

Advisory Board on Trespass Vehicle Towing
2100 Clarendon Boulevard, Third Floor
County Board Room

Thursday, September 15, 2016
7:00 p.m. – 9:00 p.m.

TENTATIVE AGENDA

1. Summary of Public Comments Received
2. Introduction of Amendments
3. Consideration of Amendments
4. Adoption of Final Recommendations to the County Board
5. Next Steps/Timeline
6. Conclusion

Arlington County Trespass Towing Ordinance Report to the Trespass Towing Advisory Board (TTAB) Summary of Public Comments

Earlier this year, County staff began the process of reviewing the County's trespass towing ordinance, Chapter 14.3 of the County Code. This review resulted in a set of staff recommendations that became the starting point for a community discussion regarding trespass towing, the existing ordinance, and the proposed changes. The Code of Virginia (§46.2-1233.2) requires the governing bodies for jurisdictions that have a local towing ordinance to maintain an Advisory Board "to advise the governing body with regard to the appropriate provisions of the ordinance." In undertaking their duties, the Arlington County Trespass Towing Advisory Board (TTAB) has sought public comments on the staff recommendations and this report provides a summary of those comments received.

Following the Arlington County Advisory Group Handbook and the County's practices for civic engagement, public comments were sought on the staff recommendations to the towing ordinance. Draft ordinance changes were initially offered to the public on June 16, 2016, and an amended draft was offered on July 1, 2016. The public comment period remained open through August 15, 2016 and comments were sought through a variety of means:

1. A Public Hearing was held on July 14, 2016 by the TTAB, where testimony was received from four (4) individuals,
2. Emails were sent to individuals that had previously contacted Arlington County Government regarding towing issues as well as those who signed up to receive towing updates through the County's webpage alerting them to the public comment period, and
3. The County's towing webpage provided the opportunity to comment online through the Open Comment tool, or via email.

In total, County staff received 36 public comments. The following are the main topics:

1. Inspect vehicles for people or if emergency break is engaged. Secure vehicles before and during lifting to reduce damages.
2. Opposition to amending the ordinance.
3. Support/Opposition to second signature requirement and the use of spotters.
4. Towing is used to protect business from non-customer who take a parking spot.
5. Prohibit towing during snow/ice storms with a grace period.
6. Provide vehicle owners with a way to appeal if towed wrongly.
7. Failure to report a tow to the police department fine should be increased.
8. Written receipt with information listed in the code should include towing ordinance and ACPD contact info in English and Spanish.
9. Remove the provision for additional fee on weekends and nights.
10. Increase the penalty for violations of the ordinance.
11. Require signage on drop charges.

12. Require a portion of the fees to a County fund to finance the construction of additional parking.
13. Require tow companies to photograph the location of every vehicle before tow.
14. Prohibit towing from parking near medical facilities.
15. Tighten language regarding facility inspections, excessive complaints, in lieu of towing.
16. Allow for citizens to identify tow truck drivers by name and criminal record.
17. Each parking spot should have a posted no towing sign.

From: [REDACTED]
To: [Brian Stout](#)
Subject: Advanced Towing / Ballston
Date: Thursday, August 11, 2016 12:53:52 PM

Mr. Stout -

On a regular basis I observe Advance Towing loop through our complex and retrieve vehicles.

Given the swiftness that they are able to retrieve and remove the vehicles, I'm concerned that they may not be following the law or safety standards. My observations include seeing the tow operator approach a vehicle, not stepping out to inspect it for persons, emergency brake being engaged, etc.

Advanced regularly retrieves vehicles from the 1010 N. Glebe complex and swiftly drives off with the vehicle only being lifted and not secured.

This clearly avoids any confrontation with the owner or enabling the owner to only pay a 'drop fee' at the cost of the public's safety given that the vehicle is taken elsewhere without being secured.

If this is in violation of a law, I have captured one of their tows from today showing what I routinely see.

<https://www.youtube.com/watch?v=fgmyvJFPWJk>

Thank You

[REDACTED]



July 17, 2016

Mr. Brian Stout, Staff Liaison
Arlington County Trespass Towing Advisory Board
2100 Clarendon Boulevard, Suite 302
Arlington, Virginia 22201

Dear Mr. Stout:

On behalf of the Apartment and Office Building Association (AOBA) of Metropolitan Washington, I write to express our industry's vehement opposition to proposed changes to the County's trespass towing ordinance to prohibit the use of "spotters" and institute a "second signature" requirement for the removal of illegally trespassing vehicles from private property.

As you know, AOBA's member companies own and manage commercial and multifamily residential properties comprising a collective portfolio of roughly 28 million square feet of commercial office space and 24,000 apartment units in Arlington County. Management of limited parking to maintain safety and accessibility of the property for tenants and their visitors is among the more difficult challenges faced by property owners, particularly in densely populated, urban areas such as Arlington County. Yet our tenants rely on us for such vigilant enforcement and for the efficient removal of illegally trespassing vehicles that occupy limited space reserved for businesses, residents, customers and visitors to those properties. The two proposals raised at the Trespass Towing Advisory Board's July meeting would place an extreme burden on property owners to carry out this necessary function and would impinge on the rights of private property owners to regulate parking in their own facilities.

We believe that both proposals overstep the appropriate boundaries of local control, by dictating the terms of a private business contract between the property owner and service provider to stipulate who may identify, initiate and authorize the removal of trespassing vehicles from a property. Together, the two measures would effectively mandate that a property owner or a paid employee be present at all times to facilitate the removal of illegally parked or trespassing vehicles, no matter what time of day or night. Furthermore, the adoption of such requirements would create a potentially dangerous situation for business owners and property managers. Several incidents have been reported in jurisdictions that have since repealed such policies where confrontations have occurred





between representatives of the property management company and the owners of trespassing vehicles being removed from private property. To the contrary, local towing policies should seek to expedite the towing process to avoid such interaction rather than putting business representatives and property managers in harm's way.

It is worth noting as well that the legal authority for the County to regulate who may identify and initiate removal of trespassing and illegally towed vehicles does not currently exist and the adoption of such a requirement would necessitate state legislation prior to implementation. Code of Virginia §46.2-1232 authorizes local governments to regulate the removal or immobilization of trespassing vehicles. Yet no specific authorization is granted to local governments to prohibit the use of third-party contractors, referred to by some as "spotters," to identify and initiate the removal of trespassing vehicles. Legislation to amend this section of the code was considered and subsequently defeated in the 2016 session of the Virginia General Assembly.

Perhaps more to the point, however, the extreme nature of the proposed regulations is unwarranted, as demonstrated by the County's own data regarding trespass tows. At the July meeting of the Trespass Towing Advisory Board, the Arlington County Police Department presented that of the 18,642 trespass tows that occurred within the County last year, only seven were found to be improper and in violation of the local ordinance. This equates to slightly more than one quarter of one percent and all violations were resolved between the towing company and vehicle owner; hardly the justification for such draconian action. We believe that it also speaks volumes that so few complaints were filed with the County – only 87 out of 18,642 total trespass tows. As property owners and managers, our members find themselves on the front lines and are often the first people with whom a vehicle owner will interact following the removal of their vehicle from its illegal parking space. We understand that when one's car is towed, it presents a significant hassle to retrieve and engenders a great deal of passion among those vehicle owners. The Police Department testified at the Trespass Towing Board's July meeting regarding the significant public education that is done by the County to make citizens aware of their available recourse if they believe that they were improperly towed, including significant signage placed at the towing storage facilities. That only 87 complaints were filed with the County is truly remarkable and a strong indicator of the positive record of local towing operations complying with existing regulations. A thoughtful analysis of the data yields that layering additional onerous regulations on property owners is not substantiated at this time.

Thank you for your consideration of our industry's input and we hope that the Trespass Towing Advisory Board will see fit to reject the proposed changes to the County's trespass towing ordinance.





Please do not hesitate to contact me directly should you have any questions or if we can provide further information regarding the impacts to local businesses and property owners.

Sincerely,

Brian M. Gordon
Vice President, Government Affairs

cc: Arlington County Board



August 11, 2016

Trespass Towing Advisory Board
2100 Clarendon Boulevard
Suite 300
Arlington, Virginia 22201

Dear Ms. Iacomini:

The Arlington Chamber of Commerce strongly urges the Trespass Towing Advisory Board (TTAB) to reject proposed changes to the County's Trespass Towing Ordinance.

As stated in our Public Policy Positions, the Chamber opposes any effort that would impede property owners from safely managing the parking on their property. In Arlington, where space is at a premium, responsible parking management is a vital component of private property rights. Proposals raised at the TTAB's July 14 meeting to require a second signature to authorize removal of illegally parked vehicles and to prohibit the use of "spotters" to monitor parking areas run contrary to this basic tenet and would counteract recent efforts by the County to make Arlington more business-friendly.

Both proposals present significant administrative burdens to implement that would increase costs and deteriorate the level of service provided by towing contractors. This would directly impact local businesses who must keep parking areas clear and available to their employees, visitors and customers to remain financially viable. In many cases, businesses actually pay rent for reserved parking spaces. Not surprisingly, those business tenants demand that property management keep spaces clear at all times for their designated use. Requiring a "second signature" or restricting the ability to closely monitor those facilities diminishes the ability of property managers to regulate parking on their properties and remove trespassing vehicles. Furthermore, complying with such a stringent requirement may necessitate the hiring of additional staff at significant expense in order to monitor the property twenty four hours a day, seven days a week.

The Chamber strongly urges you to reject the proposed changes to the County's Trespass Towing Ordinance to continue to build on recent improvements in the County's overall business and regulatory climate.

Sincerely,



Kate Bates
President & CEO

CC: Arlington County Board members Libby Garvey, Jay Fiset, John Vihstadt, Katie Cristol, Christian Dorsey and County Manager Mark Schwartz

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GENTRY LOCKE
Attorneys

Herschel V. Keller
keller@gentrylocke.com
P: (434) 455-9944
F: (540) 983-9400

June 20, 2016

By E-mail and Fed-Ex

Mr. Brian Stout
Federal Liaison, Arlington County
2100 Clarendon Blvd., Ste 302
Arlington, Virginia 22201

Ms. Angie de la Barrera
Arlington County Transportation Planning
2100 Clarendon Blvd., Ste 900
Arlington, Virginia 22201

Steve MacIsaac, Esq.
Arlington County Attorney
2100 Clarendon Blvd., Ste 403
Arlington, Virginia 22201

Re: Proposed Revisions to Arlington County Ordinance Chapter 14.3 regarding
towing from private property

Mr. Stout, Ms. de la Barrera, and Mr. MacIsaac:

Our firm represents Advanced Towing, Henry's Wrecker Service, Al's Towing and Storage, and A-1 Towing, towing companies that provide a majority of the towing services from private property within Arlington County. We have reviewed a draft document with proposed changes to Arlington County Ordinance Chapter 14.3, regulating immobilization and towing of vehicles trespassing on private property. We have several concerns about the proposed changes to Chapter 14.3.

First, the proposed ordinance purports to require a permit for every towing operator who tows vehicles within the County, regardless of the storage location. The County has no express authority to require towing operators who are both towing and storing vehicles within Arlington County to have a permit from the County. Virginia is a "Dillon Rule" state, meaning that local governments are limited to exercising powers that are expressly granted by the General Assembly or State Constitution, and powers that are indispensable to any power expressly granted. When a locality attempts to take actions beyond its authority, those actions are illegal and void.

Virginia Code § 46.2-1232 allows localities to regulate “the removal of trespassing vehicles from property.” It does not provide general authority to regulate and micromanage towing operators’ business methods. Section 46.2-1232(D) only allows localities to require permits for towing operators who tow vehicles from inside a locality to a location outside the locality, within a specific distance. There is no provision authorizing localities to require permits for other towing operations. This aspect of the proposed ordinance violates the Dillon Rule.

Second, the draft proposals for permit suspension and revocation violate due process rights. The proposed draft allows the County Manager, with only 30 days’ notice to a towing operator, to suspend a permit indefinitely, even during the pendency of an appeal, until a towing operator proves compliance with the ordinance “to the satisfaction of the County Manager, or his designated agent.” However, Virginia Code section 46.2-1232 requires the County to provide *both* notice and *a hearing* before any permit can be suspended or revoked.

Third, the County’s power to suspend or revoke permits is tied directly to its authority to issue permits, which is limited to those towing operations that remove vehicles from the County. Therefore, several of the proposed ordinance revisions purporting to allow the County Manager to suspend or revoke permits for towing operations entirely within Arlington County are overbroad and violate the Dillon Rule. Permits can only be issued for towing operations that remove vehicles from the County; therefore, suspending any permit can only suspend towing that removes vehicles from the County.

The proposed permit requirements and suspension/revocation provisions in the draft 14.3-4 are intended to replace an already effective, existing ordinance, which requires towing operators to comply with State licensing requirements and to provide proof of compliance at the request of a County representative authorized to enforce the ordinance.

Fourth, even where permits are authorized (for out of County towing), the proposed list of permitting requirements in draft ordinance section 14.3-4 includes items that are burdensome and invasive of personal privacy and proprietary business information. For example, draft subsection 14.3-4(g) requires each towing company to provide a list of its clients. This is private and proprietary business information that is not necessary for the County to regulate the removal of trespassing vehicles. The draft ordinance also purports to require all tow drivers, in addition to existing state licensing requirements, to attend a specifically named “certification program.” See Draft Ordinance 14.3-6(2) (requiring all tow drivers to complete “the National Driver Certification Program Level 1 Test for Light Duty Operations” provided specifically by the Towing & Recovery Association of America). This type of restriction is well beyond the County’s authority to regulate the removal of trespassing vehicles.

Based on our information, there have been very few complaints from the public about towing from private property in Arlington. None of the complaints, when investigated, revealed any willful or malicious behavior by towing drivers. The suggested revisions to County Code

Chapter 14.3 appear to be an unnecessary attempt to improperly regulate towing operators (rather than the removal of trespassing vehicles), beyond the power of the County Board. Additionally, the draft provisions are overly burdensome, duplicative of existing state requirements, invasive and generally unhelpful to working relationships between the County and its taxpaying citizen companies.

Lastly, we are concerned about procedural aspects of the planned June 23, 2016 meeting. An agenda and other materials (aside from the draft ordinance) were provided to TTAB members by e-mail on June 16, 2016. As of June 19, 2016, at 11:00 a.m., those materials had not been made available to the public on the TTAB website. TTAB meetings are public meetings subject to the Freedom of Information Act (“FOIA”). FOIA requires agenda packets, including any non-exempt materials, to be provided for public inspection at the same time the documents are provided to the TTAB members. Va. Code 2.2-3707. **Any materials provided to the TTAB must be made publically available immediately, unless a specific exemption applies.**

The TTAB is also required by state law to meet at least once a year; however, according to information posted on the TTAB website, no meeting has been called since December, 2013. Va. Code § 46.2-1233.2. State law requires the chairperson to be elected annually. Consequently, it appears Ms. Iacomini’s appointment as chairperson has lapsed. We question whether an advisory board that is in violation of state statutes may validly convene to provide advice to the County Board, and we are in the process of reviewing the appointment and term information for the members currently listed on the TTAB website.

Most importantly, due to existing conflicts, our clients are not able to attend a meeting on June 23. As the majority of towing operators in the County, our client’s presence at a meeting considering the draft ordinance is imperative. We therefore ask the County to cancel the meeting planned for June 23 and reschedule it for a date that more of the concerned operators can attend. As an alternative to the June 23rd meeting, we propose a more informal meeting between our clients, TTAB members, and the TTAB staff, along with any interested members of the public, to discuss the issues the TTAB is concerned about and the reasons for the proposed changes. We realize any meeting including members of the TTAB would be a public meeting, but we propose a discussion meeting without any planned votes on the agenda.

We are not aware of any problems with towing in Arlington County, but we are open to discussing any perceived problems in an effort to find a solution. We should be able to work together to resolve any problems. There is no need for oppressive legislation or litigation. We look forward to working with the TTAB and its staff to address any problems with towing from private property.

June 20, 2016
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Sincerely,

GENTRY LOCKE

A handwritten signature in black ink, appearing to read 'Herschel V. Keller', written over a horizontal line.

cc: By Electronic Mail
Members of the Arlington County Trespass Towing Advisory Board
Arlington County Board
Mark Schwartz, County Manager
Delegate Hugo
Senator Marsden
Senator Favola
Senator Carrico
Delegate Vilenuava



GENTRY LOCKE
Attorneys

Herschel V. Keller
keller@gentrylocke.com
P: (434) 455-9944
F: (540) 983-9400

July 9, 2016

By E-Mail and U.S. Mail

Mr. Brian Stout
Federal Legislative Liaison
2100 Clarendon Blvd., Ste. 302
Arlington, VA 22201

Re: Arlington County Trespass Towing Ordinances

Dear Mr. Stout:

We represent the trespass towing companies who currently operate in Arlington County: Advanced Towing, A-1 Towing, Henry's Wrecker Service and Al's Towing and Storage.

This letter is in response to the County's decision to recommend changes to the existing County Trespass Towing Ordinances. The changes are scheduled for public hearing at the July 14, 2016 meeting of the Arlington County Trespass Towing Advisory Board (TTAB).

We appreciate your recent meeting with a representative to discuss the draft changes. We agreed to provide you a suggested alternative draft of the ordinances prior to the July 14th meeting, and we have attached a draft. However, there is no need to amend the existing code for the following reasons:

1. According to the Arlington County Police there were over 18,000 tows conducted in the County in 2015. Of those there were a total of 71 complaints, only 11 of which were found to be valid. None of the 11 complaints were found to have been committed with willful intent. Rather, they involved technical violations regarding signage and similar issues. Overall, the towing operators are proud of their customer service record – 18,000 tows with only 11 complaints is an accomplishment.

2. Given this record, we are at a loss as to the timing and the burdensome nature of the draft ordinance amendments. The TTAB has not met since December of 2013, according to its website. We are not aware of any recent issues or changes that would spur such extensive revisions to the local code.

3. The suggested amendments include additions to the County's oversight responsibilities that would certainly involve some added cost to the County, in addition to the costs and other burdens the County seeks to impose on the towers. Again, given the available information, this is unnecessary.

Mr. Brian Stout
July 9, 2016
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Therefore, we would recommend no changes be made to the current ordinance, which appears to be working well.

Nevertheless, we attach a revised proposed ordinance, based on the draft ordinance being considered by the TTAB at the upcoming meeting. We look forward to discussing these points, and the points raised by our June 20, 2016 letter to you, on July 14.

If you have any questions, please feel free to contact me.

GENTRY LOCKE

A handwritten signature in blue ink that reads 'Herschel V. Keller, for'.

Herschel V. Keller

cc: (via E-Mail only)
The Honorable Ronald A. Villanueva--DelRVillanueva@house.virginia.gov
The Honorable Charles W. Carrico , Sr.--district40@senate.virginia.gov
The Honorable Timothy D. Hugo--DelTHugo@house.virginia.gov
The Honorable T. Scott Garrett--DelSGarrett@house.virginia.gov
The Honorable Kaye Kory--DelKKory@house.virginia.gov
The Honorable David W. Marsden--district37@senate.virginia.gov
The Honorable Scott A. Surrovel--district36@senate.virginia.gov
The Honorable Members of the Arlington County Board of Supervisors--
countyboard@arlingtonva.us
Mark Schwartz, Arlington County Manager-- countymanager@arlingtonva.us
Arlington County Trespass Towing Advisory Board Members
Mr. Mike Reynolds, Advanced Towing--MRREYNOLDS777@cs.com
Mr. Bill Manseur--billmansour@a1towingco.com
Mr. Matt Benka, MDB Strategies--Matt@mdbstrategies.com

ARLINGTON COUNTY CODE

IMMOBILIZATION, REMOVAL, TOWING AND STORAGE OF VEHICLES FROM PRIVATE PROPERTY***§ 14.3-1. Findings and Purpose.****§ 14.3-2. Definitions.****§ 14.3-3. Applicability.****§ 14.3-4. Compliance with State Licensing Requirements. Local Permitting and Compliance.****§ 14.3-5. Removal of Trespassing Vehicles Requirements for Property From Which Vehicles are Removed.****§ 14.3-6. Tow Truck Operator and Driver Requirements and Standards of Practice****§ 14.3-67. Notice to the County of Trespass Tow.****§ 14.3-78. Storage Facilities.****§ 14.3-89. Receipt Required.****§ 14.3-910. Fees.****§ 14.3-1011. Manner of Payment.****§ 14.3-12. Records.****§ 14.3-1213. Violations.****§ 14.3-1. Findings and Purpose.**

The County Board has found that some members of the public and their property have been placed at risk in circumstances where their vehicles have been towed from private property without their consent and placed in storage because of a variety of factors. These factors including, but are not limited to, unfair and predatory towing and pricing practices, inadequate notice of when vehicles are subject to towing, unreasonable prices for towing and storage, and lack of adequate recourse in the event of improper towing or storage, among others. Based upon the foregoing, the County Board has concluded that the regulations provided for by this chapter are required to protect the public health, safety and welfare generally, and particularly the safety of those members of the public whose vehicles have been towed from private property without their consent and stored, as well as the public interest in ensuring that the prices charged for non-consensual tows that occur when vehicles are trespassing on private property are fair and reasonable.

The purpose of this section is to promote a positive business climate, to ensure the minimum competency necessary to practice without harming the public, not to enhance professional stature or limit new competition by keeping newcomers out.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-2. Definitions.

Except as hereinafter set forth, the words used in this chapter shall have the same meaning as set forth in § 46.2-100 of the Code of Virginia, as such may be amended from time to time.

“Immobilization” means a procedure that utilizes equipment, such as a boot, that prevents a vehicle from moving. Immobilization does not include attachment to a towtruck.

“Local license” or “locality Ppermit” means a document indicating the Towing and recovery operator has been approved to immobilize or tow vehicles from private property in Arlington County.

“Storage fee” means the compensation payable for the storage of a towed vehicle that has been stored at or in a facility owned, operated, leased or used by a tow truck service.

“Tow, tows, or towing” means the act of removing, by tow truck, a vehicle from privately-owned property within the County where it is parked. The preparation of a vehicle for removal by a tow truck or the attachment of a

vehicle to a tow truck, or both, does not, for purposes of this chapter, constitute a tow or towing

“Towing fee” means the compensation payable for the towing of a vehicle.

“Towing and recovery operator” or “Operator” means a business or entity person engaged in the business of the immobilization or towing of vehicles from private property in Arlington County without the consent of the vehicle owner. The term does not, for purposes of this chapter, include an individual or entity that removes vehicles from public streets and other locations, pursuant to a contract with the County.

“Tow truck” means a vehicle for hire (i) designed to lift, pull, or carry another vehicle by means of a hoist or other mechanical apparatus and (ii) having a manufacturer’s gross vehicle weight rating of at least ten thousand (10,000) pounds. *Tow truck* also includes vehicles designed with a ramp on wheels and a hydraulic lift with a capacity to haul or tow another vehicle, commonly referred to as “rollbacks.”

“Tow truck driver” means an individual operating a tow truck in the removal of a vehicle from private property.

“Trespass tow” means the act of removing by tow truck, a vehicle from privately-owned property in Arlington County without the consent of the vehicle owner pursuant to a request for towing services made by the owner, operator, manager, lessee, or authorized agent in charge of, private property, or pursuant to a contract between such person and a towing and recovery operator. The preparation of a vehicle for removal by a tow truck or the attachment of a vehicle to a tow truck, or both, does not, for purposes of this chapter, constitute a trespass tow.

“Valid complaint” means a complaint investigated by Arlington County that results in a finding by the County of an improper tow due to violations of the requirements and restrictions set forth in this Chapter

“Vehicle” means every device in, on or by which any person or property is or may be transported or drawn on a highway.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-3. Applicability.

A. This chapter applies:

1. to the towing, by a towing and recovery operator, of vehicles from privately-owned property within the County without the consent of the vehicle owner or driver,
2. to the fees that are charged for such towing of vehicles, and
3. to the fees that are charged for the storage and retrieval of such towed vehicles.

B. This chapter does not apply to the towing of vehicles:

1. ~~the towing of vehicles~~ from public streets and other locations that is performed pursuant to a contract with the County, or to the storage of such vehicles, or-
2. at the request of the vehicle owner, or
3. at the request of a creditor for the repossession of the vehicle, or
4. from a parcel used at the time of towing for one single-family residence or one two-family residence.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-4. Local Permitting Licensure and Compliance with State Licensing Requirements.

- A. The County requests that each Trespass Tow Operator submit the following documentation to the Police Department liaison to the Arlington County Towing Panel before July 1 of every year;

1. A copy of the Operator's business license;
2. Address, Telephone number and vehicle storage capacity for each storage site to which vehicles are being towed;
3. Copies of all Driver's Authorization Documents issued by the Virginia Department of Criminal Justice Services for all drivers employed by the Operator;
4. Copies of all vehicle safety inspections;
5. Proof of certificate of insurance in regards to all state and federal laws;
6. To submit to an inspection of such Operator's facilities to ensure that the Operator meets all local requirements and in such facilities where vehicles are towed from Arlington County to another jurisdiction.

B. Operator Permit Required. All towing and recovery operators must apply for and obtain from the County Manager, or his designated agent, a permit before engaging in the immobilization or trespass

towing of vehicles in Arlington County. Such permits shall be renewed by February 1st of each subsequent year. This provision shall become effective January 1, 2017.

C. Operator Permit Issuance.

1. To obtain a permit, the following information and documents must be provided to the County Manager, or his designated agent:

- a. A completed Operator Registration document, provided by the County Manager, or his designated agent;
- b. A copy of the Operator's business license;
- c. Address, telephone number and vehicle storage capacity for each storage site to which vehicles will be towed;
- d. Copies of all Driver Authorization Documents issued by the Virginia Department of Criminal Justice Services for all drivers employed by the Operator;
- e. Copies of all vehicle safety inspections;
- f. Proof of insurance coverage: All Operators must have automobile liability, commercial general liability, garage keepers liability, on hook coverage and worker's compensation as required by state and federal law;
- a.g. A listing of all properties the Operator has a contract with to provide trespass towing services. Such list shall include the property name and address, the name of property owner or their representative, phone number and e-mail address for the property owner or their representative;
- h. A comprehensive list of all their fees for towing, recovery, and storage services, and the basis of such charges;
- i. To submit to an inspection of such Operator's facilities to ensure that the Operator meets all the localities requirements, regardless of whether such facilities are located within the locality or elsewhere; and
- j. Pays the applicable application fee for such Permit.

- ~~2. The Operator shall inform the County Manager, or his designated agent of any changes to the information required in Subsection 1 within 30 days of such changes.~~
- ~~3. Operator licenses are non-transferable.~~
- ~~4. The annual application fee for each operator shall be \$XXX.XX.~~

~~C. Suspension of Operator Permit:~~

- ~~1. The County Manager, or his designated agent, may suspend an Operator's Permit for a period of one (1) to ninety (90) days and/or until proof of compliance with the requirements of this ordinance is provided to the satisfaction of the County Manager, or his designated agent. The suspension shall become effective 30 days after the Operator receives a suspension notice from the County Manager, or his designated agent. Reasons for suspension shall include, but not be limited to:

 - ~~a. Failure to notify the County Manager, or his designated agent, of any changes to the information outlined in Subsection B;~~
 - ~~b. Allowing, knowingly or otherwise, any of their vehicles to be operated by individuals not possessing an active and valid Driver Authorization Document;~~
 - ~~c. Any violation of Sections 14.3-6, 14.3-7, 14.3-10 or 14.3-12;~~
 - ~~d. Failure to maintain storage facilities in good order and repair, or for any failed inspections of Operator facilities;~~
 - ~~e. Failure to submit to facility inspections; and~~
 - ~~f. Repeated and persistent valid complaints~~~~

~~D. Operator Permit Revocation:~~

- ~~1. The County may revoke an Operator's Permit for, but not limited to, the following reasons:

 - ~~a. The Operator fails to correct deficiencies for which the Operator was suspended by the end of the suspension period;~~
 - ~~b. The Operator makes, or causes or allows to be made, false statements to the County Manager, or his designated agent, for the purpose of acquiring a Permit, for Permit renewal, or in the course of the County's oversight and regulatory functions; or~~
 - ~~c. The Operator conducts immobilization or any towing operations in the County while under suspension.~~~~
- ~~2. The revocation will become effective five (5) days after the Operator receives a revocation notice from the County Manager, or his designated agent, unless an appeal has been filed by the Operator in accordance with subsection F below.~~
- ~~3. The Operator Permit shall be returned to the County Manager, or his designated agent, on the day the revocation becomes effective.~~

~~E. Notification:~~

- ~~1. Written notice of any denial, suspension, or revocation under the provisions of this Section shall be given by the County Manager, or his designated agent, in person, by email, or by certified mail.~~

~~F. Appeal:~~

- ~~1. Operators shall have the right to appeal any decision by the County Manager, or his designated agent, to deny, suspend or revoke an Operator's Permit.~~

~~2. Appeal Procedure.~~

- ~~a. The appeal of any decision by the County Manager, or his designated agent, to deny, suspend or revoke an Operator's Permit, shall be by notice of. Such notice of appeal shall be made in writing and filed with the Clerk of the County Board not later than fourteen (14) calendar days after a notice of decision has been hand delivered or mailed by certified mail. Such notice of appeal shall be signed by the Permit holder or Permit applicant, include an address at which such Permit applicant or Permit holder will receive notice. Such notice of appeal shall clearly and specifically state: the decision appealed from, all reasons why the decision is claimed to not be in accordance with this chapter, and the requested relief. Any such notice which is not timely filed or fails to provide such required information is subject to denial.~~
- ~~b. Upon receipt of a notice of appeal, the County Manager, or his designated agent, shall set a time and place for a hearing and shall give the appellant reasonable notice in writing. The hearing shall be before a hearing examiner, who will be a lawyer admitted to practice in the Commonwealth of Virginia, and employed by the County for the purpose of conducting such hearings.~~
- ~~c. The Permit applicant or Permit holder will have the right to present his case in person or by counsel licensed to practice in the Commonwealth of Virginia.~~
- ~~d. All hearings on appeals and final decision shall be scheduled and determined as promptly as practicable and in no event more than 60 calendar days from the date the notice of appeal is filed~~
- ~~e. An appeal may be withdrawn at any time prior to an appeal hearing by the appellant by giving written notice to the County Manager, or his designated agent~~
- ~~e.f. If the denial, suspension or revocation is upheld, it shall become effective immediately.~~
- ~~g. If the denial, suspension or revocation is overturned, the County Manager, or his designated agent, shall restore the Operator's Permit immediately.~~
- ~~h. During the pendency of an appeal, the decision of the County Manager, or his designee, shall remain in full force and effect.~~

~~All towing and recovery operators and all tow trucks engaged in business in the County shall comply with State licensing requirements imposed by State law, and shall provide evidence of such upon request by any representative of the County authorized to enforce the provisions of this chapter.~~

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-5. Removal of Trespassing Vehicles. Requirements for Property From Which Vehicles are Removed

A. The owner, operator, or lessee, or authorized agent thereof, of any property, may have any vehicle occupying the property without the permission of its owner, operator, lessee, or authorized agent thereof, removed by towing to a storage facility until reclaimed by the owner or his agent provided the provisions of this chapter are complied with, as well as the following;

1. Signs shall be posted at all vehicle entrances to the property clearly, conspicuously, and legibly disclosing that vehicles parked without permission will be towed. Such signs shall be posted so that the locations on the property subject to towing shall be clearly identified. The signs shall meet the following requirements and include the following information;
 - a. each sign shall be not less than 12 X 18 inches;
 - b. the lettering on each sign shall be as follows: "towing at owner's expense" not less than three (3) inches in height; "24 hrs/7 days" not less than one (1) inch in height and placed

just above the tow truck symbol; the tow truck symbol, not less than two (2) inches in height. Other lettering may vary in size but in no case be less than one-half (1/2) inch in height;

- c. each sign shall contain a pictorial symbol of a tow truck;
- d. each sign shall contain a statement to the effect that trespassing vehicles are subject to towing and storage at the expense of the vehicle owner;
- e. each sign shall state the hours and days of the week when trespassing vehicles are subject to towing;
- f. each sign shall provide the telephone number of the responsible towing and recovery operator to contact for information related to the location of vehicles towed from the property, which telephone number shall be answered by a person twenty-four (24) hours each day;
- g. each sign shall provide the non-emergency telephone number of the County Police; and
- h. each sign shall include the name of the business or businesses on or adjoining the property, the street address of the property, or the name of the property.

~~2. For properties where the parking facilities serve multiple tenants and individual parking spaces are reserved only for patrons or residents of one tenant and are not open to patrons or residents of all tenants served by the parking facility, additional signs or markings must be used to clearly delineate which spaces correspond to each tenant.~~

(The towing community does not support the above language as being too vague but is open to discuss this at the tow panel meeting)

- 3. The foregoing requirement for signs shall not apply on any parcel of property used at the time of removal for one single-family residence or one two-family residence; and provided further, however, that parking spaces parallel to or at an angle to a public street and entered directly from a public street shall be deemed to be providing signs properly when the signs are placed along the sidewalk (or in a similar location when there is no sidewalk) adjacent to the space or row of spaces and there is at least one (1) of the signs required by this chapter within forty (40) feet of each such space.

§ 14.3-6. Tow Truck Driver Operator Requirements and Standards of Practice

- ~~31.~~ The tow truck driver and/or towing and recovery operator performing the tow shall obtain authorization of the owner, operator, or lessee of the property from which the vehicle is towed, or the authorized agent thereof. For the purposes of this subsection, "authorized agent" may include a representative of the towing and recovery operator. The towing and recovery operator, and the owner, operator, or lessee of the property, shall maintain for public inspection at its business offices, and at the property, respectively, copies of all contracts or other documents that appoint the operator as the authorized agent for the owner, operator or lessee of the property for purposes of authorizing tows from the property.

~~2. All tow truck drivers shall complete the National Driver Certification Program Level I Test for Light Duty Operations of the Towing & Recovery Association of America.~~

- ~~3. All tow truck drivers shall have their Driver Authorization Document in their possession at all times while performing towing operations~~

~~4. All tow trucks shall meet all applicable federal, state and local regulations and safety standards. Operators shall only use vehicles and equipment designed and rated for the type of vehicle being transported.~~

- ~~45.~~ The tow truck driver and/or towing and recovery operator performing the tow shall obtain and retain photographic and/or video evidence clearly showing the location of the vehicle,

ARLINGTON COUNTY CODE

TOWING & STORAGE OF VEHICLES

substantiating the reason for its removal, and the condition of the vehicle. Evidence of the vehicle's condition shall not qualify as a violation of the requirements of this section as outlined in Section 14.3-~~12~~13.

~~56.~~ The tow truck used to perform the tow shall include the name, street address, and current, local telephone number of the towing and recovery operator permanently affixed in a conspicuous location on the exterior of the truck.

~~7.~~ While being towed, vehicles shall be properly secured in accordance with all state and federal laws, regulations, manufacturer specifications, and industry standards as developed by the Towing and Recovery Association of America for tow slings, wheel lifts, tow dollies, ear carriers/rollbacks and flatbeds.

~~8.~~ Nothing in this section shall release the tow truck driver from liability for failure to use reasonable care to prevent damage to the vehicle.

B. This section shall not apply to public safety and public health vehicles or where a vehicle, because of a wreck or other emergency, is parked or left temporarily on the property of another. The tow truck driver and/or towing recovery operator shall notify police upon discovery of a clearly labeled trespassing public safety or public health vehicle. (Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09; Ord. No. 14-01, 2-25-14)

§ 14.3-~~67~~. Notice to the County of Trespass Tow.

A. ~~Immediately Pprior~~ Within thirty minutes of to a trespassing vehicle being removed or towed as permitted by this chapter, notice of this action shall be given by the towing and recovery operator to the County Police. Such notice shall include the following information:

1. the name of the towing and recovery operator removing vehicle;
2. a description of the vehicle towed including make, model, VIN number and license plate;
3. the location of trespassing vehicle and the date and time of the tow;
4. the location of the storage facility to which the vehicle was towed; and
5. the name and address of the individual and/or entity who authorized the tow.

B. Failure to report such tow as required by this section shall constitute a traffic infraction punishable by a fine of not more than one hundred dollars (\$100.00). Such failure to report shall limit the amount which may be charged for the storage and safekeeping of the towed vehicle to an amount no greater than that charged for one day of storage and safekeeping. (Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-~~78~~. Storage Facilities.

A. All towing and recovery operators engaged in towing vehicles without the consent of their owners shall conspicuously display at their main place of business and at any other storage facilities where towed vehicles may be reclaimed, in locations readily visible to those reclaiming vehicles:

1. Ssigns that clearly and legibly provide the following information:
 - a. a comprehensive list of all their fees for towing, recovery, and storage services. Charges in excess of those posted shall not be collectable from any vehicle owner whose vehicle is towed or stored without his consent;
 - b. that payment may be made by cash, traveler's check, money order, insurance company check, or debit, credit or charge card;
 - c. that a receipt shall be provided;

d. the vehicle owner's right to inspect, as outlined in Section 14.3-7D~~;~~

2. ~~A~~a-notice to vehicle owners, provided by Arlington County, which includes information regarding the County's towing ordinance and the contact information for the Arlington County Police Department. Such notice shall be posted in both English and Spanish;~~;~~and

~~3. The Operator's Permit issued by Arlington County.~~

B. The fees authorized by this chapter shall be the maximum allowed and an additional fee for use of a debit, credit or charge card, or other form of payment, shall not be permitted.

C. Towing and recovery operators shall make change, up to one hundred dollars (\$100.00), for those who pay in cash for towing and storage charges applicable to vehicles towed under the provisions of this chapter.

D. The vehicle owner shall have the opportunity to inspect the vehicle and any items contained therein prior to payment. No towing and recovery operator shall require a vehicle owner to sign any waiver of the owner's rights to receive compensation for damage to the owner's vehicle as a condition of the vehicle's release.

E. Storage facilities to which vehicles towed under the provisions of this chapter are towed shall be open twenty-four (24) hours a day and seven (7) days per week.

F. Storage facilities to which vehicles towed under the provisions of this chapter are towed shall be located within the County or at a location in the Commonwealth of Virginia that is within ~~three-four~~ (34) miles of the boundary line of the County.

G. In the event that a vehicle is towed from the County and stored in or released from a location in another locality, the provisions of this chapter shall apply.
(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09; 14-01, 2-25-14)

§ 14.3-~~89~~. Receipt Required.

A. At the time a vehicle owner or agent reclaims a towed vehicle, the towing and recovery operator shall provide a written receipt that contains the following information:

1. the name and address of the towing and recovery operator;
2. the address from which the vehicle was towed;
3. the date and time that the vehicle was towed;
4. the date and time that the vehicle entered the facility at which it was placed for storage;
5. an itemized list of all the fees that are being charged; and
6. a signature of an authorized representative of the towing and recovery operator.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09; 14-01, 2-25-14)

§ 14.3-~~910~~. Fees.

A. Charges imposed for the towing, storage, and safekeeping of any vehicle removed, towed, or stored without the consent of its owner shall not be in excess of the maximum charges provided for in this section.

B. Pursuant to §46.2-1233 of the Code of Virginia, ~~T~~the maximum fees that may be charged for the towing of vehicles and for the storage of such towed vehicles are as follows:

1. for the towing of a vehicle with a gross vehicle weight rating of seven thousand five hundred (7,500) pounds or fewer, the maximum fee shall be the rate as set in §46.2-1233 ~~one hundred thirty-five dollars (\$135.00);~~

2. for the towing of a vehicle with a gross vehicle weight rating of between seven thousand five hundred and one (7,501) pounds and ten thousand (10,000) pounds, the maximum fee shall be two hundred fifty dollars (\$250.00),

3. for the towing of a vehicle with a gross vehicle weight rating of ten thousand and one (10,001) pounds or greater, the maximum fee shall be five hundred dollars (\$500.00).

~~4. for towing a vehicle between the hours of 7:00 p.m. and 8:00 a.m. or any Saturday, Sunday or holiday, an additional fee of no more than twenty-five dollars (\$25.00) per instance may be charged. In no event shall more than two (2) such fees be charged for the towing of any such vehicle.~~

45. for the storage of any towed vehicle, the maximum fee for each twenty-four (24) hour period of storage, or portion thereof, shall be fifty dollars (\$50.00); provided that no storage fee may be charged for the first twenty-four (24) hours of storage, or any portion thereof, following the arrival of a towed vehicle at a storage facility.

~~5. if any of the requirements of this Chapter are not met by the towing and recovery operator with respect to the towing or storage of a vehicle, there shall be no fee charged for that tow or the storage.~~

C. Except for fees authorized by this chapter, no other fees or charges shall be imposed.

D. No towing and recovery operator having custody of a vehicle towed without the consent of its owner may impose storage charges for that vehicle for any period during which the vehicle could not be reclaimed because the storage facility was closed.

E. If the owner or representative or agent of the owner of the trespassing vehicle is present, and ready, willing, and able to remove the trespassing vehicle from the premises at any time before it is removed from the premises by a towing and recovery operator, the vehicle shall be released to the owner or representative or agent of the owner for purposes of immediate removal from the property, but the owner or representative or agent of the owner shall be liable for a reasonable "in lieu of towing" fee, not to exceed twenty-five dollars (\$25.00), provided that the towing and recovery operator provides a written receipt to the owner or representative or agent of the owner identifying the accepted forms of payment specified in § 14.3-10.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09; 14-01, 2-25-14)

§ 14.3-1011. Manner of Payment.

A. Towing and recovery operators shall accept payment for towing fees, storage fees, retrieval fees and the "in lieu of towing" fee provided for in this chapter in each of the following ways:

1. cash in United States currency;
2. insurance company check
3. travelers' checks or money orders payable in United States currency; and
4. any debit, credit or charge card that the towing and recovery operator is authorized by the issuing credit or charge card company to accept, and that is accepted by the towing and recovery operator in the ordinary course of business.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-1112. Records.

A. Every towing and recovery operator shall maintain a record of the following information for each vehicle that it has towed from a location within the County:

1. the date and time that the vehicle was towed;
2. the date and time that the vehicle entered the facility at which it was placed for storage;
3. the make, model, year, VIN number, and license plate number of the vehicle;
4. the address of the property from which the vehicle was removed;
5. the name and address of the person and/or entity who authorized the tow;
6. the video or photographs taken at the time of the tow;
7. the towing and storage fees actually charged;
8. the date and time the vehicle was reclaimed, and by whom; and
9. a copy of the receipt provided to the vehicle owner or agent.

B. Such record shall be maintained for a period of at least one (1) year from the date of each tow, and shall be made available, during normal business hours, for inspection and copying by any representative of the County authorized to enforce the provisions of this chapter. In addition, the portion of such log or record pertaining to a particular vehicle shall be made available, during normal business hours, for inspection and copying by the owner of the vehicle or the owner's authorized representative.
(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-~~12~~13. Violations.

~~A. Except as otherwise specifically provided, if any of the requirements of Subsection 14.3-5, 14.3-8 and 14.3-9 are not met, such immobilization or tow shall be deemed invalid, resulting in no charge to the vehicle owner for the release of the vehicle. In the event that the vehicle owner has already paid such fees, the towing and recovery operator shall provide reimbursement in the same form in which payment was received within 24 hours of receiving a finding by Arlington County of the failure to meet requirements.~~

B. Except as otherwise specifically provided, any violation of this chapter is unlawful and punishable by a fine not to exceed one thousand dollars (\$1,000.00).
(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09)



GENTRY LOCKE
Attorneys

Herschel V. Keller

keller@gentrylocke.com

P: (434) 455-9944

F: (540) 983-9400

September 2, 2016

Mark Schwartz
County Manager
County of Arlington, Virginia
2100 Clarendon Boulevard
Arlington, Virginia 22201

Re: Proposed Revisions to Arlington County Towing Ordinances

Dear Mark:

It was a pleasure to meet you. Thank you and your team for taking the time to meet with my clients and me regarding Arlington County's contemplated revisions to its towing ordinance. While I understand there is a natural tension between businesses and those who seek to regulate them, I was surprised a bit by the spirited nature of the discussion we had. Your offer for a follow-up meeting was gracious, and I look forward to seeing you next week.

Trying to look at this situation objectively, I hope you understand why my clients and their lobbyist see the contemplated changes to the ordinances as a solution in search of a problem. Their fear this effort is a reprisal for the recent statutory changes is understandable given the timing of the draft and the email exchanges between Arlington County Board Vice-Chair Jay Fisette and Tim Sansone of Sentry Force Security, in which they seemed to have an understanding that Arlington County will add a "second signature" requirement to its ordinance.

You summed it up best: emotionally, no one wants to have their car towed, but when your valuable parking space is occupied by someone else, you want their car towed immediately. We all seem to understand these can be emotional issues. Given this, it is even more important the County's decisions be driven by the data. With legitimate complaints tracking at well less than one percent, we respectfully request the County not make changes to its ordinances that will unnecessarily burden legitimate towing businesses that are vital to operation of businesses in a county with limited parking.

In our meeting, much of the discussion focused on "what" needs to be changed in the ordinance. I continue to believe the initial question should be "why" changes are necessary, if at all. If the County is unable to identify a problem each change to the ordinance would address, I suggest such change is not only unnecessary, but potentially harmful to the towers, the businesses they protect, and ultimately the County as a whole. Arlington has a parking problem,



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not a towing problem. Trespass towers are even more necessary in a county like Arlington, than in a less urban area with surpluses of parking. As such, it could be fairly argued it is not in the County's interest to hinder towing operators with unnecessary regulations, when such companies are in the business of protecting the property rights of Arlington's residents and the businesses that operate there.

In this light, we look forward to discussing the ordinance with you next week. Would you please do me the favor of forwarding a copy of this letter to your legal counsel who attended our meeting? Out of professional courtesy I would like for him to have a copy, but I did not fully catch his name during introductions. We look forward to working on this with you.

Best regards,

GENTRY LOCKE

A handwritten signature in black ink, appearing to read 'Herschel V. Keller', written over the printed name.

Herschel V. Keller

HVK:DE

ARLINGTON COUNTY CODE

Chapter 14.3

001

IMMOBILIZATION, REMOVAL, TOWING AND STORAGE OF VEHICLES FROM PRIVATE PROPERTY*

002

§ 14.3-1. Findings and Purpose.**§ 14.3-2. Definitions.****§ 14.3-3. Applicability.****§ 14.3-4. ~~Compliance with State Licensing Requirements, Local Permitting and Compliance.~~****are Removed.****§ 14.3-5. ~~Removal of Trespassing Vehicles~~Requirements for Property From Which Vehicles****§ 14.3-6. Tow Truck Operator and Driver Requirements and Standards of Practice****§ 14.3-~~67~~. Notice to the County of Trespass Tow.****§ 14.3-~~78~~. Storage Facilities.****§ 14.3-~~89~~. Receipt Required.****§ 14.3-~~910~~. Fees.****§ 14.3-~~1011~~. Manner of Payment.****§ 14.3-~~12~~. Records.****§ 14.3-~~1213~~. Violations.**

003

§ 14.3-1. Findings and Purpose.

The County Board has found that some members of the public and their property have been placed at risk in circumstances where their vehicles have been towed from private property without their consent and placed in storage because of a variety of factors. Those factors include, but are not limited to, unfair and predatory towing and pricing practices, inadequate notice of when vehicles are subject to towing, unreasonable prices for towing and storage, and lack of adequate recourse in the event of improper towing or storage. among others. Based upon the foregoing, the County Board has concluded that the regulations provided for by this chapter are required to protect public health, safety and welfare generally, and particularly the safety of those members of the public whose vehicles have been towed from private property without their consent and stored, as well as the public interest in ensuring that the prices charged for such non-consensual tows from occurring in instances when vehicles are trespassing on private property are fair and reasonable.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-2. Definitions.

Except as hereinafter set forth, the words used in this chapter shall have the same meaning as set forth in § 46.2-100 of the Code of Virginia, as such may be amended from time to time.

“Immobilization” means a procedure that utilizes equipment, such as a boot, that prevents a vehicle from moving. Immobilization does not include attachment to a tow truck.

“Local license” or “locality permit” means a document indicating the Towing and recovery operator has been approved to immobilize or tow vehicles from private property in Arlington County.

“Storage fee” means the compensation payable for the storage of a towed vehicle that has been stored at or in a facility owned, operated, leased or used by a tow truck service.

“Tow, tows, or towing” means the act of removing, by tow truck, a vehicle from privately-owned property within the County where it is parked. The preparation of a vehicle for removal by a tow truck or the attachment of a vehicle to a tow truck, or both, does not, for purposes of this chapter, constitute a tow or towing.

#001

Posted by **Teddiesalad** on **06/17/2016** at **12:52pm**

The county needs to understand they are part of the problem. How much has the cost of public parking, enforcement, times of enforcement, and penalties increased in the last decade? How much leeway do the parking enforcement officers give for parkers who might be a minute late? People take the chance of being towed to avoid tickets. Downtown areas are avoided because of the lack of parking and county parking enforcement more than towing. Restrictions on towing damage the businesses who had the forethought to provide parking at the benefit of businesses who did not bother. Predatory towing is a response to predatory parking. If people parked obeying the signs whether the signs make sense to the parker or not we would not need towing at all. Ask yourselves why are so many tows needed and not how can we prevent them. Small businesses like mine are damaged every time a space is taken by someone who is not a customer in my store.

#002

Posted by **Dan** on **06/17/2016** at **12:13pm**

I've read through the proposed changes and I don't see how they would have any impact on the predatory towing issues within the county. It appears to be define requirements for towing licenses, but doesn't really get to the root cause of the problem.

Reply by **Teddiesalad** on **06/17/2016** at **12:44pm**

With all the signage requirements there should be no reason to complain if you are towed. Parking where you are asked not to is denying the rightful owner from its use. All anyone should need is a sign saying parking for "such and such" to ensure the spaces are used for their intended purpose. Sadly people seem incapable of following directions or they think they have the right to judge when they can trespass park. This leads to the need for towing. It is the only remedy lot owners have that ensures the spaces are available for the rightful user.

Reply by **Iwastowedfrommyownparkinglot** on **06/17/2016** at **1:39pm**

The signs are misleading intentionally so that the towing company can make money. I parked in a spot that was reserved for me as a resident. I read the signs. I had parked there many times before. One morning, I woke up to find that my car was towed from my own residential spot while my parking permit was properly displayed. When I looked up the regulations on parking signage, the signs were not within the specifications listed. However, the county refused to step in and I had to pay the full price to have my car towed from a parking lot that was supposed to be reserved for me. I now park on the street as if I'm not a resident to prevent any chance of being towed.

Reply by **Teddiesalad** on **06/17/2016** at **3:05pm**

The requirements for signage would mean the signs are clear to anyone. If you read the regulations and the signs are clear then you can not then complain you did not know or understand. Your case sounds outside the norms.

Reply by **rgrony** on **07/02/2016** at **2:01pm**

Sir, please read what happened to my daughter. I agree, signage and the law are a good start, but what do you do for recourse with predatory tow companies that violate

these issues and then are not help accountable? Some of these companies will tow without signs and will not follow the rules once they have your car.

Reply by **arstevens04** on **07/15/2016** at **7:36pm**

Predatory towing is a huge problem in Arlington. I have been towed for parking in the lot of a business that was closed for the day. I was gone 4 minutes and my car was gone.

On Columbia Pike, you can't even park your car in one lot and run errands in businesses on the same street. It is really frustrating to have to move my car .1 miles to avoid being towed while I run into CVS, Giant, then the bank. If I do business at the place where I am parked, that should be enough to park there for 20 minutes. Instead, I have watched Advanced Towing take cars for ransom from CVS when people have walked across the street after going into CVS. I have seen them time people parked at Boston Market and tow them for being there too long. It has to stop!! It should be incumbent upon the business to call for a tow. Not the tow company, which clearly preys on the lack of parking along the Pike and elsewhere.

Reply by **Teddiesalad** on **07/21/2016** at **2:58pm**

The towing is a response. Why is it hard to understand that? The only recourse private lot owners have to ensure their parking is available when they need it is to aggressively, persistently go after parking poachers. Nobody here offers any alternatives that are viable nor do I see any thought into what the fines should be to people who abuse the parking. My lot has a sign on every space. Why should I need to do more than that? I could tow 20 cars a day from my 7 space lot. Each space stolen could cost me a customer and any referrals from that customer yet I have no recourse against the damage the poacher caused. No business wants to tow, we get nothing from it but the spaces we pay for. If you are going to an area with multiple errands then park in public parking. If there is not enough public parking maybe you should think about the ramifications of that.

#003

Posted by **CDREED** on **07/19/2016** at **2:40pm**

I would add an element to the Purpose acknowledging that part of the purpose is to also protect the property/business owner from losing business due to non-customer use of limited parking slots. I would then put a provision in the code that puts some burden of proof on the business/property owner that he must show that the car owner did not patronize the businesses supported by the parking lot. There is no reason you should be towed if you run across the street for 10 minutes to grab a sandwich when you fully intend to return to the businesses supported by the parking lot and shop. The alternative is to move your car multiple times within less than 100 feet , thus creating additional traffic, greenhouse gasses, etc.

Reply by **Teddiesalad** on **07/21/2016** at **3:03pm**

How are we to know you are coming back? How long you will be gone? Why can't pop your

head in to ask before going elsewhere?

#004

Posted by **rgrony** on **07/02/2016** at **1:58pm**

My daughter and wife had the misfortune of visiting a Melting Pot restaurant in the city of Arlington to purchase a gift card on December 29, 2012. They exited and locked their vehicle and went into the store for approximately five to ten minutes. As my daughter came out of the store she observed a tow truck leaving the area with her car attached. She tried to flag the tow truck driver down but realized as the driver ran the red signal light at Glebe Road and 11st North there was little chance he was going to stop. My daughter was aghast at what just happened since she had legally parked the car. In fact, the manager of the Melting Pot, by the name of Jeff, had come out of the store and explained that he witnessed the incident and would speak to the towing company and ask them to bring the car back. Unfortunately, the towing company, now identified as Advanced Towing, told the manager that they would have to come to the lot to pick up the car. My daughter tried calling the tow company and explaining that they had mistakenly towed her vehicle, however, she was told that she would have to pay \$125 to get the car out of impound.

It was getting late and dark so my daughter and wife walked the three quarters of a mile to the tow lot to attempt to explain in person the mistake. When they got to the yard they were directed to a trailer window. My daughter again explained that her vehicle had been legally parked and was prepared to show the following; proof of a time stamped receipt, the witness manager information, and to show photos of the parking location with signs showing her car was legally parked. The receptionist at the window was not interested and said that it would cost \$125 to get the vehicle. When my daughter stated that she was going to call the police regarding this issue she was ordered off the lot by the receptionist. My daughter did in fact call the police. Both her and my wife did not feel completely safe standing in the area outside the tow yard on 5th Road North, and it was getting cold, so they asked for a police officer to meet them back at the Melting Pot. By this time my daughter had called her husband and advised him of the situation. Since my wife and I were visiting from Phoenix I told my son-in-law that I would head down to Arlington so he could stay with his children.

Officer Wilson and his backup made contact with my daughter and wife within ten minutes of the call to the police. That alone impressed me with the response time of your officers on what is essentially a civil matter call. The officers were very sympathetic with my daughter and, Officer Wilson stated that he did not understand the reason for the tow and that they have had multiple complaints and problems with Advanced Towing. The officer gave my daughter information to contact a detective for follow up regarding the towing incident since tow companies are required to report to the police before they take a vehicle. Officer Wilson even offered to transport my daughter and wife back to the tow yard. However, he did mention that the matter was civil in nature and there was little he could do about it. My daughter thanked the officer, but told him that I was coming down to the Melting Pot so we could pay to obtain the vehicle. My daughter is very conscious of the time demands of police officers and saw no reason to delay him any longer. Both officers were very professional and courteous.

Once I arrived at the Melting Pot my daughter and wife explained the situation and where the vehicle was located. We drove to the tow yard where the car was being held and I attempted one more effort at reason with the receptionist, even asking her to call her boss and explain that we would be disputing the tow. I cannot be sure that she spoke to her boss, but she did hold a phone to her ear, made some muffled conversation, then hung up and told me that she would only accept cash of \$125 to release the car. Interestingly, I reminded the receptionist that by statute she was required to accept a major credit card. She said, "No," that since I was going to dispute the tow I would have to pay cash. Unfortunately,

I again explained to the receptionist that we would again be calling the police and would wait across the street. It is so unfortunate that I had to take even more time from Arlington County Police officers who could be out doing more crime prevention activities rather than civil matter issues. However, it became clear that I was dealing with a predatory tow company and that I would need to have officers stand by and witness my having to pay by cash to retrieve an unlawfully towed vehicle. In addition, I needed to make sure there was no damage or missing items from the car.

It did not take long for Officers Sirinek and his backup to arrive at the tow yard. Again, I wish to commend you and your department personnel for what seems to be a culture of quick response to the public. I have no doubt this was a busy time of year and it was a Saturday night during the swing shift. I explained to the officers that I understood the civil nature of the tow but that I was concerned that the incident could possibly escalate. Officer Sirinek told me that he has had problems and complaints about this tow company and he wanted an opportunity to talk with them in private and see if he could get our car back. I told the officer I would really appreciate that and asked if he could explain to the receptionist that if I had to pay that I would prefer to do so by credit card.

Not surprisingly, the officer returned and told me that they would not budge and demanded cash. I asked the officers if they would not mind escorting me on the property while I paid the impound fee, obtained a receipt, and checked the car for any damage or missing property. The officers said they would be more than happy to assist. Officer Sirinek gave me his card with Detective Rakowski's information to call and file a complaint. We ultimately were able to retrieve the vehicle after paying the cash amount. Both officers were very professional and courteous in this incident.

In the days that followed my daughter contacted Detective Rakowski about the towing incident. She explained the situation and over the course of several days and phone calls between my daughter, the detective, and the owner of Advanced Towing, my daughter should be receiving reimbursement of the tow fee. The detective was able to ascertain from the owner of Advanced Towing, John O'Neill, that the wrong car was towed from the lot that evening. Unfortunately, when my daughter actually spoke with the owner of Advanced Towing he could not explain how such a mistake occurred. Again, your detective was very professional, courteous, and empathetic to this situation, and I would like to commend him for that.

What this city should not be proud of is that they have a predatory towing company that has been operating for quite some time. These so called "businesses" that prey on the weak, the misinformed, and the ignorant of your community are a mar to an otherwise beautiful town. They skirt the fine line of the law; many times going over that line, in the hopes they can take even more money. Their attitude is that the bureaucracy of regulation and oversight will get so bogged down that they can continue to operate unfettered. What concerns me is every one of your police officers, without exception, expressed their frustration with this tow company and how they operate. Your own officers called them "predators." While these may be considered "civil matters" they are taking up a lot of law enforcement resources and time. To make matters worse, a comment was made that making a complaint to the Towing Authority would be futile. This is a company that has an "F" rating with the Better Business Bureau, has a multitude of complaints filed online, and even receives complaints from the business managers of properties they patrol. We learned that this company pays out on average the reimbursement of two tows a day, but that the owner's attitude is as long as he is making a profit it will be business as usual. How this company has been able to operate for this amount of time and under these circumstances is extremely disappointing to me.

My daughter understands principle and that sometimes doing the right thing requires an investment in time and effort. She will be making a complaint with the Towing Authority to attempt to enforce the statutes put forth regarding tows in the state of Virginia. In addition, the property managers that employ Advanced Towing will be made aware of how this company operates so that they can make a more

informed business decision. It is my hope that the police department can take steps to protect their citizens from such predatory operators. None of this is meant to inhibit those property managers and tow companies that do operate within the law and with business ethics to protect property owners. What is unfortunate is that it takes an outsider to Arlington to bring this issue to light for a better community for those that work and live there. It has taken almost four years to get to this point. I can only hope the County Board works to rectify this problem for its community.

#005

Posted by **jaamkie** on **07/15/2016** at **1:52pm**

If we can regulate towing for the sake of safety, we should prohibit towing cars from private parking lots during snow / ice storms with a grace period after the street and parking lot has been cleared before towing may resume.

This past winter I saw Advanced tow trucks sliding around dangerously on icy roads and I also know neighbors were out on the streets moving their cars between condo lots that restrict parking at night and Arlington streets that restrict parking during the day. It would be better to allow people to leave their cars in any legal parking space for the duration of snow emergencies to reduce the number of cars sliding around on local roads.

#006

Posted by **Wrongly towed** on **07/01/2016** at **9:33pm**

...ensuring that such non-consensual tows are fair and reasonable.

“Towing fee” means the compensation payable for the towing of a vehicle.

“Towing and recovery operator” or “Operator” means a business or entity person engaged in the business of the immobilization or towing of vehicle from private property in Arlington County without the consent of the vehicle owner. The term does not, for purposes of this chapter, include an individual or entity that removes vehicles from public streets and other locations, pursuant to a contract with the County.

007

“Tow truck” means a vehicle for hire (i) designed to lift, pull, or carry another vehicle by means of a hoist or other mechanical apparatus and (ii) having a manufacturer’s gross vehicle weight rating of at least ten thousand (10,000) pounds. *Tow truck* also includes vehicles designed with a ramp on wheels and a hydraulic lift with a capacity to haul or tow another vehicle, commonly referred to as “rollbacks.”

“Tow truck driver” means an individual operating a tow truck in the removal of a vehicle from private property.

“Trespass tow” means the act of removing by tow truck, a vehicle from privately-owned property in Arlington County without the consent of the vehicle owner pursuant to a request for towing services made by the owner, operator, manager, lessee, or authorized agent in charge of, private property, or pursuant to a contract between such person and a towing and recovery operator. The preparation of a vehicle for removal by a tow truck or the attachment of a vehicle to a tow truck, or both, does not, for purposes of this chapter, constitute a trespass tow.

“Valid complaint” means a complaint investigated by Arlington County that results in a finding by the County of an improper tow due to violations of the requirements and restrictions set forth in this Chapter

“Vehicle” means every device in, on or by which any person or property is or may be transported or drawn on a highway.
(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-3. Applicability.

A. This chapter applies:

1. to the towing, by a towing and recovery operator, of vehicles from privately-owned property within the County without the consent of the vehicle owner or driver,
2. to the fees that are charged for such towing of vehicles, and
3. to the fees that are charged for the storage and retrieval of such towed vehicles.

B. This chapter does not apply to the towing of vehicles:

1. the towing of vehicles from public streets and other locations that is performed pursuant to a contract with the County, or to the storage of such vehicles, or-

2. at the request of the vehicle owner, or

3. at the request of a creditor for the repossession of the vehicle, or

4. from a parcel used at the time of towing for one single-family residence or one two-family residence.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-4. Local Permitting Licensure and Compliance with State Licensing Requirements.

A. Operator Permit Required. All towing and recovery operators must apply for and obtain from the County Manager, or his designated agent, a permit before engaging in the immobilization or trespass

#007

Posted by **kropferama** on **06/20/2016** at **11:22pm**

I have lived on and off in Arlington County for over 25 years and my observation is that the County has allowed predatory towing practices to continue during that time. The towing companies use spotters and tow from lots even after hours when the businesses like banks are closed. If you call the businesses and ask if they authorize the towing companies to tow after hours they will say no. Or towing from meters in Clarendon's Market Common after hours...deceptive because it would appear to be a county space with a meter. The problem is well known and Arlington has a reputation for tacitly aggressive towing practices. Why does Arlington have this reputation? Why does this problem persist after at least 25 years? Because the County has refused to take any real regulation of the aggressive towing practices allows it to continue. The experience makes me avoid shopping or doing business in Arlington. Attaching an article of how far back this goes. <https://www.washingtonpost.com/archive/local/1992/02/08/in-arlington-towing-becomes-a-tug-of-war/c48f7d0a-922d-444d-be66-aef968114c3d/>

Here's my proposal--the towing company must first contact the business each and every time to receive permission before it authorizes a tow.

Sincerely,
John Kropf

Reply by **Teddiesalad** on **07/07/2016** at **5:03pm**

The reason it exists is the lack of forethought both by the county and the businesses who failed to provide adequate parking. The number of abusive parkers far outnumbers the towing mistakes. For every story of bad tows I can site 20 unauthorized parking bandits just from my 7 space lot. We have at least that many parking bandits a day and that is just my lot. Towing would stop if the county would ease parking restrictions and enforcement and help educate the public that parking on private property is damaging to the business who has the right to the spaces. You can decide when towing is enforced when you pay the 300.00 per space rent on the space

towing of vehicles in Arlington County. Such permits shall be renewed by February 1st of each subsequent year. This provision shall become effective January 1, 2017.

B. Operator Permit Issuance.

1. To obtain a permit, the following information and documents must be provided to the County Manager, or his designated agent:
 - a. A completed Operator Registration document, provided by the County Manager, or his designated agent;
 - b. A copy of the Operator's business license;
 - c. Address, telephone number and vehicle storage capacity for each storage site to which vehicles will be towed;
 - d. Copies of all Driver Authorization Documents issued by the Virginia Department of Criminal Justice Services for all drivers employed by the Operator;
 - e. Copies of all vehicle safety inspections;
 - f. Proof of insurance coverage: All Operators must have automobile liability, commercial general liability, garage-keepers liability, on hook coverage and worker's compensation as required by state and federal law;
 - a-g. A listing of all properties the Operator has a contract with to provide trespass towing services. Such list shall include the property name and address, the name of property owner or their representative, phone number and e-mail address for the property owner or their representative;
 - h. A comprehensive list of all their fees for towing, recovery, and storage services, and the basis of such charges;
 - i. To submit to an inspection of such Operator's facilities to ensure that the Operator meets all the localities requirements, regardless of whether such facilities are located within the locality or elsewhere; and
 - j. Pays the applicable application fee for such Permit.
2. The Operator shall inform the County Manager, or his designated agent of any changes to the information required in Subsection 1 within 30 days of such changes.
3. Operator licenses are non-transferable.
4. The annual application fee for each operator shall be \$XXX.XX.

008

C. Suspension of Operator Permit.

1. The County Manager, or his designated agent, may suspend an Operator's Permit for a period of one (1) to ninety (90) days and/or until proof of compliance with the requirements of this ordinance is provided to the satisfaction of the County Manager, or his designated agent. The suspension shall become effective 30 days after the Operator receives a suspension notice from the County Manager, or his designated agent. Reasons for suspension shall include, but not be limited to:
 - a. Failure to notify the County Manager, or his designated agent, of any changes to the information outlined in Subsection B;

#008

Posted by **Wrongly towed** on **07/01/2016** at **8:09pm**

90 days or until proof of compliance? Just 90 days? When I was towed-from my own parking lot because my tag fell off my rear view mirror-the towing company had multiple legal violations. They overcharged me. There was no sign I did not have an opportunity to not sign the waiver of my right to receive damages. No Consumer Information Sheet. No one gave the contact number of the County official responsible for handling consumer complaints. When I finally did get these issues addressed, it was almost like the county sided with the towing company. There needs to be fines or certainly at least real consequences for companies taking advantage of this. I am an educated person, but the vast majority of people who are towed will not know how to research the law or who to contact if there are problems (assuming the towing company pulls the same tricks it pulled on me.) This should be at least 180 days.

- b. Allowing, knowingly or otherwise, any of their vehicles to be operated by individuals not possessing an active and valid Driver Authorization Document;
- c. Any violation of Sections 14.3-6, 14.3-7, 14.3-10 or 14.3-12;
- d. Failure to maintain storage facilities in good order and repair, or for any failed inspections of Operator facilities;
- e. Failure to submit to facility inspections; and
- f. Repeated and persistent valid complaints

009

D. Operator Permit Revocation.

- 1. The County may revoke an Operator’s Permit for, but not limited to, the following reasons:
 - a. The Operator fails to correct deficiencies for which the Operator was suspended by the end of the suspension period;
 - b. The Operator makes, or causes or allows to be made, false statements to the County Manager, or his designated agent, for the purpose of acquiring a Permit, for Permit renewal, or in the course of the County’s oversight and regulatory functions; or
 - c. The Operator conducts immobilization or any towing operations in the County while under suspension.
- 2. The revocation will become effective five (5) days after the Operator receives a revocation notice from the County Manager, or his designated agent, unless an appeal has been filed by the Operator in accordance with subsection F below.
- 3. The Operator Permit shall be returned to the County Manager, or his designated agent, on the day the revocation becomes effective.

E. Notification.

- 1. Written notice of any denial, suspension, or revocation under the provisions of this Section shall be given by the County Manager, or his designated agent, in person, by email, or by certified mail.

010

F. Appeal.

- 1. Operators shall have the right to appeal any decision by the County Manager, or his designated agent, to deny, suspend or revoke an Operator’s Permit.
- 2. Appeal Procedure.
 - a. The appeal of any decision by the County Manager, or his designated agent, to deny, suspend or revoke an Operator’s Permit, shall be by notice of. Such notice of appeal shall be made in writing and filed with the Clerk of the County Board not later than fourteen (14) calendar days after a notice of decision has been hand delivered or mailed by certified mail. Such notice of appeal shall be signed by the Permit holder or Permit applicant, include an address at which such Permit applicant or Permit holder will receive notice. Such notice of appeal shall clearly and specifically state: the decision appealed from, all reasons why the decision is claimed to not be in accordance with this chapter, and the requested relief. Any such notice which is not timely filed or fails to provide such required information is subject to denial.

#009

Posted by **lwastowedfrommyownparkinglot** on **06/17/2016** at **1:46pm**

Can the permit be revoked if the towing company tows without following the guidelines set forth in the registration and/or if they fail to post signs that clearly define which spaces are reserved for whom? Again, I do not see how any of these regulations protect the citizens. It seems that this is more legislation to protect a corrupt system.

Reply by **Teddiesalad** on **06/17/2016** at **3:14pm**

What about the protection for the people paying for the spots/lots. How does the county protect them from illegal trespass parking?

#010

Posted by **lwastowedfrommyownparkinglot** on **06/17/2016** at **1:42pm**

It seems to me that most of the changes continue to protect the towing company. How can owners appeal if they were towed wrongly? Where is the protection for Arlington County residents?

Reply by **Teddiesalad** on **06/17/2016** at **3:48pm**

There should be a way for people who are genuinely wrongfully towed to fight the tow. If that involves court the loser should pay all court costs.

- b. Upon receipt of a notice of appeal, the County Manager, or his designated agent, shall set a time and place for a hearing and shall give the appellant reasonable notice in writing. The hearing shall be before a hearing examiner, who will be a lawyer admitted to practice in the Commonwealth of Virginia, and employed by the County for the purpose of conducting such hearings.
- c. ⁰¹¹ e Permit applicant or Permit holder will have the right to present his case in person or by counsel licensed to practice in the Commonwealth of Virginia.
- d. All hearings on appeals and final decision shall be scheduled and determined as promptly as practicable and in no event more than 60 calendar days from the date the notice of appeal is filed
- e. An appeal may be withdrawn at any time prior to an appeal hearing by the appellant by giving written notice to the County Manager, or his designated agent
- e-f. If the denial, suspension or revocation is upheld, it shall become effective immediately.
- g. If the denial, suspension or revocation is overturned, the County Manager, or his designated agent, shall restore the Oøperator's Permit immediately.
- h. During the pendency of an appeal, the decision of the County Manager, or his designee, shall remain in full force and effect.

~~All towing and recovery operators and all tow trucks engaged in business in the County shall comply with State licensing requirements imposed by State law, and shall provide evidence of such upon request by any representative of the County authorized to enforce the provisions of this chapter.~~

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-5. ~~Removal of Trespassing Vehicles.~~ Requirements for Property From Which Vehicles are Removed

A. The owner, operator, or lessee, or authorized agent thereof, of any property, may have any vehicle occupying the property without the permission of its owner, operator, lessee, or authorized agent thereof, removed by towing to a storage facility until reclaimed by the owner or his agent provided the provisions of this chapter are complied with, as well as the following;

- 1. Signs shall be posted at all vehicle entrances to the property clearly, conspicuously, and legibly disclosing that vehicles parked without permission will be towed. Such signs shall be posted so that the locations on the property subject to towing shall be clearly identified. The signs shall meet the following requirements and include the following information;
 - a. each sign shall be not less than 12 X 18 inches;
 - b. the lettering on each sign shall be as follows: "towing at owner's expense" not less than three (3) inches in height; "24 hrs/7 days" not less than one (1) inch in height and placed just above the tow truck symbol; the tow truck symbol, not less than two (2) inches in height. Other lettering may vary in size but in no case be less than one-half (1/2) inch in height;
 - c. each sign shall contain a pictorial symbol of a tow truck;
 - d. each sign shall contain a statement to the effect that trespassing vehicles are subject to towing and storage at the expense of the vehicle owner;
 - e. each sign shall state the hours and days of the week when trespassing vehicles are subject to towing;

#011

Posted by **Wrongly towed** on **07/01/2016** at **9:17pm**

The County shall also provide notice of the date and time of the hearing to any person who, within 1 year of the revocation notice date, contacted it regarding the relevant activities of the permit holder. The person(s) will be given an opportunity to speak at the hearing.

- f. each sign shall provide the telephone number of the responsible towing and recovery operator to contact for information related to the location of vehicles towed from the property, which telephone number shall be answered by a person twenty-four (24) hours each day;
 - g. each sign shall provide the non-emergency telephone number of the County Police; and
 - h. each sign shall include the name of the business or businesses on or adjoining the property, the street address of the property, or the name of the property.
2. For properties where the parking facilities serve multiple tenants and individual parking spaces are reserved only for patrons or residents of one tenant and are not open to patrons or residents of all tenants served by the parking facility, additional signs or markings must be used to clearly delineate which spaces correspond to each tenant.
3. The foregoing requirement for signs shall not apply on any parcel of property used at the time of removal for one single-family residence or one two-family residence; and provided further, however, that parking spaces parallel to or at an angle to a public street and entered directly from a public street shall be deemed to be providing signs properly when the signs are placed along the sidewalk (or in a similar location when there is no sidewalk) adjacent to the space or row of spaces and there is at least one (1) of the signs required by this chapter within forty (40) feet of each such space.

§ 14.3-6. Tow Truck Driver Operator Requirements and Standards of Practice

- ~~31.~~ 012. The tow truck driver and/or towing and recovery operator performing the tow shall obtain authorization of the owner, operator, or lessee of the property from which the vehicle is towed, or authorized agent thereof. For the purposes of this subsection, “authorized agent” may include a representative of the towing and recovery operator. The towing and recovery operator, and the owner, operator, or lessee of the property, shall maintain for public inspection at its business offices, and at the property, respectively, copies of all contracts or other documents that appoint the operator as the authorized agent for the owner, operator or lessee of the property for purposes of authorizing tows from the property.
- ~~2.~~ All tow truck drivers shall complete the National Driver Certification Program Level 1 Test for Light Duty Operations of the Towing & Recovery Association of America.
- ~~3.~~ All tow truck drivers shall have their Driver Authorization Document in their possession at all times while performing towing operations
- ~~4.~~ All tow trucks shall meet all applicable federal, state and local regulations and safety standards. Operators shall only use vehicles and equipment designed and rated for the type of vehicle being transported.
- ~~45.~~ The tow truck driver and/or towing and recovery operator performing the tow shall obtain and retain photographic and/or video evidence clearly showing the location of the vehicle, substantiating the reason for its removal, and the condition of the vehicle. Evidence of the vehicle’s condition shall not qualify as a violation of the requirements of this section as outlined in Section 14.3-~~42~~13.
- ~~56.~~ The tow truck used to perform the tow shall include the name, street address, and current, local telephone number of the towing and recovery operator permanently affixed in a conspicuous location on the exterior of the truck.

#012

Posted by **Wrongly towed** on **07/01/2016 at 8:17pm**

this notice needs to be PROVIDED to the vehicle owner, not just a sign (which could be incredibly small and easily unseen in a tow lot)

Reply by **CDREED** on **07/19/2016 at 2:28pm**

The tow truck driver should be required to obtain a specific request/authorization to tow from the property or business owner on a case by case basis. The Towing company should not be allowed to act as an "authorized agent" with unlimited approval authority. This is the proverbial "fox guarding the hen house" and what has led Advanced Towing to set up their entire system of spotters and towing.

Reply by **Teddiesalad** on **07/21/2016 at 3:09pm**

"fox guarding the hen house" from wolves, weasels, snakes? You are objecting to private property being protected without acknowledging the need for protection. You pay for the spot you can decide who and when.

7. While being towed, vehicles shall be properly secured in accordance with all laws, regulations, manufacturer specifications, and industry standards as developed by the Towing and Recovery Association of America for tow slings, wheel lifts, tow dollies, car carriers/rollbacks and flatbeds.

8. ⁰¹³ Nothing in this section shall release the tow truck driver from liability for failure to use reasonable care to prevent damage to the vehicle.

B. This section shall not apply to public safety and public health vehicles or where a vehicle, because of a wreck or other emergency, is parked or left temporarily on the property of another. The tow truck driver and/or towing recovery operator shall notify police upon discovery of a trespassing public safety or public health vehicle. (Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09; Ord. No. 14-01, 2-25-14)

§ 14.3-~~67~~. Notice to the County of Trespass Tow.

A. ~~Immediately P~~rior to a trespassing vehicle being removed or towed as permitted by this chapter, notice of this action shall be given by the towing and recovery operator to the County Police. Such notice shall include the following information:

1. the name of the towing and recovery operator removing vehicle;
2. a description of the vehicle towed including make, model, VIN number and license plate;
3. the location of trespassing vehicle and the date and time of the tow;
4. the location of the storage facility to which the vehicle was towed; and
5. the name and address of the individual and/or entity who authorized the tow.

⁰¹⁴ Failure to report such tow as required by this section shall constitute a traffic infraction punishable by a fine of not more than one hundred dollars (\$100.00). Such failure to report shall limit the amount which may be charged for the storage and safekeeping of the towed vehicle to an amount no greater than that charged for one day of storage and safekeeping.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-~~78~~. Storage Facilities.

A. All towing and recovery operators engaged in towing vehicles without the consent of their owners shall conspicuously display at their main place of business and at any other storage facilities where towed vehicles may be reclaimed, in locations readily visible to those reclaiming vehicles:

1. ~~S~~igns that clearly and legibly provide the following information:
 - a. a comprehensive list of all their fees for towing, recovery, and storage services. Charges in excess of those posted shall not be collectable from any vehicle owner whose vehicle is towed or stored without his consent;
 - b. that payment may be made by cash, traveler's check, money order, insurance company check, or debit, credit or charge card;
 - c. that a receipt shall be provided;
 - d. the vehicle owner's right to inspect, as outlined in Section 14.3-7D~~;~~
2. ~~A~~a notice to vehicle owners, provided by Arlington County, which includes information regarding the County's towing ordinance and the contact information for the Arlington County Police Department. Such notice shall be posted in both English and Spanish~~;~~ and

#013

Posted by **Wrongly towed** on **07/01/2016** at **8:37pm**
...from liability for negligence.

#014

Posted by **Wrongly towed** on **07/01/2016** at **8:38pm**
\$500.00, not \$100.00.

Reply by **jbmcc** on **07/15/2016** at **1:22pm**

It seems inappropriate that the fee for failure to report a tow is lower than the revenue from that tow. If the notice isn't provided, the tow company should have to release the vehicle for free, in addition to paying the owner for the trouble of picking it up.

3. The Operator's Permit issued by Arlington County.

- B. The fees authorized by this chapter shall be the maximum allowed and an additional fee for use of a debit, credit or charge card, or other form of payment, shall not be permitted.
- C. Towing and recovery operators shall make change, up to one hundred dollars (\$100.00), for those who pay in cash for towing and storage charges applicable to vehicles towed under the provisions of this chapter.
- D. The vehicle owner shall have the opportunity to inspect the vehicle and any items contained therein prior to payment. No towing and recovery operator shall require a vehicle owner to sign any waiver of the owner's rights to receive compensation for damage to the owner's vehicle as a condition of the vehicle's release.
- E. Storage facilities to which vehicles towed under the provisions of this chapter are towed shall be open twenty-four (24) hours a day and seven (7) days per week.
- F. Storage facilities to which vehicles towed under the provisions of this chapter are towed shall be located within the County or at a location in the Commonwealth of Virginia that is within ~~three-four~~ (34) miles of the boundary line of the County.
- G. In the event that a vehicle is towed from the County and stored in or released from a location in another locality, the provisions of this chapter shall apply.
(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09; 14-01, 2-25-14)

§ 14.3-~~89~~. Receipt Required.

- A. At the time a vehicle owner or agent reclaims a towed vehicle, the towing and recovery operator shall provide a written receipt that contains the following information:
1. the name and address of the towing and recovery operator;
 2. the address from which the vehicle was towed;
 3. the date and time that the vehicle was towed;
 4. the date and time that the vehicle entered the facility at which it was placed for storage;
 5. an itemized list of all the fees that are being charged; and
 6. a signature of an authorized representative of the towing and recovery operator.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09; 14-01, 2-25-14)

§ 14.3-~~910~~. Fees.

- A. Charges imposed for the towing, storage, and safekeeping of any vehicle removed, towed, or stored without the consent of its owner shall not be in excess of the maximum charges provided for in this section.
- B. Pursuant to §46.2-1233 of the Code of Virginia, ~~the~~ the maximum fees that may be charged for the towing of vehicles and for the storage of such towed vehicles are as follows:
1. for the towing of a vehicle with a gross vehicle weight rating of seven thousand five hundred (7,500) pounds or fewer, the maximum fee shall be one hundred thirty-five dollars (\$135.00);

#015

Posted by **Wrongly towed** on **07/01/2016** at **8:23pm**

7. Wording in both English and Spanish, provided by Arlington County, which includes information regarding the County's towing ordinance and the contact information for the Arlington County Police Department. This can be a separate document.

2. for the towing of a vehicle with a gross vehicle weight rating of between seven thousand five hundred and one (7,501) pounds and ten thousand (10,000) pounds, the maximum fee shall be two hundred fifty dollars (\$250.00),

3. for the towing of a vehicle with a gross vehicle weight rating of ten thousand and one (10,001) pounds or greater, the maximum fee shall be five hundred dollars (\$500.00).

016

for towing a vehicle between the hours of 7:00 p.m. and 8:00 a.m. or any Saturday, Sunday or holiday, an additional fee of no more than twenty-five dollars (\$25.00) per instance may be charged. In no event shall more than two (2) such fees be charged for the towing of any such vehicle.

45. for the storage of any towed vehicle, the maximum fee for each twenty-four (24) hour period of storage, or portion thereof, shall be fifty dollars (\$50.00); provided that no storage fee may be charged for the first twenty-four (24) hours of storage, or any portion thereof, following the arrival of a towed vehicle at a storage facility.

~~5. if any of the requirements of this Chapter are not met by the towing and recovery operator with respect to the towing or storage of a vehicle, there shall be no fee charged for that tow or the storage.~~

C. Except for fees authorized by this chapter, no other fees or charges shall be imposed.

D. No towing and recovery operator having custody of a vehicle towed without the consent of its owner may impose storage charges for that vehicle for any period during which the vehicle could not be reclaimed because the storage facility was closed.

E. If the owner or representative or agent of the owner of the trespassing vehicle is present, and ready, willing, and able to remove the trespassing vehicle from the premises at any time before it is removed from the premises by a towing and recovery operator, the vehicle shall be released to the owner or representative or agent of the owner for purposes of immediate removal from the property, but the owner or representative or agent of the owner shall be liable for a reasonable "in lieu of towing" fee, not to exceed twenty-five dollars (\$25.00), provided that the towing and recovery operator provides a written receipt to the owner or representative or agent of the owner identifying the accepted forms of payment specified in § 14.3-10.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09; 14-01, 2-25-14)

§ 14.3-~~10~~11. Manner of Payment.

A. Towing and recovery operators shall accept payment for towing fees, storage fees, retrieval fees and the "in lieu of towing" fee provided for in this chapter in each of the following ways:

1. cash in United States currency;
2. insurance company check
3. travelers' checks or money orders payable in United States currency; and
4. any debit, credit or charge card that the towing and recovery operator is authorized by the issuing credit or charge card company to accept, and that is accepted by the towing and recovery operator in the ordinary course of business.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-~~11~~12. Records.

A. Every towing and recovery operator shall maintain a record of the following information for each vehicle that it has towed from a location within the County:

#016

Posted by **Wrongly towed** on **07/01/2016** at **8:31pm**

This should not be a provision.

Reply by **jbmcc** on **07/15/2016** at **1:24pm**

This seems backwards. At nights, weekends and holidays, many of the businesses that have tow contracts are closed, making illegal parking less of an imposition, so the fee should be lower, not higher.

Tow companies should not have an incentive to patrol more vigorously when it doesn't actually property owners - if anything, this should be a discount.

Reply by **CDREED** on **07/19/2016** at **2:11pm**

This should not be a provision. The purpose of the towing code is to ensure that businesses do not lose customers due to non-patrons using limited slots. When it is generally after business hours this is less of a problem. This provision just further reinforces predatory towing as a revenue generating scheme for towing companies.

Reply by **Teddiesalad** on **07/30/2016** at **12:40pm**

It can actually be more of a problem for businesses at night and typically people who work overnight and weekends cost more money.

1. the date and time that the vehicle was towed;
2. the date and time that the vehicle entered the facility at which it was placed for storage;
3. the make, model, year, VIN number, and license plate number of the vehicle;
4. the address of the property from which the vehicle was removed;
5. the name and address of the person and/or entity who authorized the tow;
6. the video or photographs taken at the time of the tow;
7. the towing and storage fees actually charged;
8. the date and time the vehicle was reclaimed, and by whom; and
9. a copy of the receipt provided to the vehicle owner or agent.

B. Such record shall be maintained for a period of at least one (1) year from the date of each tow, and shall be made available, during normal business hours, for inspection and copying by any representative of the County authorized to enforce the provisions of this chapter. In addition, the portion of such log or record pertaining to a particular vehicle shall be made available, during normal business hours, for inspection and copying by the owner of the vehicle or the owner's authorized representative.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-~~12~~13. Violations.

017 A. Except as otherwise specifically provided, if any of the requirements of Subsection 14.3-5, 14.3-8 and 14.3-10 are not met, such immobilization or tow shall be deemed invalid, resulting in no charge to the vehicle owner for the release of the vehicle. In the event that the vehicle owner has already paid such fees, the towing and recovery operator shall provide reimbursement in the same form in which payment was received within 24 hours of receiving a finding by Arlington County of the failure to meet requirements.

018 B. Except as otherwise specifically provided, any violation of this chapter is unlawful and punishable by a fine not to exceed one thousand dollars (\$1,000.00).

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09)

#017

Posted by **Wrongly towed** on **07/01/2016** at **8:43pm**

A vehicle owner whose vehicle was towed without full compliance of these provisions is entitled to no less than three times the relevant towing fee for the vehicle if all provisions had been followed.

#018

Posted by **Wrongly towed** on **07/01/2016** at **8:13pm**

You are raising the amount the predatory towing companies get. The proposed fine should be at least \$5,000. (As an aside, even though the company had multiple violations for my tow, no fine was assessed.)

ARLINGTON COUNTY CODE

Chapter 14.3

001

IMMOBILIZATION, REMOVAL, TOWING AND STORAGE OF VEHICLES FROM PRIVATE PROPERTY***§ 14.3-1. Findings and Purpose.****§ 14.3-2. Definitions.****§ 14.3-3. Applicability.****§ 14.3-4. ~~Compliance with State Licensing Requirements~~ Requirements for Property From Which Vehicles are Removed.****§ 14.3-5. ~~Removal of Trespassing Vehicles~~ Tow Truck Operator and Driver Requirements and Standards of Practice.****§ 14.3-6. Notice to the County of Trespass Tow.****§ 14.3-7. Storage Facilities.****§ 14.3-8. Receipt Required.****§ 14.3-9. Fees.****§ 14.3-10. Manner of Payment.****§ 14.3-11. Records.****§ 14.3-12. Violations.****§ 14.3-1. Findings and Purpose.**

The County Board has found that some members of the public and their property have been placed at risk in circumstances where their vehicles have been towed from private property without their consent and placed in storage because of a variety of factors. Those factors including include, but are not limited to, unfair and predatory towing and pricing practices, inadequate notice of when vehicles are subject to towing, unreasonable prices for towing and storage, and lack of adequate recourse in the event of improper towing or storage, ~~among others~~. Based upon the foregoing, the County Board has concluded that the regulations provided for by this chapter are required to protect the public health, safety and welfare generally, and particularly the safety of those members of the public whose vehicles have been towed from private property without their consent and stored, as well as the public interest in ensuring that the prices charged for such non-consensual tows from occurring in instances when vehicles are trespassing on private property are fair and reasonable.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-2. Definitions.

Except as hereinafter set forth, the words used in this chapter shall have the same meaning as set forth in § 46.2-100 of the Code of Virginia, as such may be amended from time to time.

“Immobilization” means a procedure that utilizes equipment, such as a boot, that prevents a vehicle from moving. Immobilization does not include attachment to a tow truck.

“Storage fee” means the compensation payable for the storage of a towed vehicle that has been stored at or in a facility owned, operated, leased or used by a tow truck service.

“Tow, tows, or towing” means the act of removing, by tow truck, a vehicle from privately-owned property within the County where it is parked. The preparation of a vehicle for removal by a tow truck or the attachment of a vehicle to a tow truck, or both, does not, for purposes of this chapter, constitute a tow or towing.

“Towing fee” means the compensation payable for the towing of a vehicle.

#001

Posted by **wmurray** on **07/15/2016** at **7:31pm**

A few suggestions: Please explicit require signage on "drop charges" for owners who return to vehicles before towing, and explicitly fix those charges in the code; additionally, require tow trucks to remain at the vehicle location for 10 minutes with the vehicle engaged by the tow truck; lastly, can the code also require a portion of the fees be remitted to a County fund expressly created to finance the construction of additional parking in business districts? Seems that's the main reason cars are being towed--not enough public parking.

~~“Towing and recovery operator” or “Operator” means a person business or entity engaged in the immobilization or towing of a vehicle from private property in Arlington County without the consent of the vehicle owner. business of (i) removing disabled vehicles, parts of vehicles, their cargoes, and other objects to facilities for repair or safekeeping and (ii) restoring to the highway or other location where they either can be operated or removed to other locations for repair or safekeeping vehicles that have come to rest in places where they cannot be operated. The term includes any employee, authorized agent or legal representative of such individual or entity. Any person who in any way advertises himself as a towing and recovery operator or in any way conveys the impression that he is engaged in services of providing towing and recovery of vehicles shall be deemed to be engaged in towing and recovery services. The term does not, for purposes of this chapter, include an individual or entity that removes vehicles from public streets and other locations, pursuant to a contract with the County.~~

“Tow truck” means a vehicle for hire (i) designed to lift, pull, or carry another vehicle by means of a hoist or other mechanical apparatus and (ii) having a manufacturer’s gross vehicle weight rating of at least ten thousand (10,000) pounds. *Tow truck* also includes vehicles designed with a ramp on wheels and a hydraulic lift with a capacity to haul or tow another vehicle, commonly referred to as “rollbacks.”

~~“Tow truck driver” means an individual operating a tow truck in the removal of a vehicle from private property.~~

~~“Trespass tow” means the act of removing by tow truck, a vehicle from privately-owned property in Arlington County without the consent of the vehicle owner pursuant to a request for towing services made by the owner, operator, manager, lessee, or authorized agent in charge of private property, or pursuant to a contract between such person and a towing and recovery operator. The preparation of a vehicle for removal by a tow truck or the attachment of a vehicle to a tow truck, or both, does not, for the purposes of this chapter, constitute a trespass tow.~~

“Vehicle” means every device in, on or by which any person or property is or may be transported or drawn on a highway.
(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-3. Applicability.

A. This chapter applies:

1. to the towing, by a towing and recovery operator, of vehicles from privately-owned property within the County without the consent of the vehicle owner or driver,
2. to the fees that are charged for such towing of vehicles, and
3. to the fees that are charged for the storage and retrieval of such towed vehicles.

B. This chapter does not apply to the towing of vehicles:

1. the towing of vehicles from public streets and other locations that is performed pursuant to a contract with the County, or to the storage of such vehicles, or-

2. at the request of the vehicle owner, or

3. at the request of a creditor for the repossession of the vehicle, or

4. from a parcel used at the time of towing for one single-family residence or one two-family residence.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

~~§ 14.3-4. Compliance with State Licensing Requirements.~~

~~All towing and recovery operators and all tow trucks engaged in business in the County shall comply with State licensing requirements imposed by State law, and shall provide evidence of such upon request by any~~

~~representative of the County authorized to enforce the provisions of this chapter.
(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)~~

§ 14.3-54. Removal of Trespassing Vehicles. Requirements for Property From Which Vehicles are Removed

A. The owner, operator, or lessee, or authorized agent thereof, of any property, may have any vehicle occupying the property without the permission of its owner, operator, lessee, or authorized agent thereof, removed by towing to a storage facility until reclaimed by the owner or his agent provided the provisions of this chapter are complied with, as well as the following;

1. Signs shall be posted at all vehicle entrances to the property clearly, conspicuously, and legibly disclosing that vehicles parked without permission will be towed. Such signs shall be posted so that the locations on the property subject to towing shall be clearly identified. The signs shall meet the following requirements and include the following information;
 - a. each sign shall be not less than 12 X 18 inches;
 - b. the lettering on each sign shall be as follows: "towing at owner's expense" not less than three (3) inches in height; "24 hrs/7 days" not less than one (1) inch in height and placed just above the tow truck symbol; the tow truck symbol, not less than two (2) inches in height. Other lettering may vary in size but in no case be less than one-half (1/2) inch in height;
 - c. each sign shall contain a pictorial symbol of a tow truck;
 - d. each sign shall contain a statement to the effect that trespassing vehicles are subject to towing and storage at the expense of the vehicle owner;
 - e. each sign shall state the hours and days of the week when trespassing vehicles are subject to towing;
 - f. each sign shall provide the telephone number of the responsible towing and recovery operator to contact for information related to the location of vehicles towed from the property, which telephone number shall be answered by a person twenty-four (24) hours each day;
 - g. each sign shall provide the non-emergency telephone number of the County Police; and
 - h. each sign shall include the name of the business or businesses on or adjoining the property, the street address of the property, or the name of the property.
2. For properties where the parking facilities serve multiple tenants and individual parking spaces are reserved only for patrons or residents of one tenant and are not open to patrons or residents of all tenants served by the parking facility, additional signs or markings must be used to clearly delineate which spaces correspond to each tenant.
3. The foregoing requirement for signs shall not apply on any parcel of property used at the time of removal for one single-family residence or one two-family residence; and provided further, however, that parking spaces parallel to or at an angle to a public street and entered directly from a public street shall be deemed to be providing signs properly when the signs are placed along the sidewalk (or in a similar location when there is no sidewalk) adjacent to the space or row of spaces and there is at least one (1) of the signs required by this chapter within forty (40) feet of each such space.

§ 14.3-5. Operator and Driver Requirements and Standards of Practice

1. All towing and recovery operators and all tow trucks engaged in business in the County shall comply with State licensing requirements imposed by State law, and shall provide evidence of such upon request by any representative of the County authorized to enforce the provisions of this chapter.
2. All towing and recovery operators conducting trespass tows from private property in Arlington County shall provide the County Manager, or his designated agent, the following information and documents:
 - a. Address, telephone number and vehicle storage capacity for each storage site to which vehicles will be towed;
 - b. Copies of all Driver Authorization Documents issued by the Virginia Department of Criminal Justice Services for all drivers employed by the Operator;
 - c. Copies of all vehicle safety inspections;
 - d. Proof of insurance coverage: All operators must have automobile liability, commercial general liability, garage-keepers liability, on hook coverage and worker's compensation as required by state and federal law;
3. This requirement shall become effective January 1, 2017. The Operator shall inform the County manager, or his designated agent, of any changes to the information required in Subsection 1 within 30 days of such changes.
4. The tow truck driver and/or towing and recovery operator performing the tow shall obtain authorization of the owner, operator, or lessee of the property from which the vehicle is towed, or the authorized agent thereof. For the purposes of this subsection, "authorized agent" may include a representative of the towing and recovery operator. The towing and recovery operator, and the owner, operator, or lessee of the property, shall maintain for public inspection at its business offices, and at the property, respectively, copies of all contracts or other documents that appoint the operator as the authorized agent for the owner, operator or lessee of the property for purposes of authorizing tows from the property.
5. All tow truck drivers shall have their Driver Authorization Document in their possession at all times while performing towing operations.
- ~~4.6.~~ All tow trucks shall meet all applicable federal, state and local regulations and safety standards. Operators shall only use vehicles and equipment designed and rated for the type of vehicle being transported.
- ~~2.7.~~ The towing and recovery operator performing the tow shall obtain and retain photographic and/or video evidence clearly showing the location of the vehicle, ~~and~~ substantiating the reason for its removal, ~~and the condition of the vehicle. Evidence of the vehicle's condition shall not qualify as a violation of the requirements of this section as outlined in Section 14.3-12.~~
8. The tow truck used to perform the tow shall include the name, street address, and current, local telephone number of the towing and recovery operator permanently affixed in a conspicuous location on the exterior of the truck.
- ~~3.9.~~ While being towed, vehicles shall be properly secured in accordance with all laws, regulations, and manufacturer specifications for tow slings, wheel lifts, tow dollies, car carriers/rollbacks and flatbeds, or any other equipment utilized in the immobilization or towing of the vehicle.

B. This section shall not apply to public safety and public health vehicles or where a vehicle, because of a wreck or other emergency, is parked or left temporarily on the property of another.
(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09; Ord. No. 14-01, 2-25-14)

§ 14.3-6. Notice to the County of Trespass Tow.

A. ~~Immediately P~~prior to a trespassing vehicle being removed or towed as permitted by this chapter, notice of this action shall be given by the towing and recovery operator to the County Police. Such notice shall include the following information:

1. the name of the towing and recovery operator removing vehicle;
2. a description of the vehicle towed including make, model, VIN number and license plate;
3. the location of trespassing vehicle and the date and time of the tow;
4. the location of the storage facility to which the vehicle was towed; and
5. the name and address of the individual and/or entity who authorized the tow.

B. Failure to report such tow as required by this section shall constitute a traffic infraction punishable by a fine of not more than one hundred dollars (\$100.00). Such failure to report shall limit the amount which may be charged for the storage and safekeeping of the towed vehicle to an amount no greater than that charged for one day of storage and safekeeping.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-7. Storage Facilities.

A. All towing and recovery operators engaged in towing vehicles without the consent of their owners shall conspicuously display at their main place of business and at any other storage facilities where towed vehicles may be reclaimed, in locations readily visible to those reclaiming vehicles:

1. signs that clearly and legibly provide the following information:
 - a. a comprehensive list of all their fees for towing, recovery, and storage services. Charges in excess of those posted shall not be collectable from any vehicle owner whose vehicle is towed or stored without his consent;
 - b. that payment may be made by cash, traveler's check, money order, insurance company check, or debit, credit or charge card;
 - c. that a receipt shall be provided;
 - d. the vehicle owner's right to inspect, as outlined in Section 14.3-7D.
2. a notice to vehicle owners, provided by Arlington County, which includes information regarding the County's towing ordinance and the contact information for the Arlington County Police Department. Such notice shall be posted in both English and Spanish.

002 ~~— The fees authorized by this chapter shall be the maximum allowed and an additional fee for use of a debit, credit or charge card, or other form of payment, shall not be permitted.~~

~~C. — Towing and recovery operators shall make change, up to one hundred dollars (\$100.00), for those who pay in cash for towing and storage charges applicable to vehicles towed under the provisions of this chapter.~~

#002

Posted by **johnkoehn** on **07/15/2016** at **11:41am**

Why is the prohibition on additional fees for the use of debit and credit cards being removed?

D. The vehicle owner shall have the opportunity to inspect the vehicle and any items contained therein prior to payment. No towing and recovery operator shall require a vehicle owner to sign any waiver of the owner's rights to receive compensation for damage to the owner's vehicle as a condition of the vehicle's release.

E. Storage facilities to which vehicles towed under the provisions of this chapter are towed shall be open twenty-four (24) hours a day and seven (7) days per week.

F. Storage facilities to which vehicles towed under the provisions of this chapter are towed shall be located within the County or at a location in the Commonwealth of Virginia that is within ~~three-four~~ (34) miles of the boundary line of the County.

G. In the event that a vehicle is towed from the County and stored in or released from a location in another locality, the provisions of this chapter shall apply.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09; 14-01, 2-25-14)

§ 14.3-8. Receipt Required.

A. At the time a vehicle owner or agent reclaims a towed vehicle, the towing and recovery operator shall provide a written receipt that contains the following information:

1. the name and address of the towing and recovery operator;
2. the address from which the vehicle was towed;
3. the date and time that the vehicle was towed;
4. the date and time that the vehicle entered the facility at which it was placed for storage;
5. an itemized list of all the fees that are being charged; and
6. a signature of an authorized representative of the towing and recovery operator.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09; 14-01, 2-25-14)

§ 14.3-9. Fees.

A. Charges imposed for the towing, storage, and safekeeping of any vehicle removed, towed, or stored without the consent of its owner shall not be in excess of the maximum charges provided for in this section.

B. Pursuant to §46.2-1233 of the Code of Virginia, ~~the~~ the maximum fees that may be charged for the towing of vehicles and for the storage of such towed vehicles are as follows:

1. for the towing of a vehicle with a gross vehicle weight rating of seven thousand five hundred (7,500) pounds or fewer, the maximum fee shall be one hundred thirty-five dollars (\$135.00);
2. for the towing of a vehicle with a gross vehicle weight rating of between seven thousand five hundred and one (7,501) pounds and ten thousand (10,000) pounds, the maximum fee shall be two hundred fifty dollars (\$250.00),
3. for the towing of a vehicle with a gross vehicle weight rating of ten thousand and one (10,001) pounds or greater, the maximum fee shall be five hundred dollars (\$500.00).
4. for towing a vehicle between the hours of 7:00 p.m. and 8:00 a.m. or any Saturday, Sunday or holiday, an additional fee of no more than twenty-five dollars (\$25.00) per instance may be charged. In no event shall more than two (2) such fees be charged for the towing of any such vehicle.

45. for the storage of any towed vehicle, the maximum fee for each twenty-four (24) hour period of storage, or portion thereof, shall be fifty dollars (\$50.00); provided that no storage fee may be charged for the first twenty-four (24) hours of storage, or any portion thereof, following the arrival of a towed vehicle at a storage facility.

5. if any of the requirements of this Chapter are not met by the towing and recovery operator with respect to the towing or storage of a vehicle, there shall be no fee charged for that tow or the storage.

C. Except for fees authorized by this chapter, no other fees or charges shall be imposed.

D. No towing and recovery operator having custody of a vehicle towed without the consent of its owner may impose storage charges for that vehicle for any period during which the vehicle could not be reclaimed because the storage facility was closed.

E. If the owner or representative or agent of the owner of the trespassing vehicle is present, and ready, willing, and able to remove the trespassing vehicle from the premises at any time before it is removed from the premises by a towing and recovery operator, the vehicle shall be released to the owner or representative or agent of the owner for purposes of immediate removal from the property, but the owner or representative or agent of the owner shall be liable for a reasonable "in lieu of towing" fee, not to exceed twenty-five dollars (\$25.00), provided that the towing and recovery operator provides a written receipt to the owner or representative or agent of the owner identifying the accepted forms of payment specified in § 14.3-10.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09; 14-01, 2-25-14)

§ 14.3-10. Manner of Payment.

A. Towing and recovery operators shall accept payment for towing fees, storage fees, retrieval fees and the "in lieu of towing" fee provided for in this chapter in each of the following ways:

1. cash in United States currency;
2. insurance company check
3. travelers' checks or money orders payable in United States currency; and
4. any debit, credit or charge card that the towing and recovery operator is authorized by the issuing credit or charge card company to accept, and that is accepted by the towing and recovery operator in the ordinary course of business.

B. Towing and recovery operators shall make change, up to one hundred dollars (\$100.00), for those who pay in cash for towing and storage charges applicable to vehicles towed under the provisions of this chapter.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-11. Records.

A. Every towing and recovery operator shall maintain a record of the following information for each vehicle that it has towed from a location within the County:

1. the date and time that the vehicle was towed;
2. the date and time that the vehicle entered the facility at which it was placed for storage;
3. the make, model, year, VIN number, and license plate number of the vehicle;
4. the address of the property from which the vehicle was removed;

5. the name and address of the person and/or entity who authorized the tow;
6. the video or photographs taken at the time of the tow;
7. the towing and storage fees actually charged;
8. the date and time the vehicle was reclaimed, and by whom; and
9. a copy of the receipt provided to the vehicle owner or agent.

B. Such record shall be maintained for a period of at least one (1) year from the date of each tow, and shall be made available, during normal business hours, for inspection and copying by any representative of the County authorized to enforce the provisions of this chapter. In addition, the portion of such log or record pertaining to a particular vehicle shall be made available, during normal business hours, for inspection and copying by the owner of the vehicle or the owner's authorized representative.

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, enacted 12-15-07; Ord. No. 09-15, 5-16-09)

§ 14.3-12. Violations.

A. Except as otherwise specifically provided, any violation of this chapter is unlawful and punishable by a fine not to exceed one thousand dollars (\$1,000.00).

(Ord. No. 06-11, 7-8-06; Ord. No. 07-18, 12-15-07; Ord. No. 09-15, 5-16-09)

From: [Ronnie Frank](#)
To: [Brian Stout](#); [Jay Fiset](#); [Libby Garvey](#); [John Vihstadt](#); [Christian Dorsey](#); [Katie Cristol](#)
Subject: Proposed Towing Ordinance Changes Are Bad For Owners
Date: Monday, July 18, 2016 5:52:43 PM

As a multi-family owner in the Arlington County, please reject the proposed towing ordinance changes as proposed by the Trespass Towing Advisory Board.

A towing spotter is a very dangerous job description. These people are often threatened with violence by affected individuals when they are just doing their jobs. This will put more people in harm's way and increase the likelihood of confrontations and violence in the County.

Towing spotters are also expensive to property owners. Why should owners have to pay an employee to guard for possible towing violations? Violations often occur at night and this is when business is not typically done. This is needless business expense for owners. It is already hard and costly to operate a business in the County please do not add this burden to the cost of doing business.

There is a simple solution to this concern. If illegal towing is an issue in the County, simply require that tow companies photograph the location of every vehicle before it is towed. Towing spotters, on the other hand, is a very bad idea!

Thank you for your consideration.

Ronnie Frank | Director of Commercial Operations
Southern Management Corporation
1950 Old Gallows Road, Suite 600 • Vienna, VA 22182
Office: 703.902.9400 • Fax: 703.902.9401

_____.

From: [Harald Mangold](#)
To: [Brian Stout](#); [Jay Fiset](#); [Libby Garvey](#); [John Vihstadt](#); [Christian Dorsey](#); [Katie Cristol](#)
Subject: Proposed towing ordinance
Date: Tuesday, July 19, 2016 11:08:50 AM

To whom it may concern:

I am writing to you regarding my opposition as it relates to the proposed towing ordinance the would require two signatures and prohibit 'spotters' as it relates to towing trespassing vehicles parked on private land.

Please oppose these changes because we constantly battle person parking in our shopping center parking lot and proceed to do business at stores and restaurants across the street (off site). Based on our lease agreements, we required to provide parking for our lessees customers and our residents so their customers. Our failure to do so harms their business and potentially causes us to be liable for their business loss.

'Spotters' are a necessity as they can see the illegally parking person walk across the street to go shopping, verses us not knowing inside which of our lessees shops they may have gone, eliminating our ability to tow same once out of sight. Also requiring a second signature would take too long and require us to have staff available 24/7, which is unreasonable.

I strongly urge you to vote against these towing restrictions.

Respectfully,
Harald Mangold

Harald Mangold	Scott Management, Inc.
President & CEO	300 North Lee Street
Direct: 703-548-7303 ext.110	Suite 200
Main: 703-548-7300	Alexandria, VA 22314

www.ScottManagementInc.com

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Subject: Predatory towing in Falls Church, Arlington County

From: [REDACTED]

Date: Mon, Jan 11, 2016 10:36 am

To: [REDACTED]

Cc: [REDACTED]

Attach: KPPredTowissue.docx

Dear Board Member Fisette,

I write you as a resident of Arlington to ask your support to ending the outrageous predatory towing that currently occurs at 111 Park St in Falls Church, across from the Kaiser Permanente medical facility.

My car was towed on January 8, 2016 by Pete's Towing from 111 Park St to 1121 W. Broad St in Falls Church, where I had to go to retrieve it from a padlocked impound cage and pay \$100! This after leaving my car in the lot at 111 Park St for a mere 20 mins while I did a Rx pick-up and blood draw at KP - FC.

All the details of this situation are contained in my earlier note to Sen. Barbara Favola (below) and to the management of Kaiser Permanente (attached).

Sen. Favola indicated to me that the Arlington County Board is looking into this issue of predatory towing. I therefore ask if you could review my case as another outrageous instance of such predatory towing. What makes my situation particularly pernicious is that it occurred across the street from a MEDICAL FACILITY where oftentimes the KP garage is full, and ill, sick, often elderly patients are left to search for a place to park. Exploiting a vulnerable population seeking needed medical care, is beyond the pale. Hiding in wait, unseen, and pouncing, after only 15-20 mins., is also beyond the pale. As is charging \$100.

Can you please help us Arlington residents eradicate this malicious practice? Thank you.

I am happy to talk by phone [REDACTED] if convenient for you. With appreciation,

[REDACTED]

[REDACTED]

| ----- Original Message -----
|

Subject: Predatory towing in Falls Church, VA

From: [REDACTED]

Date: Fri, January 08, 2016 2:14 pm

To: [REDACTED]

Cc: [REDACTED]

Dear [REDACTED],

Please see note (below) I just sent my physician, Dr. Dan Yu, at the KP- Falls Church facility regarding the predatory towing operation going on right across the street from their KP-FC facility on Park Avenue in Falls Church. At the lot across the street at 111 Park Avenue.

I would like to request if you could begin the process to outlaw such predatory towing in Arlington and Fairfax counties, as Montgomery County, MD did recently.

Especially egregious in this case, it that this is going on outside a MEDICAL FACILITY, where these vultures are waiting to grab the cars of medical patients who, of necessity, must get to their medical appointments/procedures, and have no choice when KP garage full, to park across street.

Preying on sick, often elderly, patients by hiding, lying in wait, and within 5-10 mins (merchants nearby tell me), towing their cars!! And forcing them to pay \$100 is completely unacceptable and must stop.

Thank you in advance for your help. I am working now to get KP Management involved to support your efforts to end predatory towing here.

[REDACTED]

[REDACTED]

There is a very pernicious situation going on across the street from your KP-FC facility that I have already passed information on to KP Customer Services today, but want to put you in the frame as well, so you and your colleagues can warn your patients.

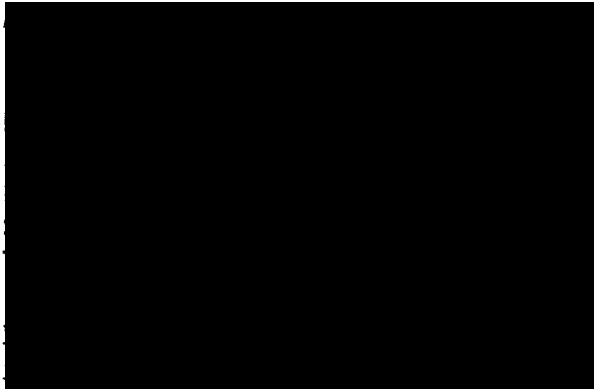
There is a predatory towing operation taking place in the parking lot at 111 Park Ave, where a truck from "Pete's Towing" sits in wait hidden behind bushes, watching people park in the lot, and if not entering shops there, immediately tows their car. This morning at 10 am. I arrived at KP-FC for lab test and Rx pick-up, couldn't find space in KP garage, so had to park across street for a total of 15 mins. When I returned, my car was gone! With no notice, nothing. I had to get info on who even towed it from merchants, take taxi to 1121 W. Broad, Falls Church, when my car had been impounded, and pay \$100 to get car back! THIS IS ABSOLUTELY OUTRAGEOUS and KP Management needs to be aware of it and join forces with officials and citizens to put an end to predatory towing ... especially outside a medical facility!

As soon as I got my car, I went to KP Customer Services and gave them all the pertinent information including receipt for \$100. The predatory tower is Pete's Towing, 8525 Tyco Rd, Vienna, VA 22182, Tel: 703-533-3355, Fax 703-533-1305. Customer's Services has all this info.

I plan to contact Sen. Barbara Favola of VA State Senate whose district encompasses FC, and request she start procedures to change local laws to outlaw predatory towing, as Montgomery County (Bethesda) did recently.

KP Management should support this effort, as it is an outrage that KP patients are being subjected to this price gouging under subterfuge and lying in wait, when KP patients have medical needs addressing.

I will also communicate this information to the KP Rockville MD main office. KP needs to join with officials' and citizens effort to outlaw predatory towing across the street.



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PETE'S TOWING & STORAGE, LLC

8525 Tyco Rd
 Vienna, VA 22182
 (703) 533-3355
 Fax (703) 533-1305



24 Hour Wrecker Service
 (Private Property Accounts Welcome)

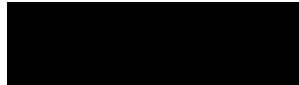


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NAME		DATE	
ADDRESS		UNIT NO.	DRIVER
CITY		67	Pete's
PHONE#		TIME	
MODEL YEAR		10:45	
COLOR		GATE TIME	
FULL VIN #		RELEASE TIME	
LOCATION		CALL RECEIVED	
IMPOUND #		ON LOCATION	
PVT IMP DISP #		CLEAR	
REMARKS		CHARGES	
KEYS		HOOKUP \$ 100.00	
TOW DESTINATION		FLAT BED REQUEST \$	
CHARGE TO		MILEAGE \$	
NON-EMERGENCY POLICE#		LABOR \$	
ALEXANDRIA 703-838-4444		RECOVERY & WINCHING \$	
ARLINGTON 703-558-2222		CLEAN UP \$	
FALLS CHURCH (FREED) 703-241-5050		AFTER HOURS RELEASE \$	
FAIRFAX 703-691-2131 WILL AGREE TO MEDIATE THRU CABLE		TARP FEE \$	
		STAND BY \$	
		ADMINISTRATIVE \$	
		NIGHT \$	
		WEEKEND \$	
		HOLIDAY \$	
		SPECIAL EQUIPMENT \$	
		SECOND TOW \$	
		STORAGE \$	
		TOTAL \$	

January 10, 2016



mailed 1/10/16



Re: KP- Falls Church Facility - Predatory Towing nearby

Dear Dr. Pearl,

I am a KP member  primary care physician Dr. Dan Yu at the KP – Falls Church facility.

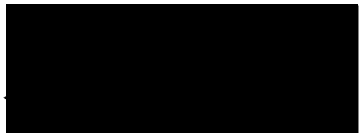
I write to make KP – Management in Rockville, MD aware of a very egregious situation for KP – FC patients now: predatory towing, across the street from your FC facility. On January 8, 2016, I could not find a parking space in the KP garage, and so parked in the lot across the street for 15 mins, while I did a Rx pick-up and visited lab for blood draw. When I returned to lot 15-20 mins later, my car was gone!!

Merchants in the adjacent store (Action Music) told me predatory towers hide behind bushes, so are not visible to drivers, sit and watch where drivers walk to, and if not into store, then **immediately** tow their car away and leave no notice, nothing. They witnessed that happen to my car. I then had to track down who did this, where my car was, and take taxi to impound garage and pay \$100 to get my car back!! Tower was Pete's Towing, main office 8525 Tyco Rd, Vienna, VA 22182, and Falls Church lot at 1121 W. Broad Ave, Falls Church, Tel: 703-533-3355. (See attached copy of receipt of related correspondence).

After paying \$100 and retrieving my car, I immediately returned to KP-FC and described situation and left full information with FC Members Services Dept. **And asked that KP Management get involved to support the effort to stop predatory towing across the street from its FC medical facility.** Tracy Miles, Director of Facilities Operations at KP-FC called me later that day and left a VM; I returned her call and left my VM. She indicated KP does not own or control the lot across the street, which I understand. Still, this is a pernicious situation affecting their patients, when not enough spaces in their garage.

I also contacted Virginia State Senator for this area, Barbara Favola, and Sen. Favola returned my email the next day, indicating the County Board is looking into the issue, and that she had sent them my email (see Sen. Favola email attached).

I write to ask KP's support in helping us see this issue resolved, i.e. to end predatory towing across the street from its FC medical facility. Thank you,



From: [REDACTED]

Sent: Monday, June 13, 2016 10:15 AM

To: [REDACTED]

Subject: RE: Predatory towing in Arlington

Thanks [REDACTED] for the response! Attached is the original email if you're unable to locate it.

I will be travelling next week so will reach out to [REDACTED] for a date to meet in person later this month or early July.

I have indeed done a tremendous amount of research on this topic and have tried to keep the site up-to-date. One update I haven't made to the site is in regards to a call for a more diversified Towing Advisory board – but someone in my network has located a state law, [46.2-1233.2](#), that mandates this composition. I'll update the site with this new information as soon as possible.

I will be in court on Wednesday at 9AM for the criminal complaint against the company for refusing to provide the pictures taken at the time of the tow. Interestingly, everyone from the Magistrate to the detective in charge to the attorney at the county court house have all indicated that this action is virtually unprecedented, and I've gotten conflicting information about what is actually happening on Wednesday. The Assistant Commonwealth Attorney [Bill Turner](#) mentioned he didn't see the case on his docket, that he didn't think it was a criminal case because of that, and that he thought the code was "poorly written" because it didn't indicate whether it was a misdemeanor or anything – so he may also have some additional feedback. He was actually surprisingly intrigued by the case and gave me his direct number to call him back with the results of the case because he "hadn't seen anything like this in his 4 years practicing law". Below is the email from the detective who wasn't exactly sure of the process either.

Either way this will be a learning experience for all of us; the Arlington Code is in place to (hopefully) protect consumers but enforcing the law seems to be a bit of a mystery for all parties involved. Hopefully I will be able to shed some light on the process during this experience – and perhaps learn something from Mr. Turner on how the code could be revised to make it more clear and enforceable.

Thanks again, and I look forward to meeting with you,
[REDACTED]

From: [REDACTED]

Sent: Saturday, May 21, 2016 2:57 PM

To: [REDACTED]

Subject: Update for Towing Ordinances requested

To the Arlington County Board (in particular Jay Fissette who seems to have [taken an interest in this issue in the past](#)):

On April 19, I was towed by Advanced Towing. They did damage to my car and refused to pay for it, despite a preponderance of evidence that they ignored. I have posted all this evidence at <http://advancedtowing-fraud.com/>, including a 17 minute video documenting the facts. Information presented on the site demonstrates that Advanced Towing:

- Negligently damages vehicles
- Fabricates evidence to try to dispute claims of damage
- Ignores evidence provided to them that the damage was their responsibility
- Makes legal threats to attempt suppression of that evidence
- Uses deceptive advertising on its web site
- Violates Arlington County code allowing vehicle owners access to photographs
- Charges involuntary customers almost 60% more than voluntary customers
- Has had countless complaints against them in the media

I am appealing to you to review the "[Call to Action – Arlington Board](#)" section, to help curb these types of abuses that are happening in our county. Specifically, in conducting research on the state of affairs in the Arlington Towing company, it seems clear to me that there is a strong conflict of interest in the Towing Advisory Board and that they act under a veil of more secrecy than other boards. Further, I have proposed additional legislative changes that I would like to be implemented to curb future abuse from a company that demonstrably violates Arlington Code, lies, and mistreats its customers.

Thank you for your time and consideration, and I look forward to a response or any suggestions on next course of action at the local level.



From: [REDACTED]

Sent: Monday, June 13, 2016 10:15 AM

To: [REDACTED]

Subject: RE: Predatory towing in Arlington

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I will be travelling next week so will reach out to Ms. Hodskins for a date to meet in person later this month or early July.

I have indeed done a tremendous amount of research on this topic and have tried to keep the site up-to-date. One update I haven't made to the site is in regards to a call for a more diversified Towing Advisory board – but someone in my network has located a state law, [46.2-1233.2](#), that mandates this composition. I'll update the site with this new information as soon as possible.

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Either way this will be a learning experience for all of us; the Arlington Code is in place to (hopefully) protect consumers but enforcing the law seems to be a bit of a mystery for all parties involved. Hopefully I will be able to shed some light on the process during this experience – and perhaps learn something from Mr. Turner on how the code could be revised to make it more clear and enforceable.

Thanks again, and I look forward to meeting with you,
-Matt

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Thank you for your time and consideration, and I look forward to a response or any suggestions on next course of action at the local level.



From: [REDACTED]
To: [Brian Stout](#)
Subject: Re: Arlington County Towing Ordinance Review Underway - Public Input Sought
Date: Friday, July 01, 2016 8:54:59 PM
Attachments: [Comments on towing ordinance.docx](#)

Brian,

Please find attached my detailed comments (in addition to the comments I'm providing in this e-mail) in Word format.

I was not able to successfully create an account to use the civiccomment interface. It would not allow me to create an initial password. So that's why I'm providing this Word document instead.

I would like to highlight two comments that are safety-related:

1. I have personally observed a car being towed in Arlington with a baby inside. It was extremely frightening to all concerned, except, apparently, the truck operator. The ordinance should require operators to conduct a reasonable inspection of the car they are towing (e.g. to look inside the windows) to make sure there are no children or live pets inside before towing the car. If there are children or pets inside a trespassing car, the police should handle it. I have provided specific suggestions for this in the attachment.

2. I have personally observed reckless, aggressive and damaging behavior by tow operators in order to gain leverage (sometimes physically) to collect the "in lieu of towing" fee from drivers who have begun to remove their car from the lot. (e.g. racing to "block in" a car or damaging a car in order to quickly attach it). The rules for collecting these fees should be refined to discourage this behavior. I have provided specific suggestions for this in the attachment.

Thank you for soliciting comments. I hope these are helpful. Please let me know who I should send them to, if not you.

Peter

From: Brian Stout [REDACTED]
Sent: Friday, July 1, 2016 5:50 PM
To: 'CMO Tow'
Subject: Arlington County Towing Ordinance Review Underway - Public Input Sought

According to our records, you have previously contacted the Arlington County Board or the Arlington County Manager regarding the issue of towing from private property in Arlington County. As such, we wanted to make you aware of efforts currently underway to examine and review the County's trespass towing ordinance. Please be advised that you WILL NOT be receiving any future communications on this topic unless you opt-in for towing updates on the [County's Towing Webpage](#).

Arlington County has begun the process of reviewing Chapter 14.3 of the Arlington County Code, dealing with the removal trespassing vehicles from private property.

As required by State Code, the Arlington County Board has appointed an Advisory Board, the Trespass Towing Advisory Board (TTAB), to review the ordinance and to make recommendations. This process will take several months and all stakeholders and members of the general public are encouraged to participate. There are several ways to do so, both in person and electronically, as outlined below. At the conclusion of the TTAB's process, additional opportunities will also be provided to submit feedback and comments prior to and during any future County Board consideration.

Please visit the [County's Towing Webpage](#) or the [TTAB's webpage](#) if you would like to view the County's current ordinance, to view and make comments on the proposed ordinance revisions and to sign-up for future e-mail alerts.

Upcoming Meetings

****All meetings of the TTAB are open to the public****

Arlington County Trespass Towing Advisory Board Meeting

Thursday, July 14, 2016, 6:30 p.m. – 9:00 p.m.

Arlington County Board Room

2100 Clarendon Boulevard

3rd Floor

Arlington, VA 22201

The purpose of the Advisory Board Meeting is for the TTAB to receive an update from County staff and a staff proposal for ordinance changes. In addition, TTAB members may offer additional amendments or areas for discussion. There will be no votes taken on ordinance changes at this meeting. The purpose of the public hearing is for the TTAB to receive general public comment on all aspects of trespass towing in Arlington County and specific comments on the ordinance changes before the TTAB. The public hearing will be recorded and will start no earlier than 7:30 p.m.

Arlington County Trespass Towing Advisory Board Meeting

Thursday, September 15, 2016, 7:00 p.m. – 9:00 p.m.

Arlington County Board Room

2100 Clarendon Boulevard

3rd Floor

Arlington, VA 22201

The purpose of the Advisory Board Meeting is for the TTAB to receive a report from County staff on the public comments received. The TTAB will also consider any and all amendments to the towing ordinance and vote on final recommendations to be made to the Arlington County Board.

Comment 1

§ 14.3-2 Definitions

There is an unhelpful discrepancy between “without the consent” of the vehicle owner and “at the request of” the vehicle owner”. Also there is not consistency in the use of “owner” vs. “driver” or “operator” or “agent of the owner”.

The revised definition of “Towing and recovery operator” and the new definition of “Trespass tow” use the phrase “without the consent” of the owner, but the new Applicability subsection § 13.3-3 (B)(2) states that the entire ordinance is inapplicable to towing “at the request of the vehicle owner”.

Is this discrepancy intentional? If not, it seems like there could be confusion about how to apply the ordinance in situations where it is ambiguous (or disputed) whether the vehicle owner had “consented” even though it is clear that the owner did not “request” the tow. For example parking in a location with a sign that says “parking here constitutes your consent to be towed if you stay too long” or similar situations in which consent could be implied but would not be express. This ambiguity could result in needless and expensive disputes or even litigation for the County, towing companies, and the public.

Relatedly, it is common for the operator and owner of a motor vehicle and the operator of a motor vehicle to be different persons; and moreover, for the operator, rather than the owner, to decide when a tow is needed or desired. For example, leased cars, rented cars, or cars being driven by family members. This is recognized inconsistently throughout the ordinance, for example, compare § 14.3-3(A)(1) (“or driver”) to §14.3-5(A) “owner, operator, lessee, or authorized agent thereof”.

Recommendation:

Consider resolving this discrepancy in favor of consistently using the framework of “at the request of the vehicle owner” and in general treating authorized vehicle operators as if they were the owners for purposes of towing.

This could be efficiently done in any number of ways. Here is one (multi-part) suggestion:

Create a new definition: “Vehicle owner” includes any operator of the vehicle expressly authorized by the owner, or any lessee or agent of the owner authorized in writing.”

Adjust the definition of “Towing and recovery operator” in relevant part: “immobilization or towing of vehicle from private property in Arlington County ~~without the consent~~ except at the request of the vehicle owner.”

Adjust the definition of “Tresspass tow” in relevant part “in Arlington County ~~without the consent~~ except at the request of the vehicle owner, pursuant to a request for towing services made by...”

Delete “or driver” in § 14.3-3(A)(1)

Delete “operator, lessee or authorized agent thereof” in § 14.3-5(A)

Delete “or agent” in § 14.3-9(A) and §14.3-12(A)(9)

Comment 2

§14.3-4

There are substantive requirements in what at first appears to just be a list of documents.

