

CITY OF BALTIMORE
COUNCIL BILL 26-0216
(First Reader)

Introduced by: Councilmember Dorsey

Cosponsored by: Councilmembers Parker, Gray, Bullock, Blanchard, Ramos, Conway,
Middleton, Torrence, and Porter

Introduced and read first time: July 13, 2026

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of
Consumer Protection and Business Licensing, Police Department

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Vehicle Towing from Private Lots and Parking Facilities – Revisions**

3 FOR the purpose of establishing certain maximum charges for towing services; specifying certain
4 required information to be included on towing service receipts and daily logs maintained by
5 each towing service; specifying certain limitations on incomplete tows; requiring that a
6 towing service accept credit cards; prohibiting certain instances of patrol towing; making
7 certain stylistic changes; conforming, clarifying, and correcting related provisions; and
8 generally related to the regulation of vehicle towing from private lots and facilities in
9 Baltimore City.

10 BY repealing

11 Article 15 - Licensing and Regulation
12 Sections 22-8, 22-11, and 22-12 and the subtitle designation,
13 “Subtitle 22. Towing Services – Trespass Towing”
14 Baltimore City Code
15 (Edition 2000)

16 BY renumbering

17 Article 15 - Licensing and Regulation
18 Sections 22-3 to 22-7, 22-9, and 22-10, respectively
19 to be
20 Section 22-2 to 22-6, 22-11, and 22-12, respectively
21 Baltimore City Code
22 (Edition 2000)

23 BY repealing and re-ordaining, with amendments,

24 Article 15 - Licensing and Regulation
25 Sections 22-1 to 22-6, 22-11 to 22-16, and 22-18
26 Baltimore City Code
27 (Edition 2000)

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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BY adding
Article 15 - Licensing and Regulation
Sections 22-7 to 22-10 and the subtitle designation,
“Subtitle 22. Vehicle Towing from Private Lots and Parking Facilities”
Baltimore City Code
(Edition 2000)

BY repealing and re-ordaining, without amendments,
Article 15 - Licensing and Regulation
Section 22-17
Baltimore City Code
(Edition 2000)

BY repealing
Article 31 - Transit and Traffic
Sections 21-1 to 21-6 and the subtitle designation,
“Subtitle 21. Towing Vehicles from Private Parking Facility”
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That §§ 22-8, 22-11, and 22-12 and the subtitle designation “Subtitle 22. Towing Services – Trespass Towing” of Article 15 of the Baltimore City Code and §§ 21-1 to 21-6 and the subtitle designation, “Subtitle 21. Towing Vehicles from Private Parking Facility” of Article 31 of the Baltimore City are repealed.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 15. Licensing and Regulation

SUBTITLE 22. VEHICLE TOWING FROM PRIVATE LOTS AND PARKING FACILITIES

§ 22-1. Definitions.

(A) *IN GENERAL.*

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) [(a)] *Department.*

“Department” means the Department of Consumer Protection and Business Licensing.

(C) [(b)] *License.*

“License” means [the] A license to engage in the business of towing MOTOR vehicles FROM PRIVATE LOTS AND PARKING FACILITIES IN [within] Baltimore City issued pursuant to this subtitle.

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(D) [(c)] *Motor vehicle.*

["Motor vehicle" means any vehicle which is self-propelled or propelled by electric power obtained from overhead electrical wires, but not operated upon rails.]

"MOTOR VEHICLE" HAS THE MEANING STATED IN § 11-135 {"MOTOR VEHICLE"} OF THE STATE TRANSPORTATION ARTICLE.

(E) [(d)] *Person.*

(1) *In general.*

"Person" has the meaning stated in § 1-107 of the City Code's General Provisions Article.

(2) *Inclusions.*

When used in any clause prescribing [and] OR imposing a penalty, the term ["person":] PERSON, AS APPLIED TO A BUSINESS ORGANIZATION, INCLUDES THE PARTNERS, OFFICERS, OR MEMBERS OF THE ORGANIZATION.

[(i) as applied to a partnership or association, includes the partners or members thereof; and]

[(ii) as applied to a corporation, includes the officers thereof.]

(F) [(e)] *Police Department.*

"Police Department" means the Baltimore City Police Department.

(G) *RELEASE FEE.*

(1) *IN GENERAL.*

"RELEASE FEE" MEANS A PAYMENT MADE BY THE OWNER OR OPERATOR OF A MOTOR VEHICLE TO A TOW TRUCK OPERATOR TO RELINQUISH CONTROL OF THE MOTOR VEHICLE BEFORE IT HAS BEEN REMOVED FROM THE LOCATION IN WHICH IT WAS PARKED.

(2) *INCLUSION.*

"RELEASE FEE" INCLUDES A DROP FEE.

(H) [(f)] *Storage.*

"Storage" means the holding and safekeeping of motor vehicles.

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(I) [(g)] *Towing.*

“Towing” means the moving or removing of a MOTOR vehicle by another motor vehicle.

(J) [(h)] *Towing service.*

“Towing service” means A PERSON ENGAGED IN the [operation] BUSINESS of removing or towing motor vehicles FROM PRIVATE LOTS OR PARKING FACILITIES for compensation.

