

(5) SHALL OBTAIN A SURETY BOND IN THE AMOUNT OF \$50,000 \$20,000 TO GUARANTEE PAYMENT OF ANY LIABILITY INCURRED UNDER THIS SUBTITLE;

(6) MAY NOT EMPLOY INDIVIDUALS, COMMONLY REFERRED TO AS "SPOTTERS", WHOSE PRIMARY TASK IS TO REPORT THE PRESENCE OF UNAUTHORIZED PARKED VEHICLES FOR THE PURPOSES OF TOWING OR REMOVAL, AND IMPOUNDING; AND

(7) MAY NOT PAY ANY REMUNERATION TO THE OWNER OF THE PARKING LOT.

21-10A-06- 21-10A-05.

IF A VEHICLE IS TOWED OR OTHERWISE REMOVED FROM A PARKING LOT UNDER § 21-10A-02 OF THIS SUBTITLE, THE PERSON IN POSSESSION OF THE VEHICLE SHALL PROVIDE THE OWNER OF THE VEHICLE OR THE OWNER'S AGENT CONTINUOUS OPPORTUNITY TO RETAKE POSSESSION OF THE VEHICLE WITHIN 24 HOURS FROM THE TIME THE VEHICLE WAS REMOVED FROM THE PARKING LOT:

(1) IMMEDIATELY DELIVER THE VEHICLE DIRECTLY TO A STORAGE FACILITY CUSTOMARILY USED BY THE PERSON UNDERTAKING THE TOWING OR REMOVAL OF THE VEHICLE; AND

(2) PROVIDE THE OWNER OF THE VEHICLE OR THE OWNER'S AGENT IMMEDIATE AND CONTINUOUS OPPORTUNITY, FROM THE TIME THE VEHICLE WAS RECEIVED AT THE STORAGE FACILITY, TO RETAKE POSSESSION OF THE VEHICLE.

21-10A-07- 21-10A-06.

(A) THE CHIEF EXECUTIVE OF THE JURISDICTION WHERE THE PARKING LOT FROM WHICH A VEHICLE IS TOWED UNDER THIS SUBTITLE IS LOCATED SHALL:

(1) PROVIDE AN OPPORTUNITY FOR A PROMPT HEARING ON REQUEST OF THE VEHICLE OWNER MADE WITHIN 24 HOURS OF THE TIME THAT THE VEHICLE WAS TOWED; AND

(2) APPOINT A NEUTRAL INDIVIDUAL TO ACT AS A HEARING OFFICER.

(B) A HEARING UNDER THIS SECTION SHALL BE LIMITED TO THE ISSUE OF WHETHER THE VEHICLE WAS WRONGFULLY REMOVED FROM THE PARKING LOT; AND THE BURDEN OF PROVING THAT THE VEHICLE WAS WRONGFULLY REMOVED SHALL BE ON THE VEHICLE OWNER REQUESTING THE HEARING.

(C) IF THE HEARING OFFICER DETERMINES THAT THE VEHICLE WAS WRONGFULLY REMOVED FROM THE PARKING LOT:

(1) THE OWNER OF THE VEHICLE: