

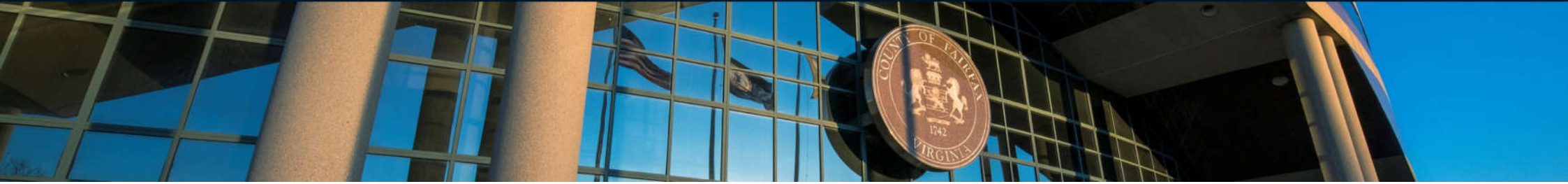


Trespass Towing Fees

Staff Report to the
Trespass Towing Advisory Board

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Department of Cable and Consumer Services
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Overview

- TTAB Proposal
- Review of Code of Virginia
- Jurisdictional Survey of Trespass Towing Fees
- Trespass Towing Fee Analysis
- Summary of Analysis
- Staff Report
- Timeline
- Resources



Trespass Towing Advisory Board Proposal

Trespass Towing Fees	Current Fee	TTAB Proposed Fee	Increase
Hookup and Initial Towing Fee (GVWR of 7,500 pounds or less)	\$135	\$150	11%
Towing between 7:00 p.m. and 8:00 a.m.*	\$25	\$30	20%
Towing on any Saturday or Sunday*	\$25	\$30	20%
Towing on a holiday*	\$25	\$30	20%
<i>*In no event shall more than two such fees be charged for towing any such vehicle.</i>			



Localities may regulate towing fees.

Va. Code § 46.2-1233

Virginia localities within Planning District 8 may establish by ordinance fees no less than \$135, \$25, \$25, and \$25 respectively, for the rates on the preceding table.

- Fairfax County adopted the above fees in 2014.



Limitation on charges for towing and storage of certain vehicles.

Va. Code § 46.2-1233.1

The maximum allowable fees set forth in the above section are \$150, \$30, \$30, and \$30 respectively, for the rates on the preceding table.

- Fairfax County adopted fees are \$135, \$25, \$25, and \$25 respectively.



Planning District 8 Trespass Towing Fees	Hookup and Initial Towing Fee (GVWR of 7,500 pounds or less)	Towing between 7:00 p.m. and 8:00 a.m.	Towing on any Saturday, Sunday, or holiday
Fairfax County (Proposed)	\$135 (\$150)	\$25 (\$30)	\$25 (\$30)
Arlington County	\$135	\$25	\$25
City of Alexandria	\$135	\$25	\$25
City of Fairfax*	\$150	\$30	\$30
City of Falls Church	\$135	\$25	\$25
City of Manassas*	\$150	\$30	\$30
City of Manassas Park*	\$150	\$30	\$30
Loudoun County*	\$150	\$30	\$30
Prince William County**	\$150	\$30	\$30

**These Planning District 8 localities do not regulate trespass towing or limit fees. Absent local limits on trespass towing fees set pursuant to Va. Code § 46.2-1233, operators can change no more than the maximum charges provided in Va. Code § 46.2-1233.1. **Hookup and Initial Towing Fee (GVWR of 10,001 or less).*



Trespass Towing Fee Analysis

- Comparison period is the BLS Index from the last calendar year (2014) since towing fees were increased, as compared to the current calendar year (2021).
- Weighted outcome assigned to each formula criteria.
- The weighted percentage is applied to the most current year (2021) of trespass towing fees.
- The result is the recommended increase or decrease in the trespass towing fee in Fairfax County.



