



Vermont Legislative Research Services

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Vermont

Vermont currently allows towing companies to charge up to \$40.00 for towing a vehicle from public property.² Vermont allows the towing of parked vehicles if the vehicle’s position interferes with maintenance of a highway, for any period of time in violation of a property registration plate or the public vehicle identification number has been removed, destroyed, or altered,” and, 3) if “a law enforcement officer has requested that the vehicle be removed by a towing business.

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In Vermont, towing companies have 90 days to submit an abandoned motor vehicle certification form. The towing company then must wait 21 days after the completed abandoned motor vehicle certification form is processed before it can receive a lien on the abandoned vehicle.⁴

¹ Complete Truck Service, “Predatory Towing Exists: Here’s What You Need to Know,” Complete Truck Service Incorporated, November 23, 2021, <https://completetruckserviceinc.com/2021/11/predatory-towing-exists-heres-what-you-need-to-know/>.

² Vermont Statutes Annotated Title 23 § 2158 (2022), <https://law.justia.com/codes/vermont/2012/title23/chapter1/section4/>.

³ Vermont Statutes Annotated Title 23 § 2151 (2012), <https://law.justia.com/codes/vermont/2012/title23/chapter21/section2151/>.

⁴ Vermont Department of Motor Vehicles, “Abandoned Vehicles,” accessed November 16, 2023, <https://dmv.vermont.gov/enforcement-and-safety/abandoned-vehicles>.

The Office of the Attorney General is currently studying pricing, removal of personal items, crash site remediation, retrieval, and practices of other states but the conclusion of the Attorney General's report has yet to be released. ⁵

Notice for Non-Consensual Tows

Sometimes, a vehicle will be towed to a storage location without the knowledge of the vehicle owner. After a period determined by state or city law, the towing company gains possession of the vehicle. To avoid the seizure of a vehicle without the owner's knowledge, some states require

Colorado

The Colorado "Towing Bill of Rights," states that a vehicle being towed off private property but not yet removed, must be released upon request by the vehicle owner. However, Colorado provides that no "drop charge" or decoupling fee may be exacted by the towing company.

Alexandria, Virginia

Alexandria's municipal code is more nuanced. If a vehicle owner "removes the vehicle from the property or corrects the violation" before the vehicle has been hooked, they may avoid a tow or any fees. If the vehicle has already been hooked, however, the owner becomes liable for a drop fee not exceeding \$50.

Colorado

Regarding personal property, the Colorado “Towing Bill of Rights” mandates that the contents of a towed vehicle must be released to the owner within 30 days of the tow. Additionally, vehicle owners have the right to retrieve belongings even before they have paid the towing fees.²⁰

Wilson, North Carolina

In the municipal code of Wilson, it is mandated that all personal property stored within a towed vehicle must be returned to the vehicle owner upon request without a fee or charge. Often, valuables are removed by the tow companies and stored elsewhere. As a result, Wilson municipal code also mandates the return of any personal property removed from the vehicle for safekeeping.²¹

Kansas

In Kansas, towing companies are not required to return personal property prior to payment except if the personal property consists of “personal medical supplies.” However, state law mandates that counties or city codes allow for the retrieval of any personal property from the vehicle within the first 48 hours of towing. This conflicts with Kansas’s notification law, which gives companies up to 15 days to notify the vehicle owner of the tow.²²

Photo Documentation

In response to instances of damage to vehicles or illegal tows by tow companies, four states require a photo be taken of the vehicle prior to towing.²³ The photo serves two primary purposes. It serves as proof that the vehicle was towed justifiably and documents the condition of the vehicle prior to the tow, so that damages can be easily assessed if need be.

Colorado

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Chicago, Illinois

The Chicago Municipal code also requires photographs prior to relocating a vehicle. Additionally, they require a dash and rear-facing camera on the tow trucks. The towing companies are then responsible for storing this data and having it ready upon request of the owner, without charge. Any photos and videos recorded must also be provided to the Department of Business Affairs and Consumer Protection upon request.²⁵

Expired Plates & Registration Towing

A common practice for towing companies is to tow vehicles off private property due to expired plates or registration.

