



BALTIMORE POLICE DEPARTMENT



BERNARD C. "JACK" YOUNG
Mayor

MICHAEL S. HARRISON
Police Commissioner

July 6, 2020

Honorable President and Members of the Baltimore City Council
Room 400, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

RE: City Council Bill #19-0431
Towing - Licensing and Regulation

Dear Council President Scott and Members of the City Council:

The Baltimore Police Department (BPD) has reviewed Council Bill 19-0431. This legislation is for the purpose of consolidating the licensing and regulation of towing services in Baltimore City under one administrative body; defining certain terms; establishing the Board of Towing to regulate certain towing services in Baltimore City; requiring a license to perform certain towing services; specifying certain towing services that require additional certification; establishing certain standards of operation; prohibiting certain conduct; imposing certain penalties; allowing for licensure sanctions in certain situations; establishing a hearing process for licensure discipline; allowing for appeals in certain situations; and generally relating to the licensing and regulation of towing services in Baltimore City.

The BPD supports the legislative intent of establishing more controls over the licensing process for towing services by establishing a Baltimore City Board of Towing that would be responsible for regulating both towing practices on private property and the towing of vehicles in the Right of Way.

The bill also seeks to prohibit towing companies and their employees from using police radios and/or in connection with any towing operation, make use of messages transmitted by the BPD on frequencies allocated for its use. The BPD supports the bill's efforts to eliminate aggressive towing practices and the empowerment of the Board to deny, revoke, suspend or refuse to renew the licenses of towing companies that break this rule.

Officers utilize right-of-way towers frequently when there are accidents that cause vehicles to be disabled. To ensure the safety of the accident victims and other drivers in this instance, officers will contact police dispatch to request that they identify a right-of-way tower to assist in removal of the disabled vehicles. This bill seeks to establish protocols by which right-of-way towers are selected to tow a vehicle.

For instance, § 22-30 (B) mandates that “all right-of-way towing vehicles possess an automatic vehicle location device designed to be compatible with the City’s dispatch system.” This is so that dispatch can utilize software to determine which right-of-way towing vehicle is closest to the requested site. While BPD supports the goal of utilizing technology to eliminate the possibility of real or perceived impropriety in the assignment of tow companies, we do have some concerns about the implementation of this technology.

First, BPD does not currently possess the technology required by this bill. Since other agencies within the City may possess the required technology and/or elements of it, the Department would rely on BCIT to purchase and implement the technology as a city-wide enterprise solution.

Second, BPD will have to completely overhaul how it handles the right-of-way tows that it dispatches. While we have no objection to changing our procedures to ensure that we are operating effectively, efficiently and ethically, it is imperative that the City Council understand that that change cannot occur quickly. The Consent Decree requires the Department to get approval from the Department of Justice and Monitoring Team to 1) implement the needed technology and 2) update Policy 902 entitled “*Towing Procedures*” and other operational requirements.

Overall, the Baltimore Police Department supports the goals of City Council Bill #19-0431. That being said, since the successful implementation of the legislation relies upon the acquisition/implementation of a sophisticated and potentially costly technological solution, the Department suggests that a work group be established prior to the adoption of the bill. Establishing an empowered, multi-agency working group would facilitate the essential process of requirements gathering to ensure that the technology secured will meet the goals of the legislation and that the true cost of operationalizing the technology is understood. If that is not possible, we do request that the effective date be pushed back to ensure that implementation is done swiftly but effectively.

Thank you for the opportunity to comment. If you should have any questions, feel free to contact me at 443-915-3155 or via email at michelle.wirzberger@baltimorepolice.org.

Sincerely,



Michelle Wirzberger, Esq.
Director of Government Affairs

cc: Natwana Austin, Executive Secretary of the Baltimore City Council
Dominic McAlily, Legislative Assistant, Office of the Council President
Nick Blendy, Deputy Director, MOGR
Matt Stegman, Mayor’s Legislative Liaison
Eric Melancon, BPD Chief of Staff
Andrew Smullian, BPD Deputy Chief of Staff