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County Executive

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Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

December 23, 2015

Baltimore Licensed Trespass Towers

Re: Findings as result of Public Hearing on fees held on December 9, 2015.

Dear Trespass Tower Licensees:

The maximum rates for licensed trespass towing of light duty vehicles (gross vehicle weight of 10,000 or less) effective January 1, 2016 shall be as follows:

- Towing of Light Duty vehicles except from a parking lot within the Towson Entertainment District\*\*** ..... \$ 250.00
  - Towing of Light Duty vehicles from a garage within the Towson Entertainment District\*\*** ..... \$ 250.00
  - Towing of Light Duty vehicles from an unmetered surface parking lot within the Towson Entertainment District\*\* where parking spaces are specifically reserved for occupants of adjoining office buildings** ..... \$ 250.00
  - Towing of Light Duty vehicles from an unmetered surface parking lot within the Towson Entertainment District\*\*** ..... \$ 125.00
  - Towing of Light Duty vehicles from a metered parking lot\*\*\* within the Towson Entertainment District\*\* one (1) hour after permit expiration** ..... \$ 125.00
  - Towing of Light Duty vehicles from a metered parking lot\*\*\* within the Towson Entertainment District\*\* within one (1) hour after permit expiration** ..... Prohibited
  - Storage per day or part thereof, commencing at 12:01 a.m., the first calendar day after being towed.** ..... \$ 32.00
  - Administrative Fee.** ..... \$ 50.00
- (An administrative fee shall only be charged when vehicle owners have not claimed, or arranged to claim their vehicle within three business days [business day is any day the company is regularly open for reclaiming vehicles]. Companies must attach receipts, dated prior to the date the vehicle was reclaimed, which shows expenditures for such things as sending certified letters, for obtaining registration and title information [from the MVA], certified lien checks and copies of postings at court if required.)

\*These are the **MAXIMUM ALLOWABLE RATES** for Trespass Towing. Licensed trespass towing companies may charge any amount **BELOW** these rates but **SHALL NOT EXCEED** them. **ADDITIONALLY**, a Trespass Tower shall accept payment from at least two major credit card companies including Visa, Mastercard, or American Express.

\*\*See map of Towson Entertainment District.

\*\*\* A metered parking lot is a lot where every vehicle has its own meter which is commonly located in front of the parking space or where there is a common meter which dispenses parking tickets which are displayed on the dash of the vehicle.

Other issues were discussed at the meeting,, the most important being the use of credit cards and the requirement for written authorization of the parking lot or garage owner or operator or operator's agent.

Regarding use of credit cards, Code of Baltimore County Regulation 02.02.02.08 M. states *In addition to cash, a towing company shall accept payment from at least two major credit card companies, including Visa, MasterCard, or American Express. The Towing Company may maintain an automated teller machine or ATM for use by customers to access funds to satisfy towing fees.* A credit card offered by the owner shall be accepted if the owner submits on request one additional form of personal identification such as a driver's license which is proof or evidence that the credit card is that of the owner. A credit card (1) offered by a person accompanying the owner, (2) offered by a person related to the owner such as a child or stepchild unaccompanied by the owner shall be accepted if the accompanying or related person also submits on request one additional form of personal identification, other than the credit card, which is proof or evidence that the credit card is that of the accompanying or related person or (3) presented by agent of owner as evidenced by written authorization of owner or motor vehicle insurance carrier which shall include the name, address and telephone number of the person authorized. If you do not accept a credit card presented as payment for a trespass tow, you must document the reason(s) why it was not accepted.

Baltimore County Code, Section 21-16-118(a)(5) provides as follows:

"Before towing or removing the vehicle, shall have written authorization of the parking lot or garage owner or operator or the owner or operator's agent, which shall include:

- (i) The name of the person authorizing the tow or removal; and
- (ii) A statement that the vehicle is being towed or removed at the request of the parking lot or garage owner or operator or the owner of operator's agent."

Such authorization may initially be verbal to the tow truck driver; however, the written authorization, which must include the make, model, year, color and license plate number as well as the date and time the authorization was sent and received, including the identity of the parking lot or garage owner or operator or the owner's or operator's agent who authorized the tow, shall be submitted to the Department of Permits, Approval and Inspections when requested by the

Department. The written authorization sent to the tow company must include a date and time stamped by the owner, operator, owner's or operator's agent on said authorization when sent by the owner, operator, owner's or operator's agent, and a copy maintained in the normal course of business by the owner, operator, owner's or operator's agent. The owner, operator, owner's or operator's agent of the parking lot from which the vehicle is being towed shall not be employed by or otherwise receive remuneration from the tow company, such as but not limited a tow truck driver working on a commission basis.

Any tow from a metered parking lot, as defined herein, must be evidenced by a photo of the expired ticket, or, if no ticket, a photo of the dashboard of the vehicle showing there is no ticket. If there is no ticket or other evidence indicating a ticket was purchased the tow may occur immediately.

Very truly yours,



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Department of Permits, Approvals and Inspections