

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE CHAPTER 13-6 TO AUTHORIZE MANAGEMENT BY A PRIVATE VENDOR OF TOW TRUCK RESPONSES TO ACCIDENT SCENES AND OTHER POLICE REQUESTS FOR TOWING, AND AMENDING ORDINANCE NO. 20140908-003, RELATING TO NONCONSENT TOWING FEES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 13-6-1 of the City Code (*Administration*) is amended by adding Subsection (C), as follows.

§ 13-6-1 - ADMINISTRATION.

(A) The police chief shall administer and enforce this chapter.

(B) The police chief shall adopt rules for the administration and enforcement of this chapter. The rules must be reasonably designed to promote public health and safety and ensure that:

- (1) towing companies and tow truck drivers are able to perform their responsibilities under this chapter and carry adequate liability insurance;
- (2) the police chief is able to determine the correct identity and qualifications of individuals licensed under this chapter;
- (3) towing companies responding to the scene of an accident respond reasonably promptly;
- (4) tow trucks responding to an accident scene have the appropriate capabilities to deal with damaged vehicles at the scene; and
- (5) tow trucks are operated in a safe and efficient manner.

(C) The police chief may contract with a qualified vendor to administer tow truck responses to accident scenes, traffic incident management, and police authorized impoundment of vehicles. If a contract delegates authority to a vendor, the police chief shall adopt rules that specify the authority and responsibility of the vendor, and the responsibilities of tow truck companies, tow truck drivers, and vehicle storage facilities.

PART 2. Section 13-6-111 of the City Code (*Non-Consent Tow Rotation Programs*) is amended to read:

§ 13-6-111 - NON-CONSENT TOW ROTATION LISTS.

(A) This section does not apply to non-consent tows of disabled vehicles from private property, or collision or service rotations managed by a vendor.

(B) The police chief may establish towing zones in the City, and may assign a towing company to a zone to perform non-consent tows.

(C) The department shall maintain a rotation list of towing companies that are available to perform non-consent tows from an accident scene, or from the scene of a disabled vehicle. The department shall maintain a separate rotation list for each zone established by the police chief. The department shall use the lists to assign towing companies to perform non-consent tows from an accident scene or the scene of a disabled vehicle.

PART 3. Part 3, Attachment A, of Ordinance No. 20140908-003 is amended to read:

	Approved <u>2014-15</u>	Amended <u>2014-15</u>
Police Department		
Non-Consent Towing Fees		
Non-Consent Towing Fees (Other than Private Property Tows)		
Maximum Towing Fees:		
Vehicles less than 10,000 lbs.	\$150.00	\$150.00
Vehicles greater than 10,000 lbs. and less than 25,000 lbs.	\$400.00	\$400.00
Vehicles greater than 25,000 lbs.	\$800.00	\$800.00
“Fully prepared for Transport” Fee	\$50.00	\$50.00
<u>Additional administration fee for vehicles towed or impounded through use of the Austin Police Department’s towing management contractor</u>		<u>\$25.00 maximum</u>
Non-Consent Private Property Towing Fees		
Maximum Towing Fees:		
Vehicles less than 10,000 lbs.	\$150.00	\$150.00
Vehicles greater than 10,000 lbs. and less than 25,000 lbs.	\$350.00	\$350.00
Vehicles greater than 25,000 lbs. (the per unit towing fee is \$400.00)	\$800.00 maximum	\$800.00 maximum
“Fully prepared for Transport” Fee	\$50.00	\$50.00

PART 4. This ordinance takes effect on _____, 2015.

PASSED AND APPROVED

_____, 2015

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Steve Adler
Mayor

APPROVED: _____

Anne L. Morgan
Interim City Attorney

ATTEST: _____

Jannette S. Goodall
City Clerk