

Representative Barbara Rachelson's Request: *In working on the towing bill of rights bill - I am eager to have research collected on who in Burlington and in particular at UVM, and Champlain College - has had their car involuntarily towed, what the situation was, cost and if they were able to get their car back. I have DMV data by county of the numbers who have lost their cars permanently through towing but need more detailed information to move this bill.*

I would love them to collect as many as possible incidents from people - with the circumstances, outcome and cost of getting towed. Can they do some polling at all at the Davis Center or elsewhere on campus, at Champlain College, and from organizations in town that work with people with limited means? If people are willing to share their story in writing, on video and/or be willing to talk to the media, or testify? All that would be very helpful.

Overview of Document

1. Outline a Towing Bill of Rights; California's current towing rights bill ; Vermont's towing bill currently under consideration.
2. Overview of towing bills and fines in Burlington, VT.
3. Our Burlington towing survey questions and procedures .
4. Survey case studies.
5. Survey findings and conclusions.

A Vermont Towing Bill of Rights

- Vermont lawmakers are currently considering capping towing fees.
 - The House Committee on Transportation is reviewing a proposal that would put a \$40 cap on involuntary tows and a limit of \$12 on storage fees.
 - H.201, current bill in Vermont Legislature
 - Establishes consumer protections related to involuntary towing and storage of vehicles.
 - Status:
 - Read for the first time and referred to the Committee on Transportation, currently in committee.
 - Last recorded action on the bill was on 2/12/2019.
- **Case Study: California's Towing Bill of Rights:**
 - California Bill AB 2210
 - *Unconditional Release:* If a towing company is taking a car, and the tow truck is still on private property, the company must release the car unconditionally if the owner appears.
 - *One Hour:* A vehicle must be parked for a full hour before being towed unless in a fire lane.
 - *Ten-Mile Limit:* Tower cannot take a vehicle to a lot that is over ten miles from where it was parked.
 - *Clearly Posted Warning:* Signage must indicate that vehicles will be removed at the owner's expense with telephone numbers of towing companies on that signage
 - *Credit Cards:* Tower must accept credit cards in payment for towing and storage fees.

- *One-Day Maximum Storage Charge:* If fees are paid within 24 hours of storage and the storage fails to comply during normal business hours, only one day's storage fee may be charged.

Current Towing Fines in Burlington

- A vehicle that has been towed can be charged \$62.50 for the tow and \$10.00 for storage for the first day and \$20.00 per day after.
- All violations within Burlington except expired meters are towable.
- Once a vehicle has been impounded it is held in storage until all outstanding parking tickets have been paid.
- Towing fines are as follows
 - Meter Violations: \$15.00
 - Resident Parking: \$75.00
 - Hadicapped Violations: \$125.00
 - Parking Ban or Street Closed to Parking: \$125.00
 - All other Prohibited Parking Violations: \$75.00

Survey and Process

- Created a Google Form to survey personal towing experience in Burlington, VT, targeting college students.
 - Questions included:
 - Where was your car parked?
 - How long was your car parked in that location?
 - Was there signage that said "tow zone," and did you see this signage?
 - What steps did you have to take to find your car, and what steps did it take to receive your car back?
 - How much time did it take to get your car back, and what were the costs associated with this towing?
 - Are you willing to testify and explain your story if needed?
- Posted link to various student and community Facebook groups with over 20,000 accounts.
- Link to all research conducted in this study:
<https://docs.google.com/spreadsheets/d/1nwpBSFeljwMI0aMmEwvfvdZdc5nNG6mk38aP6LTrGI/edit?usp=sharing>

Survey Results:

- 67 people responded to our survey
- 21 of 67 respondents volunteered to testify, record a video or talk to the media about their towing experience.