(K) *TOWING SERVICE FEE.*

“TOWING SERVICE FEE” MEANS A PAYMENT MADE BY THE OWNER OR OPERATOR OF A MOTOR VEHICLE TO A TOW TRUCK OPERATOR OR TOWING SERVICE FOR THE REMOVAL OR TOWING OF A MOTOR VEHICLE FROM A PRIVATE LOT OR PARKING FACILITY.

(L) [(i)] *Tow truck operator.*

“Tow truck operator” means [any] A person who is the operator of a towing vehicle.

§ 22-2. [22-3.] Rules and regulations.

[(a) *Department shall adopt.*]

Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General Provisions Article, the Department [is required to] SHALL promulgate [and adopt] rules and regulations to carry out the purpose and intent of this subtitle.

[(b) *Public hearing and comment.*]

[In accordance with General Provisions Article § 4-301, the Department must publish, for public hearing and comment, notice of all rules and regulations proposed for adoption under this subtitle.]

[(c) *Effect.*]

[The rules and regulations shall have the same force and effect as law.]

§ 22-3. [22-4.] Applicability; license required.

[(a) *In general.*]

(A) *APPLICABILITY.*

THE PROVISIONS OF THIS SUBTITLE APPLY ONLY TO THE TOWING OR REMOVING OF A VEHICLE FROM A PRIVATELY OWNED LOT OR FACILITY THAT IS:

(1) ACCESSIBLE TO THE GENERAL PUBLIC; AND

(2) INTENDED BY THE OWNER OF THE LOT OR FACILITY TO BE USED PRIMARILY BY THE OWNER’S CUSTOMERS, CLIENTELE, RESIDENTS, LESSEES, OR GUESTS.

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1 (B) *LICENSE REQUIRED.*

2 (1) It shall be unlawful for any person to engage in [a towing service] TOWING FROM A
3 PRIVATE LOT OR PARKING FACILITY in Baltimore City without a valid towing license
4 issued by the Director of Consumer Protection and Business Licensing.

5 (2) The license is renewable annually.

6 [(b) *Exemptions.*]

7 [The provisions of this section shall not apply to:]

8 [(1) persons towing their own motor vehicles;]

9 [(2) a motor vehicle towed with permission of the owner or operator of the motor
10 vehicle;]

11 [(3) a towing service that tows without any charge, fees, or dues connected therewith;]

12 [(4) a towing service that tows a motor vehicle into or through Baltimore City, from a
13 point outside the City;]

14 [(5) the transportation of motor vehicles for sale to and from licensed automobile
15 dealers; or]

16 [(6) a towing service owned and operated by the government of the
17 United States, State of Maryland, Baltimore City, or any other governmental
18 entity.]

19 **§ 22-4. [22-5.] Applications.**

20 (a) *In general.*

21 (1) [Applications shall be made on forms furnished by the Department.] A PERSON SHALL
22 SUBMIT AN APPLICATION FOR A LICENSE IN THE FORM AND FORMAT REQUIRED BY THE
23 DEPARTMENT.

24 (2) [With the application, the] AN applicant shall pay a non-refundable application fee [of
25 \$100] to the Director of Finance IN THE AMOUNT SET BY THE BOARD OF ESTIMATES.

26 (3) Before the examination, [the] AN applicant shall pay an additional non-refundable fee,
27 to be set from time to time by the Board of Estimates in an amount sufficient to cover
28 the cost to the City of necessary background checks and investigations.

29 (b) *Investigation; qualifications.*

30 (1) Prior to the issuance of a license, the Department shall determine the qualifications of
31 each applicant to be licensed as hereinafter provided.

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(2) The Department shall conduct an investigation of the applicant for a towing service license.

(3) The investigation shall include the following:

(i) a determination that the applicant has the ability to engage in the licensed activity without detriment to the public;

(ii) the adequacy of the applicant's storage [and/or repair] facilities;

(iii) whether the storage facility is located in a location that is readily accessible for the recovery of a motor vehicle;

(iv) proof that [the vehicle(s)] EACH VEHICLE to be licensed is properly registered and complies with all applicable laws, regulations, and rules established by the State of Maryland pursuant to the State Transportation Article;

[(v) proof that the applicant has complied with any other rule or regulation provided in this subtitle or, subject to Title 4 {"Administrative Procedure Act – Regulations"} of the City General Provisions Article, adopted by the Department; and]

(V) [(vi)] proof that the applicant's storage [and/or AND repair] facilities are located in a place which is properly zoned for such [use.] USE; AND

(VI) PROOF THAT THE APPLICANT HAS COMPLIED WITH ANY OTHER RULE OR REGULATION PROVIDED IN THIS SUBTITLE OR, SUBJECT TO TITLE 4 {"ADMINISTRATIVE PROCEDURE ACT – REGULATIONS"} OF THE CITY GENERAL PROVISIONS ARTICLE, ADOPTED BY THE DEPARTMENT.

(4) No person shall be denied a license solely on the grounds that he has a criminal record, unless such conviction is within a period of 3 years prior to the application and involves the theft of property or constitutes a series of crimes which include the theft, receiving, or sale of stolen motor vehicles.

(c) *Designated agent.*

(1) Each application shall include the name and business address of a natural person 18 years of age or older who:

(i) is customarily present in an office [in the City] for the purposes of transacting business; and

(ii) has been designated by the applicant as the applicant's authorized agent:

(A) for receiving notices issued pursuant to this subtitle; and

(B) for receiving court process on behalf of the applicant in connection with the enforcement of this subtitle.

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(2) The Department [must] SHALL be notified within 10 days of any change in the designated agent.

§ 22-5. [22-6.] Issuance; fees.

(a) *In general.*

On approval by the Department of a license application and payment of the applicable license fee to the Director of Finance, the Director of Consumer Protection and Business Licensing shall issue the license.

(b) *Annual fee.*

[The annual license fee is \$100 for each vehicle to be used by the licensee for towing under this subtitle.]

(1) A LICENSEE SHALL PAY AN ANNUAL LICENSE FEE FOR EACH VEHICLE THAT OPERATES USING THE LICENSEE'S LICENSE.

(2) THE BOARD OF ESTIMATES SHALL SET THE ANNUAL LICENSE FEE ESTABLISHED UNDER THIS SUBSECTION.

(c) *Replacement fee.*

If a license is lost, mutilated, or destroyed, a duplicate shall be issued on payment of a replacement fee, [of \$10] TO BE SET BY THE BOARD OF ESTIMATES IN AN AMOUNT SUFFICIENT TO COVER THE COST TO THE CITY.

§ 22-6. [22-7.] Display of license; truck identification.

(a) *License.*

(1) The license issued under this subtitle must be prominently displayed in the licensee's storage facilities.

(2) A copy of the license shall be kept in each tow truck licensed under this subtitle.

(b) *Truck markings.*

Each tow truck shall have painted on both sides of the vehicle or on a sign attached thereto, in a color which contrasts with the color of the body paint and in letters not less than 4 inches in height, the name, address, telephone number, and license number of the licensee.

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§ 22-7. REQUIRED SIGNS.

(A) IN GENERAL.

(1) THIS SECTION APPLIES TO ANY PRIVATE PROPERTY THAT:

(I) HAS A PARKING LOT OR FACILITY WITH 3 OR MORE SPACES ACCESSIBLE TO THE PUBLIC; AND

(II) MAKES THIS LOT OR FACILITY AVAILABLE TO CUSTOMERS, CLIENTELE, EMPLOYEES, RESIDENTS, LESSEES, OR GUESTS.

(2) UNLESS A PARKING LOT OR FACILITY IS POSTED IN ACCORDANCE WITH THIS SECTION:

(I) THE OWNER, MANAGER, OR OTHER PERSON IN CHARGE OF THE PARKING FACILITY MAY NOT USE TOWING SERVICES TO ENFORCE PARKING RESTRICTIONS; AND

(II) NO TOWING COMPANY MAY TOW A VEHICLE FROM THE PARKING FACILITY FOR A VIOLATION OF PARKING RESTRICTIONS.

(B) CONTENTS.

EACH SIGN MUST:

(1) INDICATE THAT VEHICLES PARKED WITHOUT AUTHORIZATION MAY BE TOWED; AND

(2) STATE:

(I) THE EXACT LOCATION TO WHICH THE VEHICLE WILL BE TOWED;

(II) THE HOURS DURING WHICH THE VEHICLE MAY BE RECLAIMED;

(III) THE MAXIMUM ALLOWABLE CHARGES FOR STANDARD VEHICLES, HEAVY-DUTY VEHICLES, AND PER DIEM STORAGE OF A VEHICLE;

(IV) THE TELEPHONE NUMBER THAT THE VEHICLE'S OWNER OR OPERATOR MAY CALL TO RECLAIM THE VEHICLE;

(V) THE NAME AND CITY LICENSE NUMBER OF THE TOWING COMPANY; AND

(VI) AN INFORMATIONAL WEB ADDRESS AND QUICK RESPONSE CODE TO BE SPECIFIED BY THE DIRECTOR OF CONSUMER PROTECTION AND BUSINESS LICENSING.

(C) SIZE, NUMBER, AND PLACEMENT.

(1) EACH SIGN MUST BE AT LEAST 24" X 30".

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(2) AT LEAST 1 SIGN MUST BE CONSPICUOUSLY POSTED:

(I) AT EACH ENTRANCE TO THE PARKING FACILITY; AND

(II) AT EACH EXIT FROM THE PARKING FACILITY.

(3) ADDITIONAL SIGNS SHALL BE CONSPICUOUSLY POSTED THROUGHOUT THE FACILITY SUCH THAT THERE IS AT LEAST 1 ADDITIONAL SIGN FOR EACH 7,500 SQUARE FEET OR FRACTION OF 7,500 SQUARE FEET OF PARKING.

(4) EACH SIGN MUST BE CLEARLY READABLE AND VISIBLE AT ALL TIMES.

§ 22-8. REQUIRED ACTION.

(A) *IN GENERAL.*

BEFORE A TOW TRUCK OPERATOR MAY BEGIN TO TAKE POSSESSION OF A VEHICLE:

(1) PURSUANT TO § 21-10A-04 {"POWERS AND DUTIES OF TOWING PERSONS"} OF THE STATE TRANSPORTATION ARTICLE, THE OWNER OF THE LOT OR THE FACILITY OR THEIR AGENT, SHALL PROVIDE AUTHORIZATION, WHICH SHALL INCLUDE:

(I) THE NAME OF THE PERSON AUTHORIZING THE TOW OR REMOVAL;

(II) A STATEMENT THAT THE VEHICLE IS BEING TOWED OR REMOVED AT THE REQUEST OF THE LOT OR FACILITY OWNER; AND

(III) PHOTOGRAPHIC EVIDENCE OF THE VIOLATION OR EVENT THAT PRECIPITATED THE TOWING OF THE VEHICLE;

(2) THE TOW TRUCK OPERATOR SHALL:

(I) RECORD AND RETAIN THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) NOTIFY THE CITY OF THE INTENT TO REMOVE THE VEHICLE; AND

(3) THE CITY SHALL CHECK AND AFFIRM TO THE TOW TRUCK OPERATOR OR TOWING COMPANY THAT THE VEHICLE IS NOT LISTED IN THE STOLEN VEHICLE DATABASE.

