



**April 8, 2025 Meeting Materials
DRAFT Work Session Materials - Signage**

The following documents are for discussion purposes only.

**The statutes referenced in the document are
Oregon Revised Statutes currently in effect.**



Oregon State Board of Towing Signage Work Session - Objectives April 8, 2025

This document does not represent formal Board decisions or policy; the document facilitates board discussion to:

- 1. Define or clarify ambiguity in Oregon law.*
- 2. Address situations and scenarios submitted in complaints*
- 3. Answer questions or provide clarification to the public, towing industry, and board partners.*

ORS 98.850 Legislative findings and declaration

(2) The Legislative Assembly declares that: (a) Statutes that assist members of the public in avoiding involuntary loss of use of motor vehicles and in expediting recovery of motor vehicles and the personal property in the motor vehicles promote the safety and welfare of members of the public.

Objectives:

1. Define and interpret current statutes regulating the towing industry assigned to the Board to administer.
2. Review complaints, invoices and statutes to identify:
 - Reasons for complaints, categorize complaint scenarios.
 - Clarity of current ORSs; need for ORS amendments or adoption of administrative rules.
 - Board authority and roles in different billing/invoicing scenarios.
 - Identify training and education needs.
3. Identify objectives for May work session.

Reason for discussion:

1. Statutes for signage requirements for private property impounds are vague and scattered through out Oregon statutes.
2. Signage, or lack of thereof, is a major concern of complainants who attest that they parked in areas that did not have signage prohibiting parking in the area.
3. Towers and property owners are requesting assistance in determining what the sign verbiage is, and what the posting requirements are.
4. Developing a base standard for signage verbiage and postage requirements applied across the state will allow for:
 - Consistency and normalcy in parking prohibitions, and ensure that the signage requirements for towing a vehicle are consistent with other parking statutes.

- An increase in public protection by providing a higher degree of informed consent of the public when making parking decisions
- Ensure all towers are following the intent of Oregon's laws, and
- Increase transparency of tower operations.

Board's authority:

ORS 822.265 Rulemaking authority

(1) In accordance with applicable provisions of ORS chapter 183, the State Board of Towing may adopt rules:

- (a) Necessary for the administration of the laws that the board is charged with administering.
- (b) To implement [ORS 98.853 \(Conditions allowing towing\)](#) to [98.862 \(Exceptions to requirements of ORS 98.856\)](#).

ORS 822.285 Additional powers of board

(2) If the board has reason to believe that any person has been engaged or is engaging in any violation of ORS 98.853 (Conditions allowing towing), 98.854 (Prohibitions placed on tower), 98.856 (Tower responsibility of disclosure to owner or operator of vehicle), 98.858 (Right of owner or person in lawful possession of vehicle to redeem or inspect vehicle, contact tower and obtain property of emergency nature), 181A.350 (Eligibility of towing business to be placed on department list), 822.200 (Operating illegal towing business), 822.215 (Grounds for denial, suspension, revocation or refusal of certificate), 822.225 (Failure to remove injurious substance), 822.230 (City or county regulation of towing businesses), 822.235 (Recovery after theft), 822.250 (State Board of Towing) to 822.290 (Denial of participation on Department of State Police tow rotation), 822.605 (False swearing relating to regulation of vehicle related businesses) or 822.995 (Civil penalties for violations related to towing) or any rule adopted under those statutes, or any order issued by the board, the board may, without bond, bring suit in the name and on behalf of the State of Oregon in the circuit court of any county of this state to enjoin the acts or practices and to enforce compliance with ORS 98.853 (Conditions allowing towing), 98.854 (Prohibitions placed on tower), 98.856 (Tower responsibility of disclosure to owner or operator of vehicle), 98.858 (Right of owner or person in lawful possession of vehicle to redeem or inspect vehicle, contact tower and obtain property of emergency nature), 181A.350 (Eligibility of towing business to be placed on department list), 822.200 (Operating illegal towing business), 822.215 (Grounds for denial, suspension, revocation or refusal of certificate), 822.225 (Failure to remove injurious substance), 822.230 (City or county regulation of towing businesses), 822.235 (Recovery after theft), 822.250 (State Board of Towing) to 822.290 (Denial of participation on Department of State Police tow rotation), 822.605 (False swearing relating to regulation of vehicle related businesses) or 822.995 (Civil penalties for violations related to towing) or any rule adopted under those statutes, or any order issued by the board. Upon a proper showing, a permanent or temporary injunction, restraining order or writ of mandamus shall be granted.

ORS 822.995 Civil penalties for violations related to towing

(1) In addition to any other penalty provided by law, any person who violates any provision of ORS 98.853 (Conditions allowing towing), 98.854 (Prohibitions placed on tower), 98.856 (Tower responsibility of disclosure to owner or operator of vehicle), 98.858 (Right of owner or person in lawful possession of vehicle to redeem or inspect vehicle, contact tower and obtain property of emergency nature), 181A.350 (Eligibility of towing business to be placed on department list), 822.200 (Operating illegal towing business), 822.215 (Grounds for denial, suspension, revocation or refusal of certificate), 822.225 (Failure to remove injurious substance), 822.230 (City or county regulation of towing businesses), 822.235 (Recovery after theft) or 822.605 (False swearing relating to regulation of vehicle related businesses) or any rule adopted by the State Board of Towing is subject to payment of a civil penalty to the board.

General Discussion:

ORS 90.485 Restrictions on landlord removal of vehicle

(3) A landlord may have a motor vehicle removed from the premises under subsection (2)(f) of this section only if the landlord:
(b) Provides a tenant with parking tags or other devices to be used on a vehicle other than the tenant's primary vehicle if the tenant wants to park a vehicle on the premises in lieu of the tenant's primary vehicle; **and**
(c) Enters into written agreements with the owners or operators of vehicles authorized to park on the premises that:
(B) Unless the information is disclosed on prominent signs posted on the premises, disclose to the owners or operators of authorized vehicles the name, address and contact information of the tow company that is authorized to remove vehicles from the premises; **and**

ORS 90.485 Restrictions on landlord removal of vehicle

(5) If guest parking is allowed, the landlord shall post a sign in each designated guest parking space that is clearly readable by an operator of motor vehicle and that specifies any rules, restrictions or limitations on parking in the designated guest parking space.

ORS 98.810 Unauthorized parking of vehicle on proscribed property prohibited

A person may not, without the permission of:

(1) The owner of a parking facility, leave or park any vehicle on the parking facility if there is a sign displayed in plain view at the parking facility prohibiting or restricting public parking on the parking facility.

ORS 98.853 (1) A tower may tow a motor vehicle if the motor vehicle:

(d) Parks without permission in a parking facility used for residents of an apartment and:

(A) There are more residential units than there are parking spaces;

(B) The landlord has issued parking tags or other devices that identify vehicles that are authorized to be parked on the premises; **and**

(C) There are signs posted that are clearly readable by an operator of a motor vehicle in each parking stall or at each entrance to the parking facility prohibiting or restricting public parking on the parking facility.

ORS 98.854 Prohibitions placed on tower

A tower may not:

(1) (a) Tow a motor vehicle from a parking facility unless there is a sign displayed in plain view at the parking facility that, using clear and conspicuous language, prohibits or restricts public parking at the parking facility.

ORS 98.862 Exceptions to requirements of ORS 98.856

A tower need not provide the written information required under ORS 98.856 (Tower responsibility of disclosure to owner or operator of vehicle) if:

(1) The motor vehicle is towed from a parking facility where the tower has provided the information on signs that are clearly readable by an operator of a motor vehicle in each parking stall or at each entrance to the parking facility.

Signed Authorization: Towers acting as a property owner's agent under ORS 98.853 (1) are not immune from liability of a tow. Towers acting as a property owner's agent are responsible for the lawfulness of the tow, and by authorizing the tow, represent compliance with all Oregon laws.

