

FINAL

AMENDED  
September 6, 2016

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2016, Legislative Day No. 33

Bill No. 60-16

Introduced by Mr. Grasso

By the County Council, July 18, 2016

Introduced and first read on July 18, 2016  
Public Hearing set for and held on September 6, 2016  
Public Hearing on AMENDED BILL set for and held on September 19, 2016  
Bill Expires October 21, 2016

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Towing Companies – Rotation Lists and Response Times

2

3 FOR the purpose of allowing approved towing companies to use specialized equipment in  
4 the course of a tow requested by the Police Department; requiring notice be given to a  
5 towed vehicle’s owner; establishing an appeal procedure for towing companies  
6 removed from the Police Department’s rotation list; increasing the towing company’s  
7 allowable response time in certain instances; and generally relating to towing  
8 companies.

9

10 BY repealing and reenacting, with amendments: ~~§ 11-16-302(e)~~ §§ 11-16-201(c) and  
11 (j); 11-16-302(c) and (e); and 11-16-303(a)  
12 Anne Arundel County Code (2005, as amended)

13

14 BY adding: § 11-16-302(f)  
15 Anne Arundel County Code (2005, as amended)

16

17 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*  
18 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as  
19 follows:

20

21

ARTICLE 11. LICENSES

22

23

TITLE 16. TOWING COMPANIES

24

11-16-201. License.

EXPLANATION: CAPITALS indicate new matter added to existing law.  
[Brackets] indicate matter stricken from existing law.  
Underlining indicates amendments to bill.  
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 (c) Additional standards for police-initiated towing. A towing company that  
2 engages in police- initiated towing shall:

3  
4 (1) possess at least three tow trucks registered by the State Motor Vehicle  
5 Administration that are capable of performing normal towing operations in a safe and  
6 timely manner;

7  
8 (2) be operational and available 24 hours a day, seven days a week, with  
9 sufficient qualified, licensed, and trained personnel to respond to requests and operate the  
10 tow trucks and related equipment; and

11  
12 (3) be able to respond to calls for service in a tow area within [20] 30 minutes and  
13 shall have an acceptable response record or be expected to be able to respond in the  
14 required time frame.

15  
16 (j) Additional grounds for denial, revocation, or suspension of license for police-  
17 initiated towing. After providing a hearing, the Director may deny, revoke, or suspend the  
18 license of a towing company that performs police-initiated towing if the company:

19  
20 (1) has five responses in excess of [20] 30 minutes within any two-month period  
21 that were not excused pursuant to § 11-16-302; or

22  
23 (2) fails to respond to seven tow requests within a six-month period.

24  
25 **11-16-302. Tow areas; rotation list.**

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27 **(c) Rotation deviation.** The Police Department may deviate from the order of the  
28 rotation lists when there is a need for specialized equipment or when the police determine  
29 that deviation is necessary for the public welfare. A TOWING COMPANY MAY RESPOND  
30 TO A REQUEST REQUIRING SPECIALIZED EQUIPMENT BY USING EQUIPMENT FROM  
31 ANOTHER TOWING COMPANY ON THE ROTATION LIST PROVIDED THE TOWING  
32 COMPANIES ARE UNDER THE SAME OWNERSHIP NOT OWNED BY THE TOWING COMPANY  
33 IF THE EQUIPMENT HAS A CURRENT TOWING INSPECTION STICKER ISSUED BY THE  
34 POLICE DEPARTMENT. IN ADDITION TO ANY MAILED NOTICES REQUIRED UNDER THIS  
35 TITLE, THE TOWING COMPANY SHALL ENSURE, TO THE FULLEST EXTENT POSSIBLE, THAT  
36 THE TOWED VEHICLE'S OWNER HAS FULL AND CORRECT INFORMATION ON WHERE,  
37 WHEN AND HOW TO RETRIEVE THE VEHICLE AT THE TIME THE VEHICLE IS TOWED.

38  
39 **(e) Individual choice.** Nothing in this title shall preclude the right of an individual to  
40 request a towing company of the individual's own choice if the chosen towing company  
41 can dispatch a tow truck that will arrive within [20] 30 minutes after the request.”;

42  
43 **(F) Hearings.** THE POLICE DEPARTMENT MAY IMMEDIATELY SUSPEND A TOWING  
44 COMPANY FROM THE ROTATION LIST FOR A VIOLATION OF THIS TITLE THAT ADVERSELY  
45 AFFECTS PUBLIC HEALTH, SAFETY OR WELFARE. OTHERWISE, A TOWING COMPANY MAY  
46 NOT BE SUSPENDED FROM OR REMOVED FROM THE ROTATION LIST UNTIL A HEARING IS  
47 HELD BEFORE THE DIRECTOR AND THE TOWING COMPANY HAS THE CHANCE TO  
48 RESPOND TO ANY ALLEGED VIOLATION OF THIS TITLE. A HEARING SHALL BE HELD  
49 WITHIN SEVEN DAYS OF THE DATE OF THE NOTICE OF VIOLATION. THE DIRECTOR SHALL  
50 ISSUE A WRITTEN DECISION NO LATER THAN TWO DAYS AFTER THE DATE OF THE  
51 HEARING.

1 **11-16-303. Response standards.**

2  
3 (a) Timeliness. A towing company ordinarily shall respond to a request for service  
4 AND ARRIVE AT THE SCENE no later than [20] 30 minutes after the request was made [and,  
5 in any event, shall arrive no later than 30 minutes after a request]. The Department may  
6 determine that a towing company's arrival at the scene more than [20 but less than] 30  
7 minutes after the request for service was made is timely after consideration is given to  
8 traffic, road, and weather conditions and whether the request was made between the  
9 hours of 11:00 p.m. and 7:00 a.m.

10  
11 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days  
12 from the date it becomes law.

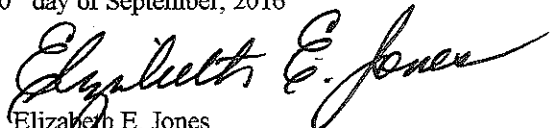
AMENDMENT ADOPTED: September 6, 2016

READ AND PASSED this 19<sup>th</sup> day of September, 2016


By Order:

  
Elizabeth E. Jones  
Administrative Officer

PRESENTED to the County Executive for his approval this 20<sup>th</sup> day of September, 2016


  
Elizabeth E. Jones  
Administrative Officer

APPROVED AND ENACTED this 27<sup>th</sup> day of September, 2016

  
Steven R. Schuh  
County Executive

EFFECTIVE DATE: November 11, 2016

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.  
60-16 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

  
Elizabeth E. Jones  
Administrative Officer