(B) *AGENT.*

FOR THE PURPOSES OF THIS SECTION, A TOW TRUCK OPERATOR OR TOWING COMPANY MAY NOT SERVE AS A PARKING LOT OR FACILITY OWNER'S AGENT.

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1 (C) *TOWER SHALL INFORM.*

2 WITHIN 1 HOUR AFTER TOWING OR REMOVING A VEHICLE FROM A PARKING LOT OR
3 FACILITY, THE TOWING COMPANY SHALL INFORM THE CITY AND PROVIDE THE FOLLOWING
4 INFORMATION:

5 (1) A DESCRIPTION OF THE VEHICLE, INCLUDING THE VEHICLE'S LICENSE PLATE
6 NUMBER AND VEHICLE IDENTIFICATION NUMBER;

7 (2) THE DATE AND TIME THE VEHICLE WAS TOWED OR REMOVED; AND

8 (3) THE LOCATION FROM WHICH AND TO WHICH THE VEHICLE WAS TOWED OR
9 REMOVED.

10 **§ 22-9. VEHICLES DELIVERED TO STORAGE FACILITIES.**

11 (A) *IN GENERAL.*

12 SUBJECT TO SUBSECTION (B) OF THIS SECTION, IF A VEHICLE IS TOWED OR OTHERWISE
13 REMOVED FROM A PARKING LOT OR FACILITY, THE PERSON IN POSSESSION OF THE VEHICLE:

14 (1) SHALL IMMEDIATELY DELIVER THE VEHICLE DIRECTLY TO THE STORAGE FACILITY
15 STATED ON THE SIGNS POSTED IN ACCORDANCE WITH § 22-7 {"REQUIRED SIGNS"}
16 OF THIS SUBTITLE;

17 (2) MAY NOT MOVE THE TOWED VEHICLE FROM THAT STORAGE FACILITY TO ANOTHER
18 STORAGE FACILITY FOR AT LEAST 72 HOURS; AND

19 (3) SHALL PROVIDE THE OWNER OF THE VEHICLE OR THE OWNER'S AGENT IMMEDIATE
20 AND CONTINUOUS OPPORTUNITY TO RETAKE POSSESSION OF THE VEHICLE:

21 (I) AT A MINIMUM, FROM 6:00 A.M. TO 12:00 A.M., 7 DAYS PER WEEK, FROM
22 THE TIME THE VEHICLE WAS RECEIVED AT THE STORAGE FACILITY; AND

23 (II) FOR AT LEAST 4 HOURS AFTER THE STORAGE FACILITY RECEIVES ANY
24 VEHICLE THAT HAS NOT YET BEEN RELEASED TO THE VEHICLE OWNER OR
25 THE VEHICLE OWNER'S AGENT.

26 (B) *TOWER SHALL RELEASE.*

27 (1) *IN GENERAL.*

28 BEFORE A VEHICLE IS REMOVED FROM A PARKING LOT OR FACILITY, A TOW TRUCK
29 OPERATOR IN POSSESSION OF THE VEHICLE SHALL RELEASE THE VEHICLE TO THE
30 OWNER OR AN AGENT OF THE OWNER:

31 (I) IF THE OWNER OR AGENT REQUESTS THAT THE TOW TRUCK OPERATOR RELEASE
32 THE VEHICLE;

33 (II) IF THE VEHICLE CAN BE DRIVEN UNDER ITS OWN POWER;

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(III) WHETHER OR NOT THE VEHICLE HAS BEEN LIFTED OFF THE GROUND BY THE
TOW TRUCK OPERATOR; AND

(IV) IF THE OWNER OR AGENT PAYS A RELEASE FEE TO THE TOWER IN AN AMOUNT
NOT EXCEEDING THE AMOUNT SET BY THE DEPARTMENT AND THE BOARD OF
ESTIMATES.

(2) METHOD OF PAYMENT.

IN ADDITION TO ANY OTHER FORM OF PAYMENT, A TOW TRUCK OPERATOR SHALL
ACCEPT RELEASE FEE PAYMENTS MADE BY AT LEAST 2 MAJOR, NATIONALLY
RECOGNIZED CREDIT CARDS.

(C) STORAGE FACILITY PAYMENT.

(1) IN GENERAL.

SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A STORAGE FACILITY THAT IS IN
POSSESSION OF A TOWED VEHICLE SHALL:

(I) ACCEPT PAYMENT FOR OUTSTANDING TOWING, RECOVERY, OR STORAGE
CHARGES BY CASH AND AT LEAST 2 MAJOR, NATIONALLY RECOGNIZED CREDIT
CARDS; AND

(II) HAVE AN OPERABLE AUTOMATED TELLER MACHINE AVAILABLE ON THE
PREMISES.

(2) PERSONAL CHECK.

