

Board of Licensing for Towing Services

Date: December 23, 2024

Time: 1:30 PM EST

Location: Virtual via Webex

Board Members in Attendance

1. Mr. Tavon Braxton (Chair), Transportation
2. Lt. Charles James, Police
3. Ms. Carla Nealy, Finance
4. Councilman Antonio Glover, City Council

Voting Items

1. Extending 2024 Permits by 45 Days

Postponing 2025 permits approvals to allow trespass towing applicants to re-submit towing fee schedules by providing a 45-day extension (through February 5, 2025) to current permits. Department of Transportation (DOT) will provide updated towing fee schedules for applicants to complete and re-submit as part of this effort.

a. Rationale

- i. Several applications exceed the \$280 maximum towing fee. The maximum towing fee is defined as double the local jurisdiction's rate, which is \$140 for Baltimore City.
- ii. Applicants must provide a 12-hour grace period before charging a storage fee of up to \$50 per day. This is currently not reflected in towing fee schedules.
- iii. Applicants cannot charge additional fees which are not provided for by the Board, except for a fee to cover the cost of providing notice.
- iv. The fee schedule form used as part of trespass towing applications is inconsistent with State law; due to this discrepancy, all applications are technically noncompliant and should not be approved by the Board.

b. Action

- i. Motion to vote by Carla Nealy, seconded by Antonio Glover
- ii. Votes – **Passed Unanimously**
 1. Mr. Tavon Braxton - **Yes**
 2. Lt. Charles James, Police - **Yes**
 3. Ms. Carla Nealy, Finance - **Yes**
 4. Councilman Antonio Glover – **Yes**

2. Defining Trespass Towing Fees and Limits

Establishing new guidelines for towing fee schedules, defining what fees can be assessed and establishing limits for those fees. Doing so would bring applicants into compliance with state law.

a. Proposed Fees

- i. Maximum towing fee of \$280.
- ii. Maximum storage fee of \$50 for the 48 hours following the 12-hour grace period and \$15 per subsequent 24-hour period.

- iii. “Administrative fee” not to exceed \$70 with the following stipulations:
 1. Intended to cover cost of providing notice to vehicle owners, excluding labor and including postage, MVA fees, court postings, etc.
 2. Must not exceed costs incurred and copies of receipts must be provided to vehicle owners.
 3. May be charged 72 hours after the applicant has made vehicle available for retrieval unless vehicle owner arranges to retrieve vehicle.
 - b. Action
 - i. Motion to vote by Antonio Glover, seconded by Tavon Braxton
 - ii. Votes – **Passed Unanimously**
 1. Mr. Tavon Braxton - **Yes**
 2. Lt. Charles James, Police - **Yes**
 3. Ms. Carla Nealy, Finance - **Yes**
 4. Councilman Antonio Glover – **Yes**

Public Feedback

- The maximum towing fee was understood by some towers to be \$300 (based on a \$150 fee for towing a vehicle from a ditch). The City charges a maximum of \$140 for impounds and allows trespass towers to double this amount.
- Several concerns were raised regarding the new administrative fee:
 - Limiting the administrative fee (which covers the cost of providing written notice to vehicle owners) could cause towers to incur losses, as costs could easily exceed \$70 when multiple parties had to be notified.
 - Requiring that administrative fees are not charged until 72 hours have passed might conflict with a state law requiring towers to notify vehicle owners of the tow in writing within 72 hours.
 - Preventing towers from charging an administrative fee when a vehicle owner has made arrangements to retrieve their vehicle could impede towers from complying with insurance requirements. Trespass towers struggle to obtain insurance due to the nature of their work.
- Several concerns were raised regarding the Board’s decision-making process:
 - No hearings were held prior to the Board’s decision to update regulations surrounding fees.
 - Board vacancies and a lack of representation from the trespass towing business community limit the ability of trespass towers to advocate for their needs during Board proceedings.
 - Board vacancies should be filled before the Board makes changes to fees that are within its discretion. Staff will provide an update on the status of executive nominations at the next Board meeting.
- Tow Board staff will research concerns surrounding administrative fees and advise the Board with findings at its next meeting. The Board will reconvene soon to re-consider the concerns raised regarding fees.

Conclusion

- The Board approved a 45-day extension for 2024 trespass towing permits, until early in February of 2025.

- Permits issued for 2024 will be in effect until the Board approves permits for the year 2025. Trespass towers may continue to operate under the 2024 permits and fee schedules until this time.
 - Trespass towers must, at a minimum, honor the 12-hour grace period before storage fees are charged.
- The Board approved a new, stricter guideline for which fees may be charged and placed caps on said fees.
- The Board will reconvene in early January of 2025 to address outstanding questions on the potential burden of new fee guidelines.

Motion to adjourn by Antonio Glover, seconded by Charles James. Meeting adjourned at 3:07 PM.