

**DETENTION OF SEIZED
MOTORCYCLES**

**Senate Bill 1012 (Substitute H-1)
Addendum to SFA analysis (12-5-00)**

**Sponsor: Sen. Mat J. Dunaskiss
Senate Committee: Transportation and
Tourism
House Committee: Transportation**

ADDENDUM TO SENATE FISCAL AGENCY ANALYSIS OF SB 1012 DATED 3-6-00:

HOUSE COMMITTEE ACTION:

The Senate Fiscal Agency Analysis reflects the bill as reported by the Senate Committee.

During Committee of the Whole, members of the Senate amended the bill to specify that “as used in this section, ‘person’ means an individual, partnership, corporation, association, governmental entity, or other legal entity.”

Because this definition of ‘person’ would have the effect of holding police officers individually liable for the unlawful seizure of a motorcycle, the House Committee on Transportation amended the bill to specify that a “police agency” (and not an individual police officer) “holding a motor vehicle unlawfully beyond the 30 calendar days prescribed in section 2 would be liable for damages.”

In adopting this amendment, the committee members deleted in its entirety the provision in the Senate-passed version which specified that “a person who violated this section would have been liable for damages of \$10 for each day the seized motorcycle was unlawfully detained beyond the 30 calendar days.”

POSITIONS:

The Fraternal Order of Police supports the bill as substituted. (12-5-00)

Analyst: J. Hunault

#This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.