Minnesota

Minnesota State Law prohibits towing a vehicle for expired registration tabs if less than 90 days have elapsed since the expiration.²⁶

Colorado

Colorado's "Towing Bill of Rights" goes as far as to completely prohibit the towing of a vehicle for expired registration or license plates unless directed by the authorities.²⁷

Maximum Rates or Fees

Towing and storage fees can sometimes feel vague and confusing to determine for consume(c)4P (1)-2

vehicle weight of 10,000 pounds or less, \$300 for vehicles with a gross vehicle weight of 10,001 to 20,000 pounds, and \$450 for vehicles with a gross vehicle weight of greater or equal to 20,001 pounds. Storage fees correspond to the same vehicle weight categories. They are as follows: \$25 for vehicles with a gross vehicle weight of 10,000 pounds or less, \$30 for vehicles with a gross vehicle weight of 10,001 to 20,000 pounds, \$40 vehicles with a gross vehicle weight of greater or equal to 20,001 pounds.³⁷ Private property owners must provide notification of the risk of tow as well as rates.³⁸

Effect on Marginalized Communities

The impacts of towing are often felt unevenly among some community members. An investigative report of Oakland, California towing companies revealed a disproportionate amount of towing, particularly predatory towing, of low-income communities and communities of color.³⁹ In Chicago, an analysis by ProPublica Illinois and WBEZ revealed a wide disparity between neighborhoods: between 2008-2018 there were 12,946 tows in the majority black Ward 37, compared to only 130 in the majority white Ward 41.⁴⁰

Furthermore, the rate at which vehicles are used as homes has increased nationwide.⁴¹ Some vehicle owners who are experiencing homelessness will often live out of their vehicle, which makes the effect of a tow particularly detrimental.⁴² In addition to the loss of shelter, the fees associated with towing can often compound quickly, leaving the vehicle owner without any viable means to recover their vehicle or property.⁴³ San Francisco, California implemented a program where those experiencing homelessness can have their towing fees temporarily waived or reduced.⁴⁴

³⁷ Georgia Department of Public Safety, “Georgia Department of Public Safety Statewide Maximum Rate Tariff: Intrastate Maximum Rates and Charges Applying on Non-Consensual Towing,” State of Georgia, September 25, 2017, Page 3-4, <https://gamccd.net/Documents/NCTTariff.11.10.17.pdf>.

³⁸ United States Public Interest Research Group, “Getting Off the Hook of a Predatory Tow,” Page 16.

³⁹ Saunders, “Eenie, Meenie, Miney, Mo . . . Who’s to Regulate This Tow?”

⁴⁰ Elliot Ramos, “Chicago Police Impounded 250,000 Vehicles Since 2010. Here’s Why City Hall’s Rethinking That,” WBEZ Chicago, July 13, 2020, Accessed October 29, 2023, <https://www.wbez.org/stories/chicago-police-impounded-250000-vehicles-since-2010-heres-why-city-halls-rethinking-that/a085f94b-4a87-437b-837a-d5b4501a9168>.

⁴¹ Jessica Guynn, “Hidden homeless crisis: After losing jobs and homes, more people are living in cars and RVs and it’s getting worse,” *USA Today*, February 12, 2021, Accessed November 11, 2023, <https://www.usatoday.com/story/money/2021/02/12/covid-unemployment-layoffs-foreclosure-eviction-homeless-car-rv/6713901002/halls-rethinking-that/a085f94b-4a87-437b-837a-d5b4501a9168>.

⁴² National League of Cities, “Vehicular Homelessness and the Road to Housing During and After COVID-19,” National League of Cities, May 28, 2020, Accessed October 29, 2023, <https://www.nlc.org/article/2020/05/28/vehicular-homelessness-and-the-road-to-housing-during-and-after-covid-19/>.

⁴³ National League of Cities, “Vehicular Homelessness and the Road to Housing During and After COVID-19.”

⁴⁴ San Francisco Metro Transit Authority, “Waivers for people experiencing homelessness or low-income and reduction for first time tow,” SFMTA, Accessed October 29, 2023, <https://www.sfmta.com/getting-around/drive-park/towed-vehicles/reduced-fees-first-time-tow-and-low-income-individuals>.

and other unfair practices. Towing companies have argued that regulations like those in Colorado negatively impact the industry. However, the potential effects of regulation on the towing industry remain unstudied.

This report was completed on December 11, 2023, by Elyse Giblin, Sebastian D’Amico, and Wiley Barzelay under the supervision of VLRS Director, Professor Anthony “Jack” Gierzynski in response to a request from the House Commerce & Economic Development Committee.

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