

C. Mullins

Metro Council
601 W. Jefferson Street
Louisville, Ky. 40202

Subject: Towing and Impound of Illegally Parked Vehicles

Dear Metro Council Members,

Thank you for the opportunity to address the council on Towing and Impound of Illegally Parked Vehicles from a small Towing and Impound Operator perspective. I will be discussing some of the negative impacts of illegal parking on private property, the recent rise in Semi Tractor and Trailer illegal parking, and identifying much needed updates and revisions to the current city ordinance concerning Towing, Impound, and Fees.

Illegal Parking is a major problem for most urban areas throughout the United States, including the Louisville Metro Area. LMPD Towing and Impound Lots are overwhelmed and overflowing. The city has subcontracted with Suburban Towing, a large fleet towing company to help clean up our city streets of abandoned and/or illegally parked vehicles. Private property owners are also adversely effected by illegal parking and contract with towing companies to help with their illegal parking on their properties. They put very visible signs up warning illegally parked vehicles will be towed at vehicle owners expense.

Heavy Duty Trucks and Semi Tractor and Trailer that park illegally on these private properties are causing a lot of costly issues for these owners across the metro area. They leave trash in parking lots, damage the pavement, sleep and defect on the properties, damage landscaping, hit parked cars, block parking spaces where customers can legally park, and even attract unwanted crime such as prostitution. All the above can be very costly to a private property owner and small business. These businesses and private property owners contribute positively to our city. They pay taxes and vote for elected officials. Whereas, 95% of these illegally parked Semi's are from out of state and have no ties to our community. These illegally parked large Trucks only contribute to the high cost of the damage they leave behind and then it's back on the road.

On Call Towing is a small Towing and Impound company that provides Illegal Parking Management solutions to private property owners. This type of towing and impound is not your typical " my car broke down on the Waterson and I need a tow to my mechanic". A lot of this type of towing occurs overnight, angry sometimes violent vehicle owners, and dangerous situations on the streets of Louisville especially with the recent increase in gun violence. A typical towing of a Semi usually cost around \$650-\$750 plus mileage in some circumstances and does not involve impounding the truck.

For the past year, we have tried to contact ABC via email and calls to set a fee structure that they thought was fair and we could be in agreement. They failed to respond to any of our correspondence nor did they show any effort to have cooperative relationship with us.

Without any cooperation from ABC to work together, we reviewed the current city ordinance and used a formula that is in compliance. Our formula includes the Max. amount of weight that the ordinance states for a motor vehicle to impounded, the \$165 for Max. impound fee with dollies, and the Max. weight of a Semi Tractor and Trailer, which is 80,000 lbs.

Therefore, $80,000 \text{ divided by } 6,000 = 13.33 \times 165 = \$2,199.99$. we took the rate down to 2036.00 for tractor and trailer together. that is not adding any additional cost, such as special equipment needed to ensure a safe tow and protect the truck and/or it's load that's a flat rate. Also storing a semi and trailer is not just a car being stored these trucks take up 12 parking spots that is potentially 1656.00 in revenue to the tow lot for cars that need to be impounded.

There was an issue that arose where metro police found it unfair that a towing company could hook to a semi or large vehicle that had a sleeper cab while they were inside asleep. They use the parking lots as if they are at a motel or their own storage lot. Per the signs posted at all entrance's it says no parking or no unauthorized parking or no semi parking. If that driver puts his truck in park, got in the back and went to sleep he's in violation of the parking and should be towed. Per a bill that passed SB 71 a person on site is entitled to pay a drop fee not to exceed 50% of the normal rate the towing company would charge for the impound of the said vehicle to the storage facility. Sb71 section 4 KRS chapter 281 paragraph 5 enacted by the general assembly of the commonwealth of KY. So we also put this into action allowing semi drivers or companies to avoid the tow and pay a drop fee and to remove the unit off the property.

Impounding and storing a Semi Tractor and Trailer is very different than that of a vehicle. We set our storage fees accordingly. We compared our fee structure with similar sized cities and found we were within a reasonable margin. In fact, we have spoke with several out of state Trucking Companies who have said our fees were cheaper then the ones charged in their state.

Our company wants to provide a positive service to our communities businesses and private property owners. We want help in keeping our city free of abandoned vehicles and our parking open for those who park legally. In fact, during the past year, we have towed and impounded tons of vehicles that were to be stolen. These cars we remove are giving back to the owners at no charge and us the towing company performed the service free of charge that no one has to pay and it gets the car off the parking lots and back to the owners

An updated and revised city ordinance would prove helpful and clarifying some problem areas. The private property owner, police department, and towing and impound companies need to be able to work together on reducing the negative impact of illegal parking on our city. When setting fees in this ordinance, please consider all the different factors mentioned earlier. Set fees should be fair market value for not only the large fleet towing companies, but for the smaller tow truck operator. With operational cost rising, we would like to see an increase in the standard \$138 tow fee to \$175, and a fair market fee for Semi Tractor and Trailer. When the ordinance was looked at over 4 years ago no one addressed the fees we have to pay for sending letters out certified at 7.00 a letter and 2 have to be sent as well as 8.00 to the dvm for records of registered owners and lien holders to send letters to. That now brings the tow fee back down 116.00. we also now have the cost to maintain signs at all locations and signs are 25.00 a sign and when they get destroyed by unhappy people that where towed we are the ones having to pay to replace them and this happens monthly.

Section 115.451 is confusing. One subsection states a private towing operator may not charge storage on the days they are closed. In 2017 in the council meeting a member said that if the tow lot was not open, we could not charge storage for that day. ABC says you cannot be closed, or you will be required to forfeit all fees and return the car for free. In another subsection, it states a tow company must be open 24/7 within 1 hour the register owner calling. Please make

clear which subsection supersedes the other in order for towing companies to stay in compliance. In addition, I would like to recommend revisiting the fee structure in this ordinance on occasions and make changes when needed to adjust for inflation.

If there is one thing, we want you all to remember is that a person that is impounded for breaking the parking laws are only affected one time if they learn from the situation but the property owners are affected daily.

Feel free to contact us anytime if you have further questions.

Sincerely,

On Call Towing

508 Dakota St .Louisville, Ky. 40209 (502) 225-1010