

Prince George's County Council Agenda Item Summary

Meeting Date: 11/1/2004
Reference No.: CB-096-2004
Draft No.: 2
Proposer(s): Exum
Sponsor(s): Exum, Harrington, Dernoga, Dean, Bland, Knotts
Item Title: An Act amending provisions of the Code relating to towing regulations and establishing penalties, amending the hours for a property owner to initiate the towing of a vehicle from private property under certain circumstances and establishing the fees to be charged for private property tow services.

Drafter: Colette R. Gresham, Assistant Legislative Officer
Resource Personnel: Kendall C. Gray, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	9/28/2004	Executive Action:
Committee Referral:	9/28/2004 - THE	Effective Date:

Committee Action: 10/14/2004 - HELD
10/28/2004 - FAV(A)

Date Introduced: 10/28/2004
Public Hearing: 11/30/2004 - 10:00 AM

Council Action:
Council Votes:
Pass/Fail:
Remarks:

AFFECTED CODE SECTIONS:

05-268, 05-270, 05-271, 05-272, 26-142.14

COMMITTEE REPORTS:

TRANSPORTATION, HOUSING & THE ENVIRONMENT COMMITTEE

Date 10/28/2004

Committee Vote: Favorable with Amendments, 4-0, (In favor: Council Members Harrington, Dean, Knotts and Peters).

The Staff summarized the sponsor's amendments to CB-96-2004 as reflected in Draft 2. The Department of Environmental Resources (DER) provided proposed amendments. DER's amendments further clarified the type of information to be contained on the tow slip. The sponsor's amendments changed the time towing could occur when the property owner has a written contract with the towing company and the property owner or property owner's agent shall be required to sign a tow slip prior to the towing (12 A.M. and 6 A.M.), towing charge increased to \$100, storage distance increased to fifteen (15) miles, and towing service and/or tow truck operator shall be fined when in violation of providing unauthorized towing service. The sponsor indicated that in the future she will be sponsoring legislation that would establish a working group to comprehensively look at the towing industry.

A Council Member raised the question regarding payment options for towing services. It was suggested that credit cards be considered as a source of payment. Staff was requested to amend Draft 2 with the appropriate language and provide the towing industry with this information.

TRANSPORTATION, HOUSING & THE ENVIRONMENT COMMITTEE

Date 10/14/2004

Committee Vote: Held in Committee.

Staff summarized the purpose of the bill and written referral comments that were received.

CB-96-2004 amends provisions of the Code relating to towing regulations and establishes penalties, amends the hours for a property owner to initiate towing of a vehicle from private property under certain circumstances, and establishes fees to be charged for private property tow services.

CB-96-2004 was considered in Committee on October 14, 2004 and was held in Committee and reconsidered on October 21, 2004. This allowed the sponsor to consider amendments suggested by the industry. A representative from Henry's Wrecker Services of Fairfax County, Inc., provided the Committee with a list of proposed amendments as well as provided testimony. Included in their package of information, was a schedule of Bladensburg authorized charges and fees and a copy of Montgomery County's Executive Regulation pertaining to towing.

The Apartment and Office Building Association of Metropolitan Washington provided written comments objecting to the shortening of the hours when a company under contract with the property owner can remove vehicles. It is unlikely that an owner/manager/agent would be available with the proposed hours.

The Legislative Officer and the Office of Law find it to be in proper legislative form and the Office of Audits and Investigations determined that there should be positive fiscal impact on the County as a result of enacting CB-96-2004. Additional revenue may be generated from new fees and penalties established by the legislation.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

The proposed legislation would amend the provisions of the County Code relating to towing regulations by restricting where vehicles can be towed and stored, updating insurance requirements and providing for penalties. The legislation would also alter the hours a property owner may initiate the towing of a vehicle from private property if the property owner has a written contract with the towing company and establish the fees that a towing company may charge for private property tow services.

CODE INDEX TOPICS:

INCLUSION FILES:
