



STATESBORO POLICE DEPARTMENT

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TO: Charles Penny, City Manager

FROM: Mike Broadhead, Chief of Police *MB*

DATE: June 1, 2021

RE: Maximum Non-Consensual Towing Rates

POLICY ISSUE: Non-Consensual Towing

RECOMMENDATION: That Council consider a request from two Wrecker operators to alter the city's maximum Rate Tariff for Towing and Storage to match the State's rates.

BACKGROUND: Both the City and the State regulate the maximum rate fees that can be charged for "Non-Consensual Towing". The City's maximum allowable rates for towing and daily storage are less than the state's maximum allowable. Representatives from two local tow companies (A&P Wrecker Service and GATA Towing) have requested that the City adopt the state's maximum rates.

The last time the City addressed these rates was in 2017 and the current fees were established at that time under Resolution 2017-19.

According to City Ordinance 18-235, towing and storage fees "shall be set by Resolution in June 2008 and every June thereafter."

BUDGET IMPACT: These are fees charged to individual citizens and have no impact on the City budget.

COUNCIL DISTRICT: All

ATTACHMENTS: (1) The current City Towing Rates and Charges
(2) The current State Towing Rates and Charges
(3) Resolution

Exhibit "A"
Mayor and City Council of Statesboro
Non- Consensual Towing Maximum Rate Tariff

A. TOWING RATES AND CHARGES

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|--|------------------------|
| 1. Removal fee for vehicles with a Gross Vehicle Weight rating (GVWR) of 10,000 pounds or less | Not to exceed \$150.00 |
| 2. Removal fee for vehicles with a Gross Vehicle Weight rating (GVWR) of 10,001 pounds to 20,000 | Not to exceed \$150.00 |
| 3. Removal fee for vehicles with a Gross Vehicle Weight rating (GVWR) of 20,001 pounds or greater-per unit charge | Not to exceed \$250.00 |
| 4. Removal fee for vehicles with a Gross Vehicle Weight rating (GVWR) of 20,001 pounds or greater-combination unit | Not to exceed \$400.00 |

B. STORAGE RATES AND CHARGES

- | | |
|---|-----------------------|
| 1. Storage for the first 24 hours, beginning at the time the vehicle is removed from the property | No charge |
| 2. Storage for any day or days the impoundment facility is closed and the vehicle's owner is unable to claim the vehicle | No charge |
| 3. Daily storage fees for vehicles with a Gross Vehicle Weight rating (GVWR) of 10,000 pounds or less | Not to exceed \$15.00 |
| 4. Daily storage fees for vehicles with a Gross Vehicle Weight rating (GVWR) of 10,001 pounds to 20,000 pounds | Not to exceed \$20.00 |
| 5. Daily storage fees for vehicles with a Gross Vehicle Weight rating (GVWR) of 20,001 pounds or greater- per unit charge | Not to exceed \$25.00 |
| 6. Daily storage fees for vehicles with a Gross Vehicle Weight rating (GVWR) of 20,001 pounds or greater-combination unit | Not to exceed \$50.00 |

C. OTHER RATES AND CHARGES

Operator Fee

- | | |
|---|------------------------|
| 1. If the vehicle has been hooked with hoisting apparatus or loaded by the wrecker service and the vehicle has not left the premises and the owner or operator produces ignition key and removes vehicle immediately. | |
| (a) Operator Fee for vehicles with a GVWR of 19,999 or less | Not to exceed \$60.00 |
| (b) Operator Fee for vehicles with a GVWR of 20,000 or more | Not to exceed \$125.00 |

After Hours Fee

- | | |
|--|-----------------------|
| 1. After hours fee may be charged if the vehicle's owner wishes to claim an impounded vehicle at any time other than between 8:00 a.m. and 6:00 p.m. Monday through Friday, and between 10:00 a.m. and 2:00 p.m. on Saturday and Sunday. | Not to exceed \$25.00 |
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GEORGIA DEPARTMENT OF PUBLIC SAFETY
MAXIMUM RATE TARIFF
INTRASTATE RATES AND CHARGES
NON-CONSENSUAL TOWING

SECTION 2 – RATES AND CHARGES

A. TOWING RATES AND CHARGES

- | | |
|--|------------------------|
| 1. Removal fee for vehicles with a Gross Vehicle Weight Rating (GVWR) of 10,000 pounds or less | Not to exceed \$175.00 |
| 2. Removal fee for vehicles with a Gross Vehicle Weight Rating (GVWR) of 10,001 pounds to 20,000 | Not to exceed \$300.00 |
| 3. Removal fee for vehicles with a Gross Vehicle Weight Rating (GVWR) of 20,001 pounds or greater – per unit charge | Not to exceed \$450.00 |
| 4. Removal fee for vehicles with a Gross Vehicle Weight Rating (GVWR) of 20,001 pounds or greater – combination unit | Not to exceed \$850.00 |
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B. STORAGE RATES AND CHARGES

- | | |
|--|-----------------------|
| 1. Storage for the first 24 hours, beginning at the time the vehicle is removed from the property | No charge |
| 2. Storage for any day or days the impoundment facility is closed and the vehicle's owner is unable to claim the vehicle | No charge |
| 3. Daily storage fee for vehicles with a Gross Vehicle Weight Rating (GVWR) of 10,000 pounds or less | Not to exceed \$25.00 |
| 4. Daily Storage fee for vehicles with a Gross Vehicle Weight Rating (GVWR) of 10,001 pounds to 20,000 pounds | Not to exceed \$30.00 |
| 5. Daily Storage fee for vehicles with a Gross Vehicle Weight Rating (GVWR) of 20,001 pounds or greater – per unit charge | Not to exceed \$40.00 |
| 6. Daily Storage fee for vehicles with a Gross Vehicle Weight Rating (GVWR) of 20,001 pounds or greater – combination unit | Not to exceed \$75.00 |
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ISSUED: 09/25/2017

EFFECTIVE: 11/10/2017

GEORGIA DEPARTMENT OF PUBLIC SAFETY
MAXIMUM RATE TARIFF
INTRASTATE RATES AND CHARGES
NON-CONSENSUAL TOWING

SECTION 2 – RATES AND CHARGES

C. OTHER RATES AND CHARGES

Operator Fee

1. If vehicle has been hooked with hoisting apparatus or loaded by the wrecker service and the vehicle has not left the premises and the owner or operator produces ignition key and removes vehicle immediately.

(a) Operator Fee for vehicles with a GVWR of 19,999 or less Not to exceed \$ 100.00

(b) Operator Fee for vehicles with a GVWR of 20,000 or more Not to exceed \$150.00

Notification Fee

2. Notification fee may be charged within the first 24 hours Not to exceed \$ 20.00
where local law enforcement is notified in writing, by
facsimile or other electronic means, in a manner acceptable
to local law enforcement
3. Notification fee may be charged after the first 72 hours Not to exceed \$ 50.00
4. The Notification Fees provided for herein SHALL NOT EXCEED a maximum total Notification Fee
of \$70.00, cumulatively
5. After 30 days, the process outlined in Chapter 11 of Title 40 of the Official Code of Georgia,
related to abandoned motor vehicles, applies.

After Hours Fee

6. After hours fee may be charged if the vehicle's owner Not to exceed \$ 50.00
wishes to claim an impounded vehicle after the carrier's
posted business hours

ISSUED: 09/25/2017

EFFECTIVE: 11/10/2017

Resolution 2021-21: A Resolution Adopting Maximum Tariff Rates by Towing and Storage Operators Engaged in Non-Consensual Towing

Whereas the City of Statesboro has adopted an ordinance to regulate non-consensual towing, and said ordinance calls for certain fees to be established by the Mayor and Council, and;

Whereas the City has decided to adopt the Maximum Rate Tariff as established by the State of Georgia rather than a lower maximum rate;

Now Therefore Be it Resolved that any towing or storage operator engaged in the business of providing non-consensual towing services shall not charge the owner of any towed motor vehicle more than the maximum rates published in the "Non-Consensual Towing Maximum Rate Tariff" prescribed by the State of Georgia through the Georgia Department of Public Safety.

Be it Further Resolved that no storage fees will be charged for the first 24 hour period starting from the time the vehicle is removed from the property.

Be it Further Resolved that the fees prescribed by the State of Georgia effective November 10, 2017 shall be all inclusive; no additional fees may be charged for the use of dollies, trailers, lifts, or any other equipment or service.

Be it Further Resolved that only the charges or rates for storage and removal that are contained in the State of Georgia Non-Consensual Towing Maximum Rate Tariff effective November 10, 2017 shall be billed or collected by the wrecker service for towing or storage services.

Be it Further Resolved that the imposition of unauthorized charges or rates for storage and removal is a violation of Section 18-235 of the Code of Ordinances and shall subject the offending towing or storage operator, upon conviction in the Municipal Court, to a maximum fine of \$1,000.00 and a period of incarceration not to exceed thirty (30) days, and that any violation shall be reported to the Georgia Department of Public Safety so that agency can take appropriate action against the offending owner's or operator's state issued, non-consensual towing license.

This resolution shall be and remain in full force and effect from and after its date of adoption.

Adopted this 1st Day of June, 2021

The Mayor and City Council of Statesboro, Georgia

BY:

The Honorable Jonathan McCollar, Mayor

Attest: _____

Leah Harden, City Clerk