

Senate Judiciary Committee

Pete Mulvey 271-4063

SB 270, relative to allowing owners to gather items necessary for work from impounded vehicles.

Hearing Date: March 4, 2025

Time Opened: 1:04 p.m.

Time Closed: 1:12 p.m.

Members of the Committee Present: Senators Reardon and Gannon

Members of the Committee Absent : Senators Abbas, Carson and Altschiller

Bill Analysis: This bill allows individuals to retrieve personal and work-related items from an impounded vehicle so long as the individual is accompanied by the vehicle's owner.

Sponsors:

Sen. Murphy

Rep. Lynn

Rep. T. Walsh

Rep. Alexander Jr.

Rep. Mazur

Rep. Seidel

Who supports the bill: 13 individuals signed in support of SB 270. Contact peter.mulvey@gc.nh.gov for further information.

Who opposes the bill: Three individuals signed in opposition to SB 270. Contact peter.mulvey@gc.nh.gov for further information.

Who is neutral on the bill: One individual signed in as neutral for SB 270. Contact peter.mulvey@gc.nh.gov for further information.

Summary of testimony:

Senator Keith Murphy

Senate District 16

- A constituent relayed a situation in which a friend's car was impounded with his tools in it.
 - The impound lot refused access to the vehicle for the constituent to retrieve his tools.
- Under current law, only the owner of a vehicle can retrieve what are deemed critical items from impounded vehicles.
 - Because the vehicle was not owned by Senator Murphy's constituent, he was not able to collect his tools.
 - The constituent feared that he may lose his job without access to his tools.
- Sen. Murphy stated that this bill attempts to correct that oversight.

Ralph Cresta and Michael Guilbeault

New Hampshire Towing Association

- Mr. Cresta stated that SB 270 presented concerns about giving away property from impounded vehicles when towers had no way of knowing who the true owners were.
- Mr. Cresta said that most towers require the tow bill be paid before anything is removed from the vehicle.
 - The current problem stemmed from cars being abandoned and the high cost of disposal for the towing company. Mr. Cresta stated that was the reason towers have a policy of not allowing anything to be removed from the vehicle until the tow bill is paid.
- Mr. Cresta's understanding was that to vet the ownership of any tools, a towing company would have to spend roughly 25-30 days working with state officials.
- Sen. Reardon asked when property was considered abandoned.
 - Mr. Cresta stated that after property was abandoned tow companies did paperwork through the state from which a certified letter was issued to the owner of the vehicle stating the property will be considered abandoned.
 - Following the return of the letter, property is generally auctioned off.
- Sen. Reardon asked how many days it took before that process could occur.
 - Mr. Cresta stated that the process was supposed to occur within 10 days of the vehicle being towed in.
- Mr. Guilbeault reiterated that it's hard to know where the property originated simply from someone's word.
 - He noted that SB 270 has the potential to give away stolen property.

Tamara Hester

New Hampshire State Police

- Lieutenant Hester stated that the State Police had the same concerns about SB 270 as Mr. Guilbeault regarding stolen property.
- Lieutenant Hester suggested an amendment be made to allow for items to be held while a vehicle is under investigation by any law enforcement agency.
- Sen. Reardon asked if tow companies could end up with a vehicle on their lot that had been towed from private property.
 - Lieutenant Hester said that a private property owner could call a tow company directly without law enforcement being notified.
- Sen. Reardon asked if there was any way for tow companies to contact law enforcement to find out if items were stolen or if a car was sought by police.
 - Lieutenant Hester stated that tow companies could give law enforcement information to see if a vehicle was under investigation; however, there were certainly occasions where law enforcement may not be immediately notified.

PM

Date Hearing Report completed: March 10, 2025