(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF A STORAGE
FACILITY IS UNABLE TO PROCESS A CREDIT CARD PAYMENT AND DOES NOT HAVE
AN OPERABLE AUTOMATED TELLER MACHINE AVAILABLE ON THE PREMISES, THE
STORAGE FACILITY SHALL ACCEPT A PERSONAL CHECK AS PAYMENT FOR
OUTSTANDING TOWING, RECOVERY, AND STORAGE CHARGES.

(II) A STORAGE FACILITY MAY REFUSE TO ACCEPT A PERSONAL CHECK AS PAYMENT IF
IT IS UNABLE TO PROCESS A CREDIT CARD FOR THE PAYMENT BECAUSE USE OF THE
CREDIT CARD HAS BEEN DECLINED BY THE CREDIT CARD COMPANY.

(3) VEHICLE TO BE MADE AVAILABLE.

A STORAGE FACILITY THAT IS IN POSSESSION OF A TOWED VEHICLE SHALL MAKE THE
VEHICLE AVAILABLE TO THE OWNER, THE OWNER'S AGENT, THE INSURER OF RECORD,
OR A SECURED PARTY, UNDER THE SUPERVISION OF THE STORAGE FACILITY:

(I) FOR INSPECTION; OR

(II) FOR RETRIEVAL OF PERSONAL PROPERTY FROM THE VEHICLE, IF THE PERSONAL
PROPERTY IS NOT ATTACHED TO THE VEHICLE.

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(D) *SEPARATE OFFICE NOT REQUIRED.*

SUPPLEMENTARY OR OVERFLOW STORAGE TO WHICH A VEHICLE MAY BE MOVED SUBJECT TO SUBSECTION (A)(2) OF THIS SECTION DOES NOT REQUIRE A SEPARATE OFFICE.

§ 22-10. CHARGES.

(A) *ALLOWABLE CHARGES.*

SUBJECT TO THE CONDITIONS AND LIMITATIONS OF THIS SUBTITLE AND STATE LAW, A TOWING COMPANY MAY CHARGE A VEHICLE OWNER ONLY THE FOLLOWING:

(1) A TOWING SERVICE FEE;

(2) A DAILY STORAGE FEE;

(3) THE ACTUAL COST OF PROVIDING NOTICE, IN ACCORDANCE WITH § 21-10A-04 {“POWERS AND DUTIES OF TOWING PERSONS”} OF THE STATE TRANSPORTATION ARTICLE; AND

(4) A RELEASE FEE.

(B) *MAXIMUM CHARGES.*

(1) SUBJECT TO THIS SUBSECTION AND STATE LAW, THE DEPARTMENT MAY SET MAXIMUM CHARGES FOR TOWING SERVICES, VEHICLE STORAGE, AND VEHICLE RELEASE FEES.

(2) PRIOR TO FISCAL YEAR 2028, AT WHICH TIME THE FOLLOWING MAY BE ADJUSTED PURSUANT TO PARAGRAPH (4) OF THIS SUBSECTION, THE DEPARTMENT MAY NOT ESTABLISH:

(I) FOR A MOTOR VEHICLE WEIGHING 10,000 POUNDS OR LESS, A MAXIMUM TOWING SERVICE FEE THAT EXCEEDS \$250;

(II) FOR A MOTOR VEHICLE WEIGHING BETWEEN 10,001 POUNDS AND 25,999 POUNDS, A MAXIMUM TOWING SERVICE FEE THAT EXCEEDS \$585;

(III) FOR A MOTOR VEHICLE WEIGHING 26,000 POUNDS OR MORE, A MAXIMUM TOWING SERVICE FEE THAT EXCEEDS \$845;

(IV) FOR A MOTOR VEHICLE OF ANY WEIGHT RANGE, A MAXIMUM VEHICLE RELEASE FEE THAT EXCEEDS 25% OF THE TOWING SERVICE FEE; AND

(V) FOR A MOTOR VEHICLE OF ANY WEIGHT RANGE, A MAXIMUM STORAGE FEE OF \$50 PER DAY, WHICH MAY NOT BE CHARGED UNTIL THE VEHICLE HAS BEEN STORED FOR AT LEAST 12 HOURS.

(3) A MAXIMUM CHARGE SET BY THE DEPARTMENT MAY NOT TAKE EFFECT UNTIL THE MAXIMUM CHARGE IS APPROVED BY THE BOARD OF ESTIMATES.

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(4) ON AN ANNUAL BASIS THE DEPARTMENT SHALL:

(I) FOR FISCAL YEAR 2028 AND EACH SUBSEQUENT FISCAL YEAR, REVIEW THESE RATES AND MAY ADJUST THEM BY THE PERCENTAGE CHANGES IN THE BALTIMORE-COLUMBIA-TOWSON CONSUMER PRICE INDEX, AS REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, COMPARING DECEMBER OF THE PRECEDING CALENDAR YEAR TO THE DECEMBER OF THE NEXT PRECEDING CALENDAR YEAR; AND

(II) IF DEEMED APPROPRIATE, RECOMMEND TO THE BOARD OF ESTIMATES AMENDMENTS TO ANY MAXIMUM FEE.

§ 22-11. [22-9.] Surety bond; liability insurance.

