

## Consumer Bill of Rights Regarding Towing: When towed from private property

If you approach your vehicle before or while it is in the process of being towed, you are entitled:

- To receive a copy of Consumer Bill of Rights Regarding Towing immediately upon initial contact with the tow operator.
- To obtain a curb release for \$50 if your vehicle is unhooked or unattached, provided you are able to correct the parking violation immediately.
- To obtain a curb release for \$75 if your vehicle is hooked or attached to the tow truck, provided you are able to correct the parking violation immediately.
- To make payment with cash, debit card, or credit card.

You are not entitled to curb release of your vehicle if (1) you are not able to pay the fee; (2) you are not able to correct the parking violation; (3) if vehicle transport has commenced; (4) if the tow operator believes the person who is intending to operate the vehicle is under the influence of alcohol or drugs.

If your vehicle has been towed from a private parking facility and taken to a storage yard, you are entitled:

- *To one time vehicle access* to obtain release of an animal left in the vehicle, or any contents of an emergency nature, as specified in AMC 9.54.070.C.3, with proof of ownership or authorization by the registered owner.
  - An after regular business hours fee of \$50 may be applied for such requests outside the hours of Monday – Friday 8:00 a.m. – 5:00 p.m.

When retrieving your vehicle from the storage yard, you are entitled to:

- A copy of written authorization to tow from the owner of the property; photograph(s) showing the violation and reason for the tow; and an invoice for payment of towing and storage fees. The invoice shall include the following information:
  - The make, model, VIN and license plate number of the vehicle towed;
  - The grounds for towing the vehicle;
  - The time of day the vehicle was first observed or reported to the tow operator as parked in violation at the private property;
  - The time of day the vehicle was towed; and
  - An itemized list of the fees owed, which are detailed below.
- Tow operators shall not coerce payments or waivers from vehicle owners for exercising their rights.

Rates:

- *Tow and transport to a storage yard.* The rate for a nonconsensual or PPI tow and transport to a storage yard shall be no more than the following:
  - \$235 – for Light duty vehicles (Gross Vehicle Weight Rating [GVWR] up to 10,000 pounds).
  - \$335 – for Medium duty vehicles (GVWR 10,000 to 29,999 pounds).
  - \$200 per hour - for Heavy duty vehicles (GVWR 30,000 pounds and over).This charge shall not be incurred until the vehicle transport has commenced.
- *After regular business hours fee.* The tow operator may charge no more than \$50 for after-hours release.
- *Vehicle access fee.* Each tow operator shall allow at least one time access without charge to the towed vehicle by the vehicle owner or authorized agent during regular business hours, as defined in this chapter, to remove items. The tow operator shall charge no more than \$50 for such access. The tow operator shall not charge both an on call, after-hours vehicle access fee and an after-hours release fee, unless the access and release are at least 4 hours apart. This fee is a storage charge.
- *Storage charges.* Storage charges shall not commence until 24 hours after the vehicle arrives at the storage yard and the impound is reported to the police department. If the vehicle is claimed from impound within 24 hours, only the charge for tow and transport to the storage yard shall apply. Storage charges shall be no more than \$30.00 per day.
- Tow operators shall not impose other penalties or fines, no matter how denominated. Examples of prohibited penalties include: “aggressive client fee,” “profanity fee,” “wait time fee,” “gate fees” during normal business hours, unspecified additional handling and administrative fees.