Survey Highlights:

- We highlighted four strong examples from our research to exemplify experiences with towing in Burlington.
- Case 1: Student at UVM or Champlain College and Burlington resident.
 - Car parked on 357 South Prospect Street for 1 hour and 20 minutes.
 - No signage that stated the area was a tow zone.
 - Called police because the individual thought their car had been stolen, proceeded to call Spillanes, a towing company.
 - Paid \$200 to receive the car back, took one day to receive the car back.
 - Knows 4 other individuals in the area who have had their car towed.
- Case 2: Student at UVM or Champlain College
 - Car parked on South Prospect Street in a parking area that is blocked off from 12-6AM.
 - Towing company claimed the car was in front of a fire hydrant, but the individual claims that they left 200 feet in front of the fire hydrant.
 - Car was parked for 2 hours in location, and did not see any signage that the area was a tow zone.
 - Called Burlington Police, called a ride to a tow yard in Essex, paid \$150 to receive the car back.
 - Knows at least 5 other individuals who have had their car towed.
- Case 3: Burlington Resident.
 - Car was parked in the individual's driveway at 141 Intervale Avenue for less than 2 hours.
 - No signage was found, experience happened during a winter parking ban.
 - Parked their car to get it off of the street, checked to make sure the car was not on the sidewalk.
 - A parking enforcement officer towed the car.
 - Parking enforcement officer and tow truck driver refused to provide the individual information as to why the car was towed or where the car would be taken.
 - Individual called the Burlington Police Department, yet the office was closed due to the winter storm.
 - Individual called the tow company, as instructed by the police department's website, and was told to call the police department.
 - The individual drove through Burlington looking for the vehicle, after 2 hours found their vehicle at the waterfront with a parking ticket.
 - Individual's partner was required to miss work the day the car was towed due to the lack of information of the whereabouts of the car.
 - The costs were over \$200, which the individual states was a large sum for their household.
 - The individual knows 20 or more people in the area who have had their car towed.
- Case 4: Student at UVM or Champlain College.
 - Car was parked in a friend's driveway for 1 hour.
 - There was signage for cars being towed if the car was parked on the street, but not in a driveway.

- Individual saw the tow truck as it was about to leave the street it was parked on.
- Tow truck driver required the individual to pay \$80 to release the individual's car back to them, though the driver was 25 feet away from the driveway the car was parked in.
- Individual knows 3 other people who have been towed in Burlington.

Research Findings

Significant dissatisfaction with current arrangements:

- *Amount of time allotted to towing:* Individuals took between 30 minutes and 4-5 days to receive their car back after towing. In most cases, it took at least 2 days to get the car back.
- *No Signage:* 39% of the individuals did not see signage stating the car would be towed.
- *Burlington Police Dept:* 53% of individuals were required to call the Burlington Police Department and various towing companies.
 - It is important to note that this can put a strain on police resources and wastes time trying to figure out where the car was towed to
- *Finding car:* 64% of individuals reported having trouble finding where their car was towed to.
- *Cost:* Average cost of towing was between \$120-\$180. 20% of individuals were required to pay for a ride to the place their car was towed to as an extra expense.
- *Poor treatment toward vehicles:* Four individuals stated towing companies have little to no care in handling vehicles they tow.
- The cost of towing with unpaid parking tickets was stated by an individual as prohibitive and systematically oppressive

Conclusion

- In our opinion, a towing bill of rights that clearly enumerates the rights of drivers and towers, and streamlines the process of getting a car back once it has been towed would be a great law for the Burlington community, as well as the rest of Vermont.
- Support change in towing laws: 75% of individuals would welcome a change in the towing laws, towing companies, and information about towing in the city.
- More signage and information about towing in Burlington can help relieve misinformation about towing laws.
 - California Bill AB 2210 is an example of a Towing Bill of Rights.
- A Towing Bill of Rights including information about towing, costs of towing, and rights of personal vehicles may increase trust between the city, towing companies, and the community.

Research completed by:

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References

Consumer Action. *Protecting yourself from predatory towing*. 17 December 2017.

Retrieved by website on 5 April 2020. https://www.consumer-action.org/alerts/articles/protecting_yourself_from_predatory_towing

Vermont General Assembly. *H.201*. 12 February 2019. Retrieved by website on 5 April

2020. <https://legislature.vermont.gov/bill/status/2020/H.201>

The City of Burlington. *Fines and towing*. Retrieved by website on 5 April 2020.

<https://www.burlingtonvt.gov/Police/Fines-Towing>