



BALTIMORE POLICE DEPARTMENT



STEPHANIE RAWLINGS-BLAKE
Mayor

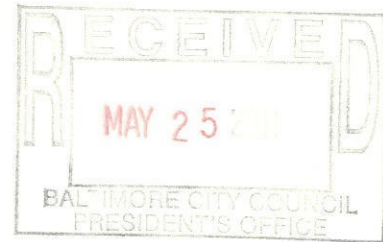
FREDERICK H. BEALEFELD, III
Police Commissioner

May 24, 2011

TO: The Honorable President and Members
of the Baltimore City Council
Room 400 City Hall
Attn. Karen Randle

FROM: ^{JHG} James H. Green, Deputy Chief Legal Counsel
Baltimore Police Department

RE: City Council Bill No. 11-0695-Surcharge on Trespass Towing



The Baltimore Police Department (BPD) has reviewed City Council Bill No. 11-0695-Surcharge on Trespass Towing which proposes to impose a surcharge on towing companies who engage in trespass towing. The proposed legislation also requires that towing companies provide and keep transactional reports, monthly reports, and records so that an accurate record of towing activity can assist the determination of the surcharge amount payable to the Department of Finance.

Currently, the BPD utilizes the information that is reported to 311/911 by the trespass towing company upon removal of a vehicle from private parking lots to include tag information, location, year/make/color/VIN, tow time, towing company, and the reason for the tow. This information is checked by the call operator/dispatcher when a stolen vehicle report is made by an owner who believes that their vehicle is stolen to see if the car has been towed by a towing company and if so, the call operator/officer then directs the citizen to contact the towing company to retrieve their car. Under state law and the rules and regulations that govern trespass towing, the towing company has two hours to notify the BPD about a tow from a private parking lot. The proposed instant notification change would be advantageous as it would allow the timely communication of information to the vehicle operator without committing unnecessary police resources.

As the Committee considers this legislation, it is important to recognize the overall costs to the citizens for the removal of their vehicles and what if any effect of the proposed surcharge has on this cost. This year, the Maryland General Assembly took up several bills that would provide statewide application of provisions governing the towing or removal of vehicles from parking lots. Several of the bills were referred to conference committees however failed to pass. Additionally, in June 2009, the City Council heard

Comments

City Council Bill 09-0320-Trespass Towing-Fees which proposed to set maximum towing, storage, and related charges that may be imposed on the owners and operators of certain towed vehicles. This bill remains in Committee and has not been acted upon to date. Although the current legislation attempts to prevent the towing companies from passing on the proposed surcharge to the owner of the vehicle, this prohibition will be difficult to enforce without a cap to the overall charges.

The BPD stands willing to assist in the City's collective efforts in this area and will continue to work to address these issues to ensure the best and fairest services for our citizens. Thank you for the opportunity to comment on this legislation.

cc: Angela Gibson, Mayor's Legislative Liaison