

Proposed Amendments to Chapter 14.3, Arlington County Code  
Towing and Storage of Motor Vehicles

Arlington County Board  
January 26<sup>th</sup>, 2021

County Manager's Office  
Katelyn Thomas

- **C.M. Recommendation:** Authorize the advertisement of a public hearing by the County Board on February 20<sup>th</sup>, 2021 to consider proposed amendments to Chapter 14.3 (Towing & Storage of Vehicles Ordinance) of the Code of Arlington County.

**Present Issue:** Whether the County Board should adopt the recommendations of the County Manager and the Trespass Towing Advisory Board (TTAB) by amending the County's towing ordinance, which helps to reconcile portions of the ordinance with the Virginia State Code, enhances consumer protections and increases maximum towing fees

# Summary of proposed changes

## • State Code reconciliation

- Language was added to confirm that the Trespass Towing ordinance does not apply to police, fire, public health or wrecked vehicles.
- Clarification of written authorization and the definition of “agent” under Operator and Driver Requirements and Standards of Practice
- Removal of \$1,000 fee for any violation of the chapter because it is unenforceable and add a punishment of a Class 4 misdemeanor as authorized under Virginia Code.

# Summary of proposed changes

- **Enhanced consumer protection measures**
  - Simplify towing signage: reduce duplicative wording to avoid confusion. Signs will clearly state hours of the day, and days of the week, that towing is in effect.
  - Strengthen the requirements for storage facilities: lighting; safety; signage; hours of operation.
  - Transparency and Accountability:
    - Addition of requirements for placards on trucks showing costs
    - Requirements for receipts to include email and postal address of towing operator
    - Requirements for contracts authorizing the tow and photographs to be released to owner or authorized representative easily via mail or email

# Summary of proposed changes

## • Towing fee changes

- The definition of immobilization was updated, and language added to allow for a \$25 immobilization device removal fee (barnacles).
- The TTAB voted unanimously to recommend a fee increase up to the state permitted maximums:
  - The **base tow fee** will be allowed to increase to a maximum of \$150, from the current max of \$135.
  - The **additional fee** for holidays, nights and/or weekends will be allowed to increase to a maximum of \$30, from the current max of \$25. Towing operators can charge no more than two of these fees simultaneously – i.e., current max tow fee of \$185 will increase to \$210 (\$150 + \$30 + \$30)
- The County Manager recommends reducing the in lieu of towing, or "drop fee" from \$25 to \$10.

# Public Engagement

- Communicate and consult
  - In 2020, two virtual TTAB meetings were held with no public comment heard
  - A summary of the proposed changes has been distributed to the towing email list, which includes over 1,000 recipients.
  - Staff has communicated directly with the Chamber of Commerce
  - Staff intends to hold an additional TTAB meeting, prior to County Board approval, for their input on the Manager's proposed change to the in-lieu-of-towing change.

# Fiscal Impact

- There is potential for revenue as a result of fines issues for violations of this ordinance
- The towing fees imposed on vehicle owners are collected by the towing operators, not the county.

Questions/comments?

