



Legislation Details (With Text)

File #: 08-0233 **Version:** 0 **Name:** Towing Services - Licensing and Regulation
Type: Ordinance **Status:** Failed - End of Term
File created: 11/17/2008 **In control:** City Council
On agenda: **Final action:**
Enactment date: **Enactment #:**
Title: Towing Services - Licensing and Regulation

FOR the purpose of extending certain licensure requirements to include those who provide tow services with permission of the owner or operator of a vehicle; increasing the penalties for violation of the laws, rule, or regulations governing tow services; requiring that certain photographs be taken and retained before towing a vehicle for violating parking restrictions of a private parking facility; increasing the penalties for violation of the laws governing the towing of vehicles from private parking facilities; correcting, clarifying, and conforming related language; and generally relating to the licensing and regulation of tow services.

Sponsors: Belinda Conaway, Bill Henry, Warren Branch

Indexes: Licensing, Regulation, Towing

Code sections:

Attachments: 1. 08-0233 - 1st Reader.pdf, 2. Parking Authority - 08-0233.pdf, 3. Finance - 08-0233.pdf

Date	Ver.	Action By	Action	Result
11/20/2008	0	The City Council	Referred for a Report	
11/20/2008	0	The City Council	Referred for a Report	
11/20/2008	0	The City Council	Referred for a Report	
11/17/2008	0	City Council	Assigned	
11/17/2008	0	City Council	Introduced	

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Conaway

A BILL ENTITLED

AN ORDINANCE concerning
Towing Services - Licensing and Regulation

FOR the purpose of extending certain licensure requirements to include those who provide tow services with permission of the owner or operator of a vehicle; increasing the penalties for violation of the laws, rule, or regulations governing tow services; requiring that certain photographs be taken and retained before towing a vehicle for violating parking restrictions of a private parking facility; increasing the penalties for violation of the laws governing the towing of vehicles from private parking facilities; correcting, clarifying, and conforming related language; and generally relating to the licensing and regulation of tow services.

BY repealing and reordaining, with amendments

Article 15 - Licensing and Regulation

Section(s) 22-4 and 22-18, to be under the renamed subtitle designation,

“Subtitle 22. Towing Services - General”

Baltimore City Code

(Edition 2000)

BY adding

Article 31 - Transit and Traffic

Section(s) 21-2

Baltimore City Code

(Edition 2000)

BY repealing and reordaining, with amendments

Article 31 - Transit and Traffic

Section(s) 21-6

Baltimore City Code

(Edition 2000)

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

Baltimore City Code

Article 15. Licensing and Regulation

Subtitle 22. Towing Services - [Trespass Towing] GENERAL

§ 224. License required.

(a) In general.

(1) It [shall be] IS unlawful for any person to engage in a towing service in Baltimore City without a [valid] towing license issued by the Director of Finance.

(2) The license is renewable annually.

(b) Exemptions.

[The provisions of this] THIS section [shall] DOES not apply to:

(1) persons towing their own motor vehicles;

[(2) a motor vehicle towed with permission of the owner or operator of the motor vehicle;]

- (2) [(3)] a towing service that tows without any charge, fees, or dues connected therewith;
- (3) [(4)] a towing service that tows a motor vehicle into or through Baltimore City, from a point outside the City;
- (4) [(5)] the transportation of motor vehicles for sale to and from licensed automobile dealers; or
- (5) [(6)] a towing service owned and operated by the government of the United States, State of Maryland, Baltimore City, or any other governmental entity.

§ 2218. Penalties.

- (a) In general.

Any person [or his agent violating] WHO VIOLATES any provision of this subtitle or any rule or regulation [promulgated] ADOPTED UNDER THIS SUBTITLE by the Board [to effectuate the provisions of this subtitle, shall be] IS guilty of a misdemeanor and, [upon] ON conviction [thereof], [shall be] IS subject to a fine of not [less than \$50 nor] more than [\$500] \$1,000 or TO imprisonment for not more than 60 days[,] or TO both fine and imprisonment FOR EACH OFFENSE.

- (b) Continuing violations.

Each day that a violation continues [shall be deemed] IS a separate offense.

Article 31. Transit and Traffic

Subtitle 21. Towing Vehicles from Private Parking Facility

§ 21-2. OTHER PREREQUISITES TO INVOLUNTARY TOW.

- (A) TOWER TO BE LICENSED.

NO PERSON MAY TOW A VEHICLE FROM A PRIVATE PARKING FACILITY FOR VIOLATING PARKING RESTRICTIONS UNLESS THE PERSON IS LICENSED UNDER CITY CODE ARTICLE 15, SUBTITLE 22 {"TOWING SERVICES - GENERAL"}.

- (B) VIOLATION TO BE PHOTOGRAPHED.

(1) NO PERSON MAY TOW A VEHICLE FROM A PRIVATE PARKING FACILITY FOR VIOLATING PARKING RESTRICTIONS UNLESS THAT PERSON HAS TAKEN 1 OR MORE PHOTOGRAPHS THAT EVIDENCE THE VIOLATION.

(2) A VEHICLE OWNER OR AN OWNER'S AUTHORIZED AGENT RECLAIMING THE VEHICLE MAY NOT BE CHARGED ANY TOWING, STORING, OR OTHER CHARGE UNLESS THE VEHICLE OWNER OR AGENT IS FIRST GIVEN A COPY OF ALL PHOTOGRAPHS TAKEN OF THE ALLEGED VIOLATION.

§ 216. Penalties.

(a) In general.

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, on conviction, subject to a [sum] FINE of not more than [\$200] \$1,000 for each offense.

(b) Each towed vehicle a separate offense.

Each vehicle that is towed from a parking facility that is not posted as required by this [section] SUBTITLE is a separate offense.

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.

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

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