


FROM	NAME & TITLE	William M. Johnson, Director	CITY of BALTIMORE	MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation 417 East Fayette Street, Room 527			
	SUBJECT	City Council Bill 14-0351			

TO

The Honorable President and Members
of the City Council
c/o Karen Randle
Room 400 City Hall

June 19, 2014

I am herein reporting on City Council Bill 14-0351, Trespass Towing – Maximum Fee Per Tow. This bill sets the maximum fee that can be charged per tow by a trespass tow operator.

The Department of Transportation (DOT) supports this bill.

DOT staffs the Trespass Tow Board, which is a licensing board with members appointed by the Mayor that is charged with overseeing all tows from private property containing three or more parking spaces. The Board is chaired by DOT's Towing Division Chief and is comprised of representatives from the towing industry, property management industry, general public, City Council, and Departments of Law, Finance, and Police. The Board reviews applications for trespass tow licenses, ensures compliance with all trespass tow rules and regulations, and hears complaints from citizens who allege that their vehicle was wrongfully towed from private property. In addition, the Board ensures that fees charged by trespass tow companies comply with all applicable laws and regulations. Under the Maryland Annotated Code, Transportation, § 21-10A-04(a):

“Unless otherwise set by local law, a person who undertakes the towing or removal of a vehicle from a parking lot may not charge the owner of the vehicle, the owner's agent, the insurer of record, or any secured party more than twice the amount of the total fees normally charged or authorized by the political subdivision for the public safety impound towing of vehicles ... [and] the fee normally charged or authorized by the political subdivision from which the vehicle was towed for the daily storage of impounded vehicles.”

Under this provision of state law, trespass tow companies may not currently charge more than \$280 per tow, because the City normally charges \$130-140 per public tow. The City normally charges a storage fee of \$50 for the first 48 hours and \$15 per each day thereafter; therefore, trespass tow companies may not charge more than this fee for storage. If this bill passes, it will limit the tow fee that private tow companies may currently charge by \$30 per tow. DOT does not feel that this is unduly restrictive, and supports this measure, which clarifies the maximum rate that a company may charge in local law.

Thank you for this opportunity to comment.

Respectfully,



William M. Johnson
Director

WMJ/BZ



F