This is mainly just a matter of clarity and organization. In the event of non-compliance by an Operator, it makes enforcement slightly easier to explain. I would recommend limiting §14.3-4(B)(1) simply to the initial filing requirements, and placing substantive requirements in a different section, perhaps even §14.3-4(B)(2). (Additional bonus question: is the phrase “as required by state and federal law in §14.3-4(B)(1)(f) meant to apply only to workers’ compensation or to all of those forms of insurance? In other words, are all of the insurances listed ones that are already required by law?)

Recommendation:

Consider moving the substantive requirements in §14.3-4(B)(1), paragraphs f, i, and j down into §14.3-4(B)(2). Broaden the enforcement provision of §14.3-4(C)(1)(a) to include all of those ongoing substantive requirements.

Comment 3

§ 14.3-4(C)(1)(e)

It is unclear what the scope and frequency of “facility inspections” will be.

Failure to submit to facility inspections is grounds for suspending the Operator’s permit, but it’s not clear what inspections that refers to. Is that only the initial facility inspection currently specified in §14-3-4(B)(1)(i)? Or the records inspections specified later on in the ordinance? Ordinary zoning/code inspections? Or is it the intent of the ordinance that the County may conduct periodically conduct inspections of licensed towing facilities (i.e. “spot checks”) from time to time? If the last, it’s not clear that such additional inspections are authorized or required by the proposed code.

Recommendation:

Clarify that the County may conduct periodic facility inspections on a reasonable random frequency, as well as in response to credible complaints.

Such a requirement may be best placed in §14.3-4(B)(2).

Comment 4

§ 14.3-4(C)(1)(f)

It is unclear what would constitute “repeated and persistent valid complaints”.

Is this phrasing drawn from some other Virginia statute or County Ordinance or is it drawn from some Virginia Supreme Court case? If not, it strikes me as problematically vague and potentially arbitrary. However, I agree with the concept that excessive complaints *should* be a basis for suspension or revocation of a permit. I just think there’s probably better language to do it (again, unless this language is drawn from somewhere in particular that has been validated by the Virginia courts)

Recommendation:

Tighten up this language regarding suspending for excessive complaints.

One possibility could be “A determination by the County Manager that the Operator has been the subject of, in the Manger’s judgement, an excessive number of complaints deemed by the Manager to have a basis in fact and law.”

Comment 5

§ 14.3-4(D)(3)

Passive voice

The provision requiring an Operator to “turn in” his permit when it is revoked is in the passive voice. Also, what is the purpose and intended enforcement for this provision? What good does it do? After the permit is revoked, what would anyone do bad with the no-longer-valid permit? While we’re at it, the next section, §14.3-4(E)(1) is also in the passive voice, but not as badly.

Recommendation:

Place this in the active voice. (Or possibly eliminate it.)

Comment 6

§14.3-4(F)(2)(a)

Missing words.

The first sentence of this section (Appeal procedure) seems to be missing some words after “notice of”.

Recommendation:

Add back the missing words.

Comment 7

§ 14.3-5(A)(3)

Extraneous provisions?

It is unclear what the purpose or import of this subsection is. With the addition of the new §14.3-3(B)(4), the entire ordinance does not apply to one- and two- family residences. Under §14.3-3(B)(1), the entire ordinance does not apply to towing from public streets. Therefore it seems pointless to regulate towing signage in these situations.

Recommendation:

Consider eliminating § 14.3-5(A)(3) or clarifying when it might apply.

Comment 8

§14.3-6

There is no provision made for what happens if there is a baby (or adult) or animal in the car.

I’ve personally witnessed a car that was towed in Arlington with a baby inside the car. Tow truck drivers must not be allowed to endanger humans or animals with a tow. Instead the police should be called to address the trespassing/child endangerment/animal endangerment. Tow truck drivers should be required to make a cursory inspection of the vehicle (i.e. look inside the vehicle windows) to confirm that there are no people or animals inside the car. If there are, they should call the police and not tow the car.

Recommendation:

Add a new subsection to §14.3-6 to address the safety needs of people or animals in the vehicle being towed.

The logical spot for this is in between subsections 6 and 7. One possible way to draft this:

7. Prior to attachment to a tow truck, a tow truck driver must conduct a reasonable examination of the vehicle (including, at a minimum, looking through any accessible vehicle windows) to assess whether there are any persons or live animals inside. If an operator sees that there is a person or animal inside a vehicle otherwise subject to towing, the operator must promptly contact the Arlington County Police, and may not connect the vehicle to a tow truck.

Comment 9

§14.3-10(B)(4)

“Holiday” is not defined.

Arlington County, the Commonwealth of Virginia and the Federal government celebrate different holidays. This creates ambiguities on such days as Columbus Day, Lee-Jackson Day, and the day after Thanksgiving.

Also, do you mean for this section to apply to a tow conducted at 6 a.m. on a Saturday morning, but not at 11 p.m. on a Friday night? Why? Do you mean for this section to apply to a tow conducted at 11 p.m. on a Sunday night but not 1 a.m. on a Monday morning? Why?

Recommendation:

Enumerate the holidays you mean. Consider enumerating the hours more clearly.

Comment 10

14.3-10(E)

Unclear exactly when the “in lieu of towing” fee vests, creating a safety issue.

Some of the more dangerous situations I’ve seen are when tow truck drivers have recklessly maneuvered their vehicles to “block in” a car whose operator has returned and is attempting to remove the vehicle from the premises, or where the tow truck driver damages the vehicle in a race to connect it to the truck in order to force the payment in order to release the vehicle, or where the driver races off the property dangerously in order to evade the owner trying to chase after them. The Code can help to reduce the dangerousness of such situations by more clearly defining when the fee is owed in order to encourage the safest possible behavior.

Recommendation:

Consider adding language clarifying when the “in lieu of towing” fee vests in a way designed to minimize dangerous behavior.

Here is one possible option for additional language to clarify the rules of engagement safely:

“The ‘in lieu of towing fee’ may not be assessed if the owner of the vehicle has placed the vehicle in motion prior to the time the tow truck driver has arrived on the property and exited the tow truck for the purpose of beginning work. The fee may be assessed without respect to whether the vehicle has actually been attached to the tow truck. If the vehicle is actually towed from the lot notwithstanding [the owner being present and ready], the Operator charge shall be limited to the “in lieu of towing” fee.”

Such language would encourage the drivers to stop and exit their vehicles promptly when arriving, and discourage them from using their vehicles or equipment in dangerous ways.

Comment 11

Subsection headings and hierarchy are not consistent.

This is a minor style point, but the code section is not internally consistent for using letters vs. numerals etc. for subsections. See, e.g. 14.3-6 (using numerals), or 14.3-5 (subsection A without a subsection B).

Recommendation:

Make the subsection headings and hierarchies consistent.

The comments page indicated towing ordinance public comment acceptance through 15AUG16. On 14AUG16 the system claimed comments were closed. Hence I respectfully request acceptance of these comments for consideration.-RB Symon

RECEIVED
COMMUNITY MANAGER
OFFICE OF THE CITY MANAGER
ARLINGTON, VIRGINIA
2016 AUG 18 P 3:42

In response to an early Supreme Court decision, President Jackson is replied, "John Marshall has made his decision, not let him enforce it." Later, the 18th Amendment did not in of itself create prohibition. It was the Volstead Act that created the enforcement to carry out the 18th Amendment.

The city has had a towing ordinance for some time, yet, it is not followed because there is no enforcement mechanism. Towing companies violate the letter, if not the intent, of the ordinance daily. Consumer complaints come in yet rarely is company or property fined \$1000. Instead, they typically just give the person violated their money back. The ordinances are violated yet it's considered civil, not criminal. Since the cost to litigate is greater than the fee, the violator gets off without consequence.

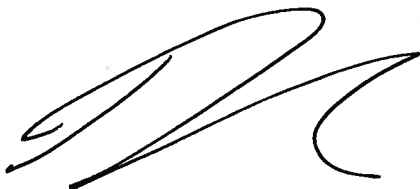
I recommend that there be an enforcement mechanism such that fines are pressed and collected regularly. As it stands, there is no accountability. Paying back towing victims their \$160 fee is not a substitute for penalties nor provision of accountability.

Violation of an ordinance should not be considered a civil matter. If the ordinance does not have the force of law, make it so. Violations- misdemeanor criminal matters, like tickets. Systemic violations- felony grand theft against driver and operator.

The ordinance is said to protect citizens. Our condominium complex has predator towing and the management company says it does not do background checks or identify drivers who are on our property because the city does. Citizens believe that you have validated truck drivers when you do not. Anonymous persons come on the property to take cars using their own judgment and the law says that they must take photographs which often necessarily include bedroom windows, yet there is no assurances that these people are not sex offenders or other felons. VA state law bars certain felons from working in towing, yet the county does not validate and your new ordinance does not allow for citizens to access those criminal records; it's secret.

The new draft should allow for private citizens identify tow truck drivers by name and their criminal record, not just the company and not just the "manager." Our community has a right to vet people who are given the right to take private property at their discretion.

Ordinances without criminal enforcement protect the towing companies, not citizens. There is a single investigator to track an array of towing companies that require drivers to tow 10 cars a night. There is incentive to take cars as a toothless ordinance serves as a façade of public protection. Towing companies have great power in the ability to take without an owner's knowledge. Such power demands strong oversight, transparency and commitment of resources. Without support, the ordinance is pointless.



JF - all but


From: [REDACTED]
To: [Brian Stout](#)
Subject: RE: [Non-DoD Source] Arlington County Towing Ordinance Review Underway - Public Input Sought
Date: Tuesday, July 05, 2016 9:51:11 AM

Sir,

I no longer live in Arlington, but I will reiterate my issues with the towing company and their practices in hope that it helps others.

- 1.) The location of the posted towing sign was so far away from where I parked, I had no idea I was doing anything wrong - I actually called the police at first because I thought my car was stolen. I thought I was parking in my own apartment building's lot. Each parking spot should have a posted no towing sign.
- 2.) I was only inside my apartment for 20 minutes when my car was towed. They were watching - if they knew I wasn't supposed to park there, they could have told me instead of waiting until I walked away so they could claim their \$150.
- 3.) Towing staff was unbelievably rude, unhelpful and unprofessional. There is no reason they need to be that way. They lied to me several times over the phone when I asked if they had a website. I wanted to review the policies and get the address (which they refused to give me over the phone!) They never told me I couldn't pay with a discover card (which is all I had with me and they were closing soon) so they told me to leave, then they said I'd have to come back the next day and they would charge me another \$150 to keep my car overnight. I told them to call the police. The police made them process my card (and they were able to do so ... which means they were lying again).

Very Respectfully,

-----Original Message-----

From: Brian Stout [<mailto:Bstout@arlingtonva.us>]
Sent: Friday, July 01, 2016 5:51 PM
To: 'CMO Tow' <cmotow@arlingtonva.us>
Subject: [Non-DoD Source] Arlington County Towing Ordinance Review Underway - Public Input Sought

All active links contained in this email were disabled. Please verify the identity of the sender, and confirm the authenticity of all links contained within the message prior to copying and pasting the address to a Web browser.

According to our records, you have previously contacted the Arlington County Board or the Arlington County Manager regarding the issue of towing from private property in Arlington County. As such, we wanted to make you aware of efforts currently underway to examine and review the County's trespass towing ordinance. Please be advised that you WILL NOT be receiving any future communications on this topic unless you opt-in for towing updates on the County's Towing Webpage < Caution-<https://topics.arlingtonva.us/towing/> > .

Arlington County has begun the process of reviewing Chapter 14.3 of the Arlington County Code, dealing with the removal trespassing vehicles from private property. As required by State Code, the Arlington County Board has appointed an Advisory Board, the Trespass Towing Advisory Board (TTAB), to review the ordinance and to make recommendations. This process will take several months and all stakeholders and members of the general public are encouraged to participate. There are several ways to do so, both in person and electronically, as outlined below. At the conclusion of the TTAB's process, additional opportunities will also be provided to submit feedback and comments prior to and during any future County Board consideration.

Please visit the County's Towing Webpage < Caution-<https://topics.arlingtonva.us/towing/> > or the TTAB's webpage < Caution-<https://commissions.arlingtonva.us/ttab/> > if you would liketo view the County's current ordinance, to view and make comments on the proposed ordinance revisions and to sign-up for future e-mail alerts.

Upcoming Meetings

****All meetings of the TTAB are open to the public****

Arlington County Trespass Towing Advisory Board Meeting

Thursday, July 14, 2016, 6:30 p.m. - 9:00 p.m.

Arlington County Board Room

2100 Clarendon Boulevard

3rd Floor

Arlington, VA 22201

The purpose of the Advisory Board Meeting is for the TTAB to receive an update from County staff and a staff proposal for ordinance changes. In addition, TTAB members may offer additional amendments or areas for discussion. There will be no votes taken on ordinance changes at this meeting. The purpose of the public hearing is for the TTAB to receive general public comment on all aspects of trespass towing in Arlington County and specific comments on the ordinance changes before the TTAB. The public hearing will be recorded and will start no earlier than 7:30 p.m.

Arlington County Trespass Towing Advisory Board Meeting

Thursday, September 15, 2016, 7:00 p.m. - 9:00 p.m.

Arlington County Board Room

2100 Clarendon Boulevard

3rd Floor

Arlington, VA 22201

The purpose of the Advisory Board Meeting is for the TTAB to receive a report from County staff on the public comments received. The TTAB will also consider any and all amendments to the towing ordinance and vote on final recommendations to be made to the Arlington County Board.

From: [REDACTED]
To: [Brian Stout](#)
Subject: Re: Arlington County Towing Ordinance Review Underway - Public Input Sought
Date: Friday, July 01, 2016 6:52:30 PM

Sir:

Thank you for including me and providing the opportunity for comment. My initial observation is one of utter disbelief as I found the name of Mr. John O'Neill as a member of the Towing Board. In 2009 his company towed my car while I was assisting my daughter in securing housing in the D. C. Metro area. His operator did over \$1100.00 dollars in damage trying to unlock my car. His company never reimbursed me one thin dime and fought my best efforts to seek redress in court. While I no longer own the car, the anger I still feel was rekindled by seeing his name.

With full respect to the process and without casting any other aspersions, I wish you good luck in achieving your goal.

Sincerely,

[REDACTED]
Grab life by the handlebars.

On Jul 1, 2016, at 5:50 PM, Brian Stout <Bstout@arlingtonva.us> wrote:

According to our records, you have previously contacted the Arlington County Board or the Arlington County Manager regarding the issue of towing from private property in Arlington County. As such, we wanted to make you aware of efforts currently underway to examine and review the County's trespass towing ordinance. Please be advised that you WILL NOT be receiving any future communications on this topic unless you opt-in for towing updates on the [County's Towing Webpage](#).

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From: [REDACTED]
To: [Brian Stout](#)
Subject: Re: URGENT NOTICE: Arlington County Trespass Towing Advisory Board Schedule Change
Date: Sunday, June 26, 2016 3:10:03 AM

Having myself fallen victim to predatory towing practices, I decided to do some research. I am writing now in order to share this research with you in the hope that the Arlington County Board will change the rules which permit this noxious practice to flourish.

In my research, I learned the following:

- In 2006, in apparent response to a wave of public complaints about predatory towing, the County Board enacted Chapter 14.3 of the Arlington County Code in order to prevent predatory practices and to provide a legal framework for the towing of vehicles from private property. The ordinance lays out very detailed conditions which must be complied with in order for a towing to be legal. Despite this very precise legal framework, towing in Arlington County remains a predatory (and apparently very lucrative business), now afforded a degree of protection under this ordinance.
- The County actually has a board that regulates the towing industry, including the fees towing operators can charge. Three of seven of the voting members of this board are industry representatives, so towing operators can advocate and vote for increases in fees. Currently, the authorized towing fee in Arlington is \$135, a fee which applies even if your vehicle has only been towed 1-2 blocks to the impound lot (as was my case).
- Not surprisingly, the industry appears to regularly lobby and vote for an increase in the maximum allowed towing fee, and these increases appear to be regularly approved, even when expenses – such as the price of gasoline – drop precipitously. Yet while the authorized towing fee goes up regularly, the fines to which towing companies are liable for violations of the ordinance do not appear to have increased, to the point that they now have absolutely no deterrent effect. If we are serious about deterring predatory practices, such fines must increase to maintain deterrent effect, and they must be enforced.
- For example, if towing companies fail to notify the police in advance of towing a particular vehicle – as was the case when my car was towed, as plainly established by police records – they are liable to a fine of \$100. Since the towing fee is now greater than the possible fine, towing companies have an additional incentive to tow a vehicle even before notifying the police, knowing that even in the unlikely case that they are fined, they will still make \$35 profit on the tow, having been able to charge \$135. (If a motorist interrupts the act of towing, then the tow truck has to drop the vehicle, and can only collect a \$25 drop fee. So the towing company has a strong incentive to remove the car from the lot before the motorist returns and insists that his car is dropped.) In my own case, police records demonstrate that the company did not notify the police of the towing until after the car arrived at the impound lot, not before towing, as required by ordinance. Clearly, they do not want me to interrupt the vehicle's removal, resulting in a loss of \$110 of revenue. Based on my own experience, I strongly suspect that notifying police after removal of the vehicle, rather than before, as required by law, is the usual practice.
- The lenient “enforcement” of the ordinance against predatory towing might suggest that a very cozy relationship has developed between the towing companies and county officials. That suspicion is further supported by the report that former County Board Member (now State Senator) Barbara Favola received a \$2500 donation from AdvancedTowing. <http://www.complaintsboard.com/complaints/duff039s-towing-upper-marlboro-maryland-c160753.html>. I would add that a \$2500 donation is hardly the mark of a business struggling to turn a profit, as towing operators argue in their regular requests to increase the authorized towing fee.
- Towing operators reportedly deploy “spotters” at parking lots which they have been contracted to patrol around Arlington, who call in to the company whenever they spot a car they believed is parked in violation of the lot's rules. On various occasions, I saw at lots patrolled by Advanced Towing individuals whom I believe were “spotters;” they left the area only after noting that I had a camera. On the blogosphere there is a report that at least one of these spotters had an outstanding arrest warrant, meaning that the practice brings potentially dangerous individuals into our neighborhoods. https://disqus.com/home/discussion/arlnow/advanced_towing_rip_off_artists_or_fair_parking_enforcers/
- The blogosphere is absolutely replete with dozens of stories of predatory towing in Arlington, primarily by Advanced Towing. The predatory towing has a negative effect on local businesses, with some discussion on the internet of organizing a boycott of those businesses whose parking lots are patrolled by Advanced Towing.