(a) *Bond required.*

[(1)] Every person who shall be licensed in the towing business under the provisions of this subtitle shall file with the Department of Consumer Protection and Business Licensing a bond in [the amount of \$20,000] IN AN AMOUNT TO BE SET BY THE DEPARTMENT AT THE BEGINNING OF EACH FISCAL YEAR AND APPROVED BY THE BOARD OF ESTIMATES to save harmless the owner of any motor vehicle for any property damage occurring thereto during the time that it is in the possession of the person engaged in providing towing services.

[(2)] Evidence of the filing of such surety bond shall also be provided to the Police Commissioner of Baltimore City who is authorized to recognize such bond as fulfilling the requirements of Article 31, § 22-5 of the City Code.]

(b) *Insurance required.*

Every person who shall be licensed in the towing business under the provisions of this subtitle shall obtain commercial liability [insurance in the amount of at least \$100,000 per person, \$300,000 per occurrence bodily injury liability, and \$100,000 per occurrence property damage liability,] INSURANCE, IN AN AMOUNT TO BE SET BY THE DEPARTMENT AT THE BEGINNING OF EACH FISCAL YEAR AND APPROVED BY THE BOARD OF ESTIMATES to cover the cost of any damage to the vehicle resulting from the person's negligence.

§ 22-12. [22-10.] Records and receipts.

(a) *Work order statements.*

[(1)] [At the request of the owner or operator of the motor vehicle, each] EACH tow truck operator shall:

(1) [i] inform the owner or operator of the motor vehicle of the towing service charges; and

(2) [ii] provide a towing service work order statement.

[(2)] Each towing service work order statement shall contain the following:]

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1 [(i) the name, business address, license number, and telephone number of the
2 towing service;]

3 [(ii) a brief description of the motor vehicle, including the motor vehicle license
4 plate number and vehicle identification number;]

5 [(iii) the location to which the motor vehicle was towed;]

6 [(iv) the towing charge and the basis for such charge;]

7 [(v) the rate chargeable per day for storage where the motor vehicle is to be stored
8 by the towing service; and]

9 [(vi) any other fees or charges to be paid by the owner or operator.]

10 (b) *Receipts.*

11 (1) Upon payment of any fees for towing services, [the] A tow truck operator or any other
12 employee of the towing service shall provide a receipt for the amount paid [to him as
13 the charge] for the TOWING service and shall sign and deliver to the owner [and/]or
14 operator of the motor vehicle a receipt of [such] THAT payment.

15 [(2) The operator shall sign the receipt in a legible manner and shall print his name under
16 the signature.]

17 (2) THE RECEIPT PROVIDED PURSUANT TO PARAGRAPH (1) OF THIS SUBSECTION SHALL
18 CONTAIN THE FOLLOWING STATEMENT:

19 “TOWING FROM PRIVATE PARKING FACILITIES IS REGULATED BY CITY CODE
20 ARTICLE 15, SUBTITLE 22. TO SUBMIT A COMPLAINT, PLEASE CONTACT THE
21 BALTIMORE CITY DEPARTMENT OF CONSUMER PROTECTION AND BUSINESS
22 LICENSING AT {INSERT PHONE NUMBER}.”

23 (c) *Daily log.*

24 (1) Each towing service licensed under [the provisions of] this subtitle shall maintain a
25 record in its ordinary course of business of every tow made under this subtitle.

26 [(2) The record shall include the following for each vehicle towed:]

27 [(i) the license plate number of the motor vehicle towed and the motor vehicle
28 identification number;]

29 [(ii) the locations from which and to which the motor vehicle was towed;]

30 [(iii) the reason for towing;]

31 [(iv) the name of the person authorizing the towing of the motor vehicle; and]

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1 [(v) additional pertinent information, other than financial, as required by the
2 Department.]

3 (2) [(3)] The record shall be retained by the licensee for a minimum of 2 years.

4 (d) *Inspection of records and vehicles.*

5 Each towing service licensed under the provisions of this subtitle:

6 (1) shall make available in a reasonable time and manner, for inspection by the
7 Department of Consumer Protection and Business Licensing or the Police
8 Department, its records kept in the ordinary course of business pursuant to this
9 subtitle; and

10 (2) shall make available for inspection by the Police Department those motor vehicles
11 which remain impounded or stored [in the storage or repair facility of] BY the
12 towing service.

13 (E) *REQUIRED INFORMATION.*

14 ANY DOCUMENT REQUIRED UNDER THIS SECTION, INCLUDING RECEIPTS AND DAILY LOGS,
15 SHALL CONTAIN THE FOLLOWING INFORMATION:

16 (1) THE NAME, BUSINESS ADDRESS, CITY-ISSUED LICENSE NUMBER, AND TELEPHONE
17 NUMBER OF THE TOWING SERVICE;

18 (2) A DESCRIPTION OF THE SERVICED MOTOR VEHICLE, INCLUDING THE MOTOR
19 VEHICLE LICENSE PLATE NUMBER AND THE VEHICLE IDENTIFICATION NUMBER;

20 (3) THE LOCATION FROM WHICH THE MOTOR VEHICLE WAS TOWED;

21 (4) THE REASON FOR THE TOW;

22 (5) INFORMATION IDENTIFYING THE PERSON AUTHORIZING THE TOW, INCLUDING THE
23 PERSON'S NAME, EMPLOYEE BADGE NUMBER, OR ANOTHER IDENTIFICATION
24 SEQUENCE;

