


REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: April 13, 2015

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tsou 
Chief Legislative Analyst

Council File No.: 15-0002-S27
Assignment No.: 15-03-0255

SUBJECT: AB 1222 - Tow Truck Operations

CLA RECOMMENDATION: Adopt Resolution (Blumenfield-Englander) to include in the City's 2015-16 State Legislative Program SUPPORT for AB 1222 (Bloom), which would add regulations relative to the operation of tow truck services.

SUMMARY

On March 25, 2015, Resolution (Blumenfield-Englander) was introduced to support AB 1222 (Bloom), which would authorize local authorities to adopt rules and regulations pertaining to the operation of tow truck service or tow truck drivers. These additional requirements will protect consumers by ensuring that stranded motorists are not subject to unfair or deceptive practices by tow truck operators.

Existing law makes it a misdemeanor for the owner or operator of a tow truck to stop at the scene of an accident or near a disabled vehicle for the purpose of soliciting towing services or move any vehicle without the express authorization of a disabled vehicle operator or a law enforcement officer. Existing law also provides a procedure for the seizure and impoundment of a vehicle being operated as a taxicab or other passenger vehicle for hire in violation of licensing requirements adopted by a local authority.

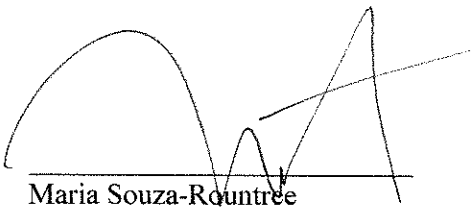
On February 27, 2015, Assembly Member Bloom introduced AB 1222 that would apply those provisions to a towing company. The proposed legislation would also require a tow truck to possess specified information in writing prior to arriving at the scene of a disabled vehicle and prior to the time the vehicle is towed and released to a third party. Towing companies would also be required to maintain specified documents for three years and to make those documents available for inspection and copying within 48 hours of a written request by specified law enforcement and prosecutorial entities.

DEPARTMENTS NOTIFIED

Department of Transportation

BILL STATUS

4/6/2015 Amended by the Author and re-referred to the Committee on Transportation.
3/23/2015 Referred to the Committee on Transportation.
2/27/2015 Introduced. To print.


Maria Souza-Rountree
Analyst

Attachments:

1. Resolution
2. AB 1222

R1

RESOLUTION
RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, existing law makes it a misdemeanor for a tow truck to stop at the scene of an accident or near a disabled vehicle for the purpose of soliciting an engagement for towing services unless specifically summoned or requested to provide assistance; and

WHEREAS, existing law also makes it a misdemeanor for a tow truck to move any vehicle without the express authorization of the operator of the vehicle or a public agency when the vehicle has been left unattended or when there is an injury as the result of an accident; and

WHEREAS, AB 1222 was introduced on February 27, 2015 by Assemblymember Bloom that would provide additional provisions for towing companies, including a requirement to possess specified written information prior to arriving at the scene, which must be made available to law enforcement; and

WHEREAS, these additional requirements will protect consumers by ensuring that stranded motorists are not taken advantage of by unfair or deceptive practices by tow truck operators;

NOW, THEREFORE BE IT RESOLVED, that with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2015-16 State Legislative Program SUPPORT for AB 1222 (Bloom) that would provide additional provisions to towing companies when they provide assistance to stranded motorists.

PRESENTED BY: *Bob Blumenfeld*
BOB BLUMENFIELD
Councilmember, 3rd District

SECONDED BY: *A. Engfer*

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