Signage Examples:



Attachments:

Statutes Regulating Signage

City of Portland Signage requirements

Next Steps:

ORS 98.850 Legislative findings and declaration

(2) The Legislative Assembly declares that:

(a) Statutes that assist members of the public in avoiding involuntary loss of use of motor vehicles and in expediting recovery of motor vehicles and the personal property in the motor vehicles promote the safety and welfare of members of the public.

ORS 90.485 Restrictions on landlord removal of vehicle

(2) Except as provided in ORS 90.425 (Disposition of personal property abandoned by tenant) regarding abandoned vehicles, a landlord may have a motor vehicle removed from the premises without notice to the owner or operator of the vehicle only if the vehicle:

(c) Violates a prominently posted parking prohibition;

(f) Is parked in a space reserved for tenants but is not assigned to a tenant and does not display a parking tag or other device, as provided by subsection (3) of this section; or

(g) Is parked in a specific space assigned to a tenant, as provided by subsection (4) of this section.

(3) A landlord may have a motor vehicle removed from the premises under subsection (2)(f) of this section only if the landlord:

(a) Provides parking tags or other devices that identify vehicles that are authorized to be parked on the premises;

(b) Provides a tenant with parking tags or other devices to be used on a vehicle other than the tenant's primary vehicle if the tenant wants to park a vehicle on the premises in lieu of the tenant's primary vehicle; and

(c) Enters into written agreements with the owners or operators of vehicles authorized to park on the premises that:

(A) Authorize the landlord to have a vehicle removed from the premises without notice for failing to display the parking tag, sticker or other device;

(B) Unless the information is disclosed on prominent signs posted on the premises, disclose to the owners or operators of authorized vehicles the name, address and contact information of the tow company that is authorized to remove vehicles from the premises; and

(C) Specify whether guest parking is allowed and, if guest parking is allowed, describe methods for identifying guest parking spaces or identifying authorized guest vehicles.

(4) If a landlord assigns a specific parking space to a tenant, the landlord may have a vehicle towed under subsection (2)(g) of this section from the assigned parking space only with the agreement of the tenant at the time of the tow. The landlord may not require the tenant to agree to towing.

(5) If guest parking is allowed, the landlord shall post a sign in each designated guest parking space that is clearly readable by an operator of motor vehicle and that specifies any rules, restrictions or limitations on parking in the designated guest parking space.

(8) This section does not:

(a) Apply to a landlord of a facility.

(b) Affect the obligations imposed on a landlord under ORS 98.810 (Unauthorized parking of vehicle on proscribed property prohibited) to 98.818 (Preference of lien) or under ORS 98.830 (Towing abandoned vehicle from private property) and 98.840 (Towing vehicle alternative to procedure in ORS 98.810 to 98.818). [2007 c.565 §2; 2009 c.622 §4; 2017 c.480 §18]

ORS 98.805 Definitions for ORS 98.810 to 98.818, 98.830 and 98.840

As used in this section and ORS 98.810 (Unauthorized parking of vehicle on proscribed property prohibited) to 98.818 (Preference of lien), 98.830 (Towing abandoned vehicle from private property) and 98.840 (Towing vehicle alternative to procedure in ORS 98.810 to 98.818):

(1) "Owner of a parking facility" means:

(a) The owner, lessee or person in lawful possession of a private parking facility; or

(b) Any officer or agency of this state with authority to control or operate a parking facility.

(2) "Owner of proscribed property" means the owner, lessee or person in lawful possession of proscribed property.

(3) "Parking facility" means any property used for vehicle parking.

(4) "Proscribed property" means any part of private property:

(a) Where a reasonable person would conclude that parking is not normally permitted at all or where a land use regulation prohibits parking; or

(b) That is used primarily for parking at a dwelling unit. As used in this paragraph, "dwelling unit" means a single-family residential dwelling or a duplex.