25 (6) THE LOCATION TO WHICH THE MOTOR VEHICLE WAS TOWED;

26 (7) THE TOWING CHARGE AND THE BASIS FOR THAT CHARGE;

27 (8) THE RATE CHARGEABLE PER DAY FOR STORAGE, IF THE MOTOR VEHICLE IS TO BE
28 STORED BY THE TOWING SERVICE;

29 (9) THE DEPARTMENT'S PHONE NUMBER AND EMAIL ADDRESS;

30 (10) THE MEANS BY WHICH THE PARKING LOT OR FACILITY OWNER OR A DESIGNATED
31 REPRESENTATIVE OF THE OWNER EXPRESSLY AUTHORIZED THE TOW
32

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(11) ANY OTHER FEES OR CHARGES PAID BY THE MOTOR VEHICLE OWNER OR OPERATOR; AND

(12) ANY OTHER PERTINENT INFORMATION REQUIRED BY THE DEPARTMENT.

(F) *DISCLOSURE OF IDENTIFICATION INFORMATION.*

EACH OF THE FOLLOWING PARTIES SHALL PROVIDE IDENTIFICATION INFORMATION TO THE DEPARTMENT UPON THE DEPARTMENT'S REQUEST:

(1) A TOW TRUCK OPERATOR; OR

(2) A PARKING LOT OR FACILITY OWNER OR THE OWNER'S DESIGNATED REPRESENTATIVE THAT REQUESTED OR AUTHORIZED A TOW OF A MOTOR VEHICLE.

§ 22-13. Prohibited acts.

(a) *10-mile limit.*

It shall be unlawful for any towing service or tow truck operator licensed under the provisions of this subtitle to tow any motor vehicle to a place more than 10 miles from the place of removal without the consent of the owner or operator of the motor vehicle.

[(b) *False representations.*]

[It shall be unlawful for any towing service or tow truck operator by any statement or action, to make:]

[(1) any false representation to the effect that such person conducting the towing service represents or is approved by any organization which provides emergency road service for motor vehicles; or]

[(2) any false representation as to the name of the towing service.]

[(c) *Towing conditioned on repair.*]

[It shall be unlawful for any towing service or tow truck operator at the scene of an accident or breakdown to require the execution of an agreement to have repair work performed as a condition of providing towing service.]

[(d) *Use of public space.*]

[It shall be unlawful for any towing service or tow truck operator to use any public space for the accommodation of a motor vehicle removed from the scene of an accident or breakdown, except as the use of any such space may be directed by a member of the Police Department.]

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1 [(e) *Unbidden presence at scene.*]

2 [It shall be unlawful for any tow truck operator to furnish any towing service at the scene
3 of an accident or breakdown unless he has been authorized or called to such scene by the
4 owner or operator of the motor vehicle or by a member of the Police Department.]

5 (B) [(f)] *Employing “spotters”.*

6 It shall be unlawful for any towing service or tow truck operator to employ or compensate
7 individuals, commonly referred to as “spotters”, whose primary task is to report the
8 presence of unauthorized parked vehicles for the purposes of towing or removal, and
9 impounding.

10 [(g) *Payments for right to tow.*]

11 [It shall be unlawful for any towing service or tow truck operator to compensate the
12 owner or agent of the owner of a parking lot or other facility for the right to tow vehicles.]

13 (C) [(h)] *Delay in delivery to storage facility.*

14 It shall be unlawful for any towing service or tow truck operator to fail to immediately
15 deliver any vehicle towed under this subtitle to its customarily used storage facility as
16 provided for in the license issued by the Director of Consumer Protection and Business
17 Licensing.

18 (D) [(i)] *Denying immediate right of recovery.*

19 It shall be unlawful for any towing service to deny the owner or the owner’s agent
20 immediate and continuous [opportunity, 24 hours a day,] OPPORTUNITY to retake
21 possession of the vehicle, from the time the vehicle was received at the storage [facility.]
22 FACILITY AND DURING ANY TIME OF OPERATION REQUIRED UNDER § 22-9(A)(3) OF THIS
23 SUBTITLE.

24 (E) *PATROL TOWING.*

25 A TOWING SERVICE OR AN OWNER, OPERATOR, EMPLOYER, OR AGENT OF A TOWING
26 SERVICE MAY NOT:

27 (1) MONITOR, PATROL, OR OTHERWISE SURVEIL ANY PROPERTY FOR THE PURPOSES OF
28 IDENTIFYING UNAUTHORIZED PARKED MOTOR VEHICLES FOR TOWING AND
29 REMOVAL; OR

30 (2) REMOVE A VEHICLE UNTIL THEY HAVE SATISFIED THE REQUIREMENTS OF § 22-8(A)
31 {“REQUIRED ACTION”} OF THIS SUBTITLE.

32 (F) *STOLEN VEHICLE.*

33 A TOWING SERVICE MAY NOT TOW A VEHICLE THAT IS AFFIRMED BY THE CITY TO BE
34 LISTED IN THE STOLEN VEHICLE DATABASE.

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§ 22-14. Denial, revocation, suspension, refusal to renew.

(a) “Unfair ... [practice”] PRACTICES” defined; nolo plea.

(1) In this section, [“unfair or deceptive trade practice” means any false or misleading oral or written statement or representation of any kind that has the capacity, tendency, or effect of deceiving or misleading consumers, including any omission of material fact that would tend to mislead a consumer.] “UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICES” HAS THE MEANING STATED IN TITLE 13 OF THE STATE COMMERCIAL LAW ARTICLE.

