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SENATE MEMORIAL 87

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Gerald Ortiz y Pino

A MEMORIAL

RECOGNIZING THE AGGRAVATION FELT BY VICTIMS OF CAR THEFT WHEN THEY HAVE TO PAY TOWING AND STORAGE FEES TO GAIN THE RETURN OF RECOVERED VEHICLES; REQUESTING A STUDY.

WHEREAS, the news media have reported on a recent spate of winter car thefts and focused public attention on the issue; and

WHEREAS, when law enforcement recovers a stolen vehicle, the vehicle is towed to a storage facility; and

WHEREAS, owners of stolen vehicles sometimes feel doubly victimized when they are required to pay large towing and storage fees to have their property returned; and

WHEREAS, the towing and storage fees can present an insurmountable obstacle for people with moderate, low or fixed incomes; and

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1 WHEREAS, some states, such as Virginia, provide a grace
2 period for vehicle owners to pick up their recovered vehicles
3 before they are assessed towing and storage fees;

4 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
5 OF NEW MEXICO that feelings of aggravation, or of being doubly
6 victimized, as a result of the imposition of large fees to
7 regain a stolen vehicle are understandable; and

8 BE IT FURTHER RESOLVED that the department of public
9 safety be requested to develop a report that includes:

10 A. the number of stolen vehicles and stolen
11 vehicles recovered per year in the state as a whole and in each
12 county;

13 B. the average towing and daily storage fees in
14 each county imposed on vehicle owners to recover stolen
15 vehicles, including if those fees vary according to the time of
16 day or calendar date;

17 C. the number of recovered stolen vehicles that are
18 not reclaimed by their owners and have to be sold at auction;

19 D. a review of the stolen vehicle towing and
20 storage fee policies used by other states, including states
21 that provide vehicle owners with a multi-day grace period to
22 reclaim recovered vehicles; and

23 E. an examination of the public benefits and costs
24 of requiring vehicles to be towed to a storage area or to the
25 owner's residence; and

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1 BE IT FURTHER RESOLVED that the department of public
2 safety be requested to present this report to the appropriate
3 interim legislative committee prior to November 15, 2016; and

4 BE IT FURTHER RESOLVED that a copy of this memorial be
5 transmitted to the secretary of public safety.