ORS 98.810 Unauthorized parking of vehicle on proscribed property prohibited

A person may not, without the permission of:

(1) The owner of a parking facility, leave or park any vehicle on the parking facility if there is a sign displayed in plain view at the parking facility prohibiting or restricting public parking on the parking facility.

(2) The owner of proscribed property, leave or park any vehicle on the proscribed property whether or not there is a sign prohibiting or restricting parking on the proscribed property. [1953 c.575 §1; 1979 c.100 §3; 1981 c.861 §24; 1983 c.436 §3; 2007 c.538 §10]

ORS 98.853 Conditions allowing towing

(1) A tower may tow a motor vehicle if the motor vehicle:

(d) Parks without permission in a parking facility used for residents of an apartment and:

(C) There are signs posted that are clearly readable by an operator of a motor vehicle in each parking stall or at each entrance to the parking facility prohibiting or restricting public parking on the parking facility.

ORS 98.854 Prohibitions placed on tower

A tower may not:

(1) (a) Tow a motor vehicle from a parking facility unless there is a sign displayed in plain view at the parking facility that, using clear and conspicuous language, prohibits or restricts public parking at the parking facility.

ORS 98.862 Exceptions to requirements of ORS 98.856

A tower need not provide the written information required under ORS 98.856 (Tower responsibility of disclosure to owner or operator of vehicle)* if:

(1) The motor vehicle is towed from a parking facility where the tower has provided the information on signs that are clearly readable by an operator of a motor vehicle in each parking stall or at each entrance to the parking facility.

***ORS 98.856 (1)**

(1) A tower shall disclose to the owner or operator of a motor vehicle in a conspicuous written statement of at least 10-point boldfaced type:

(a) The prices the tower charges for all the goods and services that the tower offers;

(b) The location where the tower will:

(A) Store the motor vehicle and personal property in the motor vehicle; or

(B) Tow the motor vehicle, if the tower is towing the motor vehicle to a location other than a location under the control of the tower;

(c) The telephone number and any other means of contacting the tower, and the hours of availability at that telephone number and at the other means of contacting the tower;

(d) The methods of payment that the tower accepts; and

(e) That, if the owner or operator of the motor vehicle pays for the tow with cash, the tower will provide, in person or by mail, exact change not later than the end of the business day following receipt of payment.

ORS 90.485 Restrictions on landlord removal of vehicle

1. A landlord may have a motor vehicle removed from the premises only in compliance with this section and either ORS 98.810 (Unauthorized parking of vehicle on proscribed property prohibited) to 98.818 (Preference of lien) or ORS 98.830 (Towing abandoned vehicle from private property) and 98.840 (Towing vehicle alternative to procedure in ORS 98.810 to 98.818).
2. Except as provided in ORS 90.425 (Disposition of personal property abandoned by tenant) regarding abandoned vehicles, a landlord may have a motor vehicle removed from the premises without notice to the owner or operator of the vehicle only if the vehicle:
 - a. Blocks or prevents access by emergency vehicles;
 - b. Blocks or prevents entry to the premises;
 - c. Violates a prominently posted parking prohibition;
 - d. Blocks or is unlawfully parked in a space reserved for persons with disabilities;
 - e. Is parked in an area not intended for motor vehicles including, but not limited to, sidewalks, lawns and landscaping;
 - f. Is parked in a space reserved for tenants but is not assigned to a tenant and does not display a parking tag or other device, as provided by subsection (3) of this section; or
 - g. Is parked in a specific space assigned to a tenant, as provided by subsection (4) of this section.
3. A landlord may have a motor vehicle removed from the premises under subsection (2)(f) of this section only if the landlord:
 - a. Provides parking tags or other devices that identify vehicles that are authorized to be parked on the premises;
 - b. Provides a tenant with parking tags or other devices to be used on a vehicle other than the tenant's primary vehicle if the tenant wants to park a vehicle on the premises in lieu of the tenant's primary vehicle; **and**
 - c. Enters into written agreements with the owners or operators of vehicles authorized to park on the premises that:
 - A. Authorize the landlord to have a vehicle removed from the premises without notice for failing to display the parking tag, sticker or other device;
 - B. Unless the information is disclosed on prominent signs posted on the premises, disclose to the owners or operators of authorized vehicles the name, address and contact information of the tow company that is authorized to remove vehicles from the premises; and
 - C. Specify whether guest parking is allowed and, if guest parking is allowed, describe methods for identifying guest parking spaces or identifying authorized guest vehicles.
4. If a landlord assigns a specific parking space to a tenant, the landlord may have a vehicle towed under subsection (2)(g) of this section from the assigned parking space only with the agreement of the tenant at the time of the tow. The landlord may not require the tenant to agree to towing.