(2) For purposes of this section, a plea of nolo contendere is the equivalent of a conviction or a guilty plea.

(b) *Grounds for sanctions.*

The Department is authorized to deny, suspend, revoke, or refuse to renew any license under this subtitle if:

(1) the applicant or licensee furnished or made misleading or false statements on reports, certifications, or written documents that are required by this subtitle or that are otherwise submitted or caused by the applicant or licensee to be submitted to the Department;

(2) during the preceding 3 years, a court of competent jurisdiction has found an applicant for a license or a licensee guilty of criminal activity directly relating to the operation of the business of towing;

(3) a court of competent jurisdiction has found a tow truck operator guilty of a criminal act that was authorized by the licensee;

[(4) a motor vehicle has been towed by a towing service without the consent of the owner nor operator of the motor vehicle, without the direction of the Police Department, or without complying with local, state, or federal law;]

(4) [(5)] a tow truck operator has failed to comply with any law regulating the towing of motor [vehicles;] VEHICLES; OR

(5) [(6)] the licensee has failed to make available for inspection by the Department or the Police Department the daily towing log required by § 22-10(d) of this subtitle;

(6) [(7)] the licensee has failed to allow the Police Department reasonable access to inspect any motor vehicle listed in the licensee’s records that is stored upon the storage facility of the towing service;

[(8) within a 6-month period, the Department has received 5 or more individual complaints of unfair or deceptive trade practices against a given applicant or licensee; or]

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(7) [(9)] the applicant or licensee has failed to comply with or has violated the provisions of this subtitle, the rules or regulations adopted under this subtitle, or any applicable federal, state, or local law or rule.

(c) *Term of sanction.*

(1) The Department may deny, suspend, revoke, or refuse any license issued under this subtitle for a period of time determined by the Department to be just and reasonable in relation to the severity of the violation found to exist under subsection (b) of this section.

(2) If a license has been denied, revoked, or not renewed, the applicant shall not be eligible to apply for another license for a period of 12 months after the date on which the Department rendered a denial, revocation, or refusal to renew decision.

§ 22-15. Notice and hearing.

(a) *Hearing required.*

(1) [No] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, NO license shall be denied, suspended, revoked, or not renewed hereunder without the Board of Consumer Protection and Business Licensing first affording the licensee an opportunity for a hearing.

(2) THE DEPARTMENT MAY SUSPEND A LICENSE PENDING A HEARING FOR THE FOLLOWING REASONS IF, IN THE OPINION OF THE DIRECTOR:

(I) SUFFICIENT EVIDENCE EXISTS OF A VIOLATION OF THIS SUBTITLE; AND

(II) THE LICENSEE HAS PREVIOUSLY ENGAGED IN A VIOLATION OF THE SUBTITLE FOR WHICH THEY:

(A) HAVE BEEN CITED, FINED, OR RECEIVED WRITTEN NOTICE OR WARNING OF; OR

(B) HAVE BEEN THE SUBJECT OF A HEARING OR OTHER SANCTION.

(b) *Notice.*

(1) At least 15 calendar days prior to the date set for the hearing, the Board of Consumer Protection and Business Licensing shall:

(i) notify the applicant or the licensee in writing of the date, time, and place set for the hearing;

(ii) specify the reason why the Board of Consumer Protection and Business Licensing proposes to refuse, deny, suspend, revoke, or not renew the application or license; and

(iii) afford all parties the opportunity to be heard in person and by counsel.

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(2) The written notice shall be served by registered or certified mail.

(c) *Decision.*

Within 10 working days following the hearing, the Board of Consumer Protection and Business Licensing shall render a decision and the reasons therefor in writing and shall forward a copy of the same to all parties by certified or registered mail.

§ 22-16. Judicial and appellate review.

(a) *Judicial review.*

A person aggrieved by a decision of the Board of Consumer Protection and Business Licensing under this subtitle may seek judicial review of the decision by petition to the Circuit Court for Baltimore City in accordance with the Maryland Rules of Procedure.

(b) *Appellate review.*

A party to the judicial review may appeal the court's final judgment to the [Court of Special Appeals] APPELLATE COURT OF MARYLAND in accordance with the Maryland Rules of Procedure.

§ 22-17. Enforcement.

(a) *In general.*

The Department is hereby authorized to institute or cause to be instituted any and all legal or equitable actions or proceedings of any kind which may be necessary to enforce any and all provisions of this subtitle.

(b) *Criminal proceedings not bar to other actions.*

Nothing contained in this subtitle shall be construed to prevent the Department from instituting, causing to be instituted, or fully prosecuting any and all legal or equitable actions or proceedings of any kind necessary to compel compliance with any and all provisions of this subtitle, even though criminal proceedings may be pending or may have been completed.

§ 22-18. Penalties.

(a) *In general.*

Any person or his agent violating any provision of this subtitle or any rule or regulation promulgated by the Department to effectuate the provisions of this subtitle, shall be guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine of [not less than \$50 nor more than \$500 or imprisonment for not more than 60 days, or both fine and imprisonment.] \$500.

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1 (b) *Continuing violations.*

2 Each day that a violation continues shall be deemed a separate offense.

3 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
4 after the date it is enacted.