Trespass Towing Fee Formula Criteria

1. Salaries, Wages, and Profits Growth Rate
 - *Per the BLS index, the percent change from April 2014 to July 2021, for income*
2. Vehicle Purchases Growth Rate
 - *Per the BLS index, the percent change from April 2014 to July 2021, for new vehicle purchases*
3. Fuel Growth Rate
 - *Per the BLS index, the percent change from April 2014 to July 2021, for motor fuel*
4. Insurance Growth Rate
 - *Per the BLS index, the percent change from April 2014 to July 2021, for private transportation insurance*
5. Maintenance Growth Rate
 - *Per the BLS index, the percent change from April 2014 to July 2021, for motor vehicle maintenance and repair*



Trespass Towing Fee Formula – Initial Hookup and Towing Fee

Towing Cost Element	Weight	July 2021 BLS Index	% Change	Weighted Change	Current Fee	Cost Element Change
Salaries, Wages, and Profits	0.62	273.00	15.2%	9.4%	\$135	\$12.71
Vehicle Purchases	0.14	157.20	7.1%	1.0%	\$135	\$1.35
Fuel	0.11	276.75	-12.6%	-1.4%	\$135	-\$1.88
Insurance	0.08	567.46	31.0%	2.5%	\$135	\$3.35
Maintenance	0.05	318.03	20.2%	1.0%	\$135	\$1.37
Total Composite Index	1.00					
Total Index Change				12.5%		
Projected Fee Increase						\$16.90



Trespass Towing Fee Formula – Towing Between 7 p.m. – 8:00 a.m., Saturday, Sunday, and Holiday

Towing Cost Element	Weight	July 2021 BLS Index	% Change	Weighted Change	Current Fee	Cost Element Change
Salaries, Wages, and Profits	0.62	273.00	15.2%	9.4%	\$25	\$2.35
Vehicle Purchases	0.14	157.20	7.1%	1.0%	\$25	\$0.25
Fuel	0.11	276.75	-12.6%	-1.4%	\$25	-\$0.35
Insurance	0.08	567.46	31.0%	2.5%	\$25	\$0.62
Maintenance	0.05	318.03	20.2%	1.0%	\$25	\$0.25
Total Composite Index	1.00					
Total Index Change				12.5%		
Projected Fee Increase						\$3.13



Summary of Analysis

- As a result of the formula analysis, at least a \$15.00 increase in the initial hookup and towing fee is supported.
 - TTAB has proposed a fee of \$150, an increase of \$15 from the current fee of \$135.
- As a result of the formula analysis, at least a \$3.13 increase in the towing fee between 7:00 p.m.- 8:00 a.m., Saturday, Sunday, and holidays is supported.
 - TTAB has proposed a fee of \$30, an increase of \$5 from the current fee of \$25.



Staff Report

- The Trespass Towing Fee Formula Analysis supports the Trespass Towing Advisory Board recommendation to propose certain increases to certain trespass towing fees.



Timeline

- January 27, 2021 – TTAB voted to recommend to the BOS an increase in trespass towing fees.
- March 15, 2021 – Staff forwarded a memo to the BOS with TTAB proposal.
- July 28, 2021 - Staff report to TTAB and request to consider to Advertise Public Hearing.
- August 12, 2021 – Staff presentation to Tenant-Landlord Commission.
- August 17, 2021 – Staff presentation to the Consumer Protection Commission.
- August 25, 2021 – TTAB Public Hearing.
- September 14, 2021 – BOS Admin Item and request to consider to Advertise Public Hearing.
- October 5, 2021 – BOS Public Hearing at 4:00 p.m.
- October 31, 2021 – Amendment becomes effective, if approved by BOS.



Resources

- Fairfax County Code Section 82-5-32 – Removal, immobilization, and disposition of vehicles unlawfully parked on private or county property.
 - https://library.municode.com/va/fairfax_county/codes/code_of_ordinances?nodeId=THCOCOFAVI1976_CH82MOVETR_ART5STSTPA_S82-5-32REIMDIVEUNPAPRCOPR
- Fairfax County Trespass Towing Services
 - <https://www.fairfaxcounty.gov/cableconsumer/csd/regulation-licensing/trespass-towing>
- Staff Contact
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