules established under Subchapter TBD, towing and recovery service charges, and daily storage charges shall not exceed the rates and fees established by the Towing Advisory Committee pursuant to section TBD.



If the Secretary of State grants an exemption under **section TBD**, the towing or storage facility may continue to assess its lawful daily storage rate during the extension period. However, the total storage charges accrued during the extension may not exceed an amount equal to 30 days of storage at the allowable daily storage rate. No additional administrative, lien processing, or notice fees may accrue during the extension period unless otherwise authorized by law.

§1864. Rulemaking

Pursuant to Chapter TBD, Subchapter TBD (Proposed Towing Location) The Secretary of State shall adopt routine technical rules, as defined in Title 5, Chapter 375, Subchapter 2-A, as necessary to implement, administer, and enforce this subchapter. The rules may include, but are not limited to, procedures for application and licensure, qualifications, operational and reporting requirements, recordkeeping requirements, compliance standards, enforcement procedures, and the imposition of administrative sanctions for violations of this subchapter or rules adopted pursuant to this subchapter.



Appendix H: Towing and Recovery Association of Maine Written Statement

Towing & Recovery Association of Maine

I am writing in response to the draft Legislation that the work group has prepared for the Transportation committee. I am Vice President of the Towing & Recovery Association of Maine (TRAM). I am a voting member of the work group.

We want to start by saying that TRAM is appreciative to have been part of this work group. We know that this was a task that took many hours of collaborative work by several different agencies and people. We all worked together to try and address as many of the issues that were brought forward during this work group. The Bureau of Motor Vehicles did a great job of facilitating the work group and guiding us through this process.

We feel that licensing can be a positive step to help fix many of the issues that the work group was tasked to fix regarding the Towing Industry in Maine. We do think that Licensing will help improve professionalism, competitive fairness, and aid in protecting the consumer as well as the towing industry.

TRAM does have concerns with giving our approval of the Legislation as written. The major concerns have to do with the oversight committee that is proposed in the Legislation. The Legislation is vague and has not outlined the makeup of that committee or how it would come up with the basis of fees and rates. We would suggest a thorough cost study of our operating costs and median fees before any rates could be set into legislation. We are also worried about the database that is proposed as well. The proposed database will either have to be developed or use a third-party software company. We believe that either option will be costly. The work group was established to help regulate costs to the consumer, and several aspects of this legislation add to the operating costs of the towing companies. These costs will ultimately be passed to the consumer.

TRAM wants to thank everyone in the work group. We understand that this was a very difficult task and everyone involved was professional and courteous. We would like to see a more finished Legislation before we vote to fully approve.

Sincerely,

Scott Hatch

Vice-President

Towing & Recovery Association of Maine