5. *If guest parking is allowed, the landlord shall post a sign in each designated guest parking space that is clearly readable by an operator of motor vehicle and that specifies any rules, restrictions or limitations on parking in the designated guest parking space.*
6. A landlord may have a motor vehicle that is inoperable, but otherwise parked in compliance with an agreement between the landlord and the owner or operator of the vehicle, removed from the premises if the landlord affixes a prominent notice to the vehicle stating that the vehicle will be towed if the vehicle is not removed or otherwise brought into compliance with the agreement. The landlord must affix the notice required by this subsection at least 72 hours before the vehicle may be removed.
7. A landlord may not have a motor vehicle removed under this section because the vehicle's registration has expired or is otherwise invalid.
8. This section does not:
 - a. Apply to a landlord of a facility.
 - b. Affect the obligations imposed on a landlord under ORS 98.810 (Unauthorized parking of vehicle on proscribed property prohibited) to 98.818 (Preference of lien) or under ORS 98.830 (Towing abandoned vehicle from private property) and 98.840 (Towing vehicle alternative to procedure in ORS 98.810 to 98.818). [2007 c.565 §2; 2009 c.622 §4; 2017 c.480 §18]

TRN-17.02 - Towing Regulations

Administrative Rule Adopted by Portland Bureau of Transportation Pursuant to Rule-Making Authority

2. Signage

It is unlawful to tow a vehicle from a private parking facility unless the facility meets the following signage requirements:

1. At least one sign must be posted for every 3 parking spaces, or every 1,000 square feet of space allotted for parking.

2. At least one sign must be posted and clearly readable by an operator in a motor vehicle at each driveway into the parking lot, not more than 10 feet from the public right of way or driveway. Such signs must:

- a. Be posted so that the center of the sign is not more than 8 feet nor less than 4 feet above the ground; and,
- b. Be at least 18" x 24" in size; and,
- c. State that parking is prohibited, reserved or otherwise restricted; and,
- d. State who is authorized to park and the hours during which parking is restricted; and,
- e. If a permit is required to park, clearly state the requirement and how to obtain a permit, and,
- f. State that towing and storage of a vehicle will be at the vehicle owner's expense; and,
- g. Prominently display the PPI tower's name and 24-hour telephone contact number for release of a vehicle; and,
- h. Be maintained un-obscured by any tree, shrub, bush, vehicle or other obstacle at all times; and,
- i. Be printed in letters not less than 2 inches high.

3. When a private parking facility is shared by multiple business operations, (i.e. shopping mall, office park, etc.) parking spaces must be individually marked, or signs posted, clearly indicating which spaces are reserved for each business.

4. If a parking lot adjoins another property or may be entered from another property, at least one sign must be posted not more than 10 feet from the boundary dividing the properties.

5. PPI towers may request a variance in sign requirements by submitting a written request.

a. The request must:

1. Describe why PPI sign requirements cannot be met, and
2. Include photographs and/or maps to illustrate the need for the variance, and
3. Propose an alternate posting scheme for approval.

b. Towing may not begin at the subject location until the posting has been approved by the City. A determination will be made by the Director or designee within 3 business days of receiving such a request. Such determination regarding a variance is not appealable.