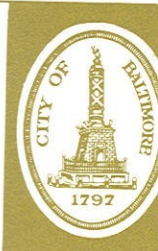


FROM	NAME & TITLE	Alfred H. Foxx, Director
	AGENCY NAME & ADDRESS	Department of Transportation 417 E. Fayette Street, Room 527
	SUBJECT	City Council Bill 09-0320

CITY of
BALTIMORE
MEMO



TO

DATE: May 29, 2009

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

I am herein reporting on City Council Bill No. 09-0320.

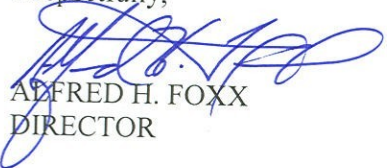
Trespass Towing Fees

For the purpose of setting maximum towing, storage, and related charges that may be imposed on the owners or operators of certain towed vehicles; requiring certain information to be disclosed on a towing services schedule of charges; increasing certain penalties; correcting, clarifying, and conforming related provisions; and generally relating to trespass towing.

Trespass towers are employed by private owners to patrol their properties and remove vehicles that park without permission. These towers are regulated by the Tow Board, a board that consists of the Director of Finance, Police Commissioner, the Director of Transportation, a citizen appointed by the Mayor and an industry representative appointed by the Mayor. The Board meets periodically to hear complaints from consumers, take measures to discipline violators and to consider applications from persons wishing to become licensed trespass towers.

This bill sets the amount a trespass tower may charge a towed vehicle owner at 150% of the total fees authorized for impound towing under the City Code Article 31, Subtitle 31. Part 4 or \$250, whichever is less. The bill further states that a trespass tower may charge additional fees to the property owner or operator with whom he contracts. Additionally, the bill requires that towers provide, as part of their annual trespass tower license documentation, a separate schedule of fees charged to owner/operators and the fees that are charged to the owner of a towed vehicle. Finally the bill increases the fine for violating any provision of the subtitle to \$1000 and/or 180 days of imprisonment.

We have no objection to the capping of towing fees as it applies to private parking facilities. In that aspect of this bill we defer to the wisdom of the City Council. We are, however, interested in changes to the Tow Board and the duties under its purview. We would prefer a delineated schedule of fines rather than the broader prescription currently employed. We would ask the sponsor to defer action in this area until such time as we can put forth a comprehensive recommendation.

Respectfully,

ALFRED H. FOXX
DIRECTOR

AHF/WD:zs

cc: Ms. Angela C. Gibson
Mr. Bill Driscoll

Frank Murphy
Jamie Kendrick

No obj. / comment

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