

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 14-0350

Introduced by: Councilmember Curran, President Young, Councilmembers Scott, Mosby,
Holton, Branch, Clarke, Spector, Middleton
Introduced and read first time: March 24, 2014
Assigned to: Judiciary and Legislative Investigations Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: July 17, 2014

AN ORDINANCE CONCERNING

Public Towing – Maximum Fees

1
2 FOR the purpose of setting the maximum fee that can be charged per tow by an accident tow-truck
3 operator; setting a maximum daily storage fee for vehicles that have been towed under certain
4 circumstances; setting the maximum fee that a vehicle’s owner can be charged if the vehicle is
5 moved under certain circumstances; and generally relating to the towing and storage of
6 vehicles.

7 BY repealing and reordaining, with amendments
8 Article 31 - Transit and Traffic
9 Section(s) 22-9 and 31-42(d)
10 Baltimore City Code
11 (Edition 2000)

12 BY adding
13 Article 31 - Transit and Traffic
14 Section(s) 31-11
15 Baltimore City Code
16 (Edition 2000)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Laws of Baltimore City read as follows:

19 style="text-align:center">**Baltimore City Code**

20 style="text-align:center">**Article 31. Transit and Traffic**

21 style="text-align:center">**Subtitle 22. Towing Services – Accident Towing**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

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1 **§ 22-9. Schedule of charges.**

2 (a) *Schedule to be filed.*

3 (1) When applying for a license, the applicant shall file with the Police Commissioner a
4 schedule that clearly sets forth that person's proposed charges for towing and for
5 services incident to towing.

6 (2) These charges may be measured by mileage, time, and type of service.

7 (B) *MAXIMUM CHARGES.*

8 (1) *TOWING.*

9 NO MATTER HOW CALCULATED, THE TOWING CHARGES MAY NOT EXCEED THE AMOUNT
10 OF ~~\$140~~ \$150 PER TOW UNLESS:

11 (I) THE VEHICLE IS A COMMERCIAL VEHICLE UNDER § 1-1(F) {"“DEFINITIONS — A TO
12 L: COMMERCIAL VEHICLE”} OF THIS ARTICLE; OR

13 (II) THE TOW OF THE VEHICLE:

14 (A) REQUIRES REMOVAL FROM AN EMBANKMENT, DITCH, WATERWAY, TRENCH,
15 HOLE, HEAVILY WOODED AREA; OR

16 (B) OTHERWISE REQUIRES SPECIALIZED AND EXCEPTIONAL SERVICES FOR THE
17 VEHICLE'S REMOVAL.

18 (2) *STORAGE.*

19 THE SCHEDULE MUST SET A MAXIMUM STORAGE FEE OF NO MORE THAN \$50 PER DAY.

20 [(b)] (C) *No change without amended schedule.*

21 A licensee may not change the charges without filing with the Police Commissioner an
22 amended schedule that shows the proposed changes.

23 [(c)] (D) *Rejection of schedule.*

24 (1) The Police Commissioner may reject any proposed charges if, in the Commissioner's
25 opinion, the charges are excessive for the service to be performed.

26 (2) In that case, the Commissioner shall return the proposed schedule or amended schedule
27 to the applicant or licensee, as the case may be, with suitable notice of the reasons for
28 rejecting it.

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Subtitle 31. Clear Streets and Impoundment

Part 2. General Conditions Warranting Impoundment

§ 31-11. MAXIMUM CHARGES.

(A) TOWING.

THE OWNER OF A VEHICLE REMOVED OR IMPOUNDED UNDER THIS PART 2 {"GENERAL CONDITIONS WARRANTING IMPOUNDMENT"} OF SUBTITLE 31 {"CLEAR STREETS AND IMPOUNDMENT"} MAY BE CHARGED A MAXIMUM OF \$140 \$150 FOR THE REMOVAL TOW OF THE VEHICLE UNLESS:

(I) THE VEHICLE IS A COMMERCIAL VEHICLE UNDER § 1-1(F) {"DEFINITIONS — A TO L: COMMERCIAL VEHICLE"} OF THIS ARTICLE; OR

(II) THE TOW OF THE VEHICLE:

(A) REQUIRES REMOVAL FROM AN EMBANKMENT, DITCH, WATERWAY, TRENCH, HOLE, HEAVILY WOODED AREA; OR

(B) OTHERWISE REQUIRES SPECIALIZED AND EXCEPTIONAL SERVICES FOR THE VEHICLE'S REMOVAL.

(B) OTHER CHARGES.

ADDITIONAL STORAGE FEES, ADMINISTRATIVE FEES, AND FINES FOR OUTSTANDING PARKING VIOLATIONS MAY ALSO BE CHARGED AS ALLOWED BY APPLICABLE LAWS AND REGULATIONS.

Part 4. Impoundment Procedures

§ 31-42. Employment of tow trucks.

(d) Fees.

(1) The towing charges shall be set in advance, arrived at by agreement between the towers, the Commissioner, and the Director, with any disputes as to such charges to be settled by the Commissioner.

(2) In the event towing is performed by City forces or vehicles and no employment of towers becomes necessary, the same schedule of charges shall apply. Such towing charges will be added to the cost of storage as hereinafter specified, and made a lien upon such vehicle.

(3) NO MATTER HOW CALCULATED, THE TOWING CHARGES MAY NOT EXCEED THE AMOUNT OF \$140 PER TOW.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

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

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City