

Substitute House Bill 113 Sponsor Testimony

Senate Transportation, Commerce and Workforce Committee

Chairman McColley and members of the Senate Transportation, Commerce and Workforce Committee, thank you for allowing me to testify in support of Substitute House Bill 113. Substitute House Bill 113 would prohibit a private towing services from employing or compensating “spotters.” A “spotter” is defined as a person whose task is to report the presence of unauthorized parked vehicles for purposes of towing, removal, or impounding. Whoever violates this measure would be guilty of a misdemeanor of the third degree.

In researching other states’ laws regarding predatory towing, we found Maryland had the strictest anti-predatory towing laws in the country. There are five provisions to their laws:

1. Prohibiting towing companies from compensating or employing "spotters" and owners of parking lots;
2. Permitting owners of vehicles to immediately retake their vehicle if they arrive on the scene as the tower is about to remove the vehicle;
3. Requiring photographic evidence of the violation;
4. Setting reasonable and non-excessive fees through statute or rule; and
5. Setting penalties for towing companies or towers who violate the towing laws.

Of these five provisions, a prohibition against compensating or employing “spotters” is the only provision not included in current Ohio law. Ohio already has provisions prohibiting a towing company from compensating the owner, agent or employee of a parking lot, and has requirements for owners to have a written contract with a towing company for towing services.

Through the committee process, amendments were added to House Bill 113 that clarify a “spotter” does not include law enforcement, specify private towing services, and provides clarification that this bill does not infringe on private tow-away zones and contracts between property owners and towing services. In short,

this bill only applies to towing services employing or compensating “spotters,” not property owners.

Substitute House Bill 113 is strongly supported by the Association of Professional Towing of Ohio, Towing and Recovery Association of Ohio, Buckeye State Sheriff’s Association, and the Ohio Apartment Association. There were no opponents to Substitute House Bill 113. It was unanimously passed through the House Transportation and Public Safety Committee and passed the House 93-1.

Substitute House Bill 113 is a necessary piece of legislation to protect citizens from excessive towing and to prevent towing companies from financially benefitting by the use of spotters. Thank you, Mr. Chairman and members of the committee, for the opportunity to speak to you today in support of Substitute House Bill 113 and I am happy to answer any questions you may have.