

**Towing Advisory Board
Annual Report
July 2017– June 2018**

Summary of Accomplishments

The mission of the Tow Advisory Board includes providing a public forum for issues related to the towing and impounding of vehicles within the City of Alexandria and making recommendations to City Council regarding policy and ordinance changes for towing requirements. Within these guidelines, the Towing Advisory Board membership completed the following activities during its 2017/18 year.

Towing Advisory Board Policy and Membership Accomplishments

- The towing advisory board currently has one vacancy for a tow operator representative. Efforts will continue to be made in FY2019 to fill this tow operator vacancy.
- The Tow Advisory Board met on May 14, 2018 for the required annual meeting. A full list of topics discussed in FY2018 are contained in the meeting minutes for the May 14, 2018 meeting, which are contained in Appendix 1.

Leadership

- Currently Dwight Gochenour is serving as the chair of the board. A new chairperson will be elected in FY2019, as state law (as well as City Ordinance) was recently changed in FY2017 to require the board chairperson to rotate annually.
- During the course of the year, membership included the following individuals:
 - Deputy Chief Chris Wemple
 - Lt. Mike May
 - Charity Ave-Lallemant
 - Dwight Gochenour
 - (2nd Tow Operator Representative Currently Vacant)
- Matt Melkerson and Alexander Frias in the Department of Transportation & Environmental Services acted as the staff liaison to the Towing Advisory Board during the course of the 2017/2018 year.

Appendix 1

Towing Advisory Board Meeting Notes May 14, 2018

Meeting was called to order at 11:02 AM by Matt Melkerson.

Introductions were made; since the previous meeting Emad Salman resigned as the City Impound Officer and the new Impound Officer, Alexander Frias, was introduced to the board. In addition, the previous chairperson, Amy Slack, had left the board. While Deputy Chief Wemple remained as a Police representative to the board, he indicated that he would be stepping away from these duties and a new Police representative would take his place in FY2019. Lt. Mike May took the place of Lt. Jerry Newcomb.

New Business:

Election of New Chairperson

The FY2017 Chairperson, Amy Slack, left the board after the last FY2017 Tow Advisory Board meeting. In addition, in FY2017 a code change was made that required the chairperson to rotate annually among the board members. Dwight Gochenour was nominated for board chairperson by Deputy Chief Wemple and seconded by the Charity Ave-Lallemant, and was subsequently unanimously voted in by the board members as board chair.

Discussion of Virginia Code changes in 2018 General Assembly Legislative Session

There was significant discussion regarding the maximum initial hookup and tow fee. Section 1233.1 was updated as part of the General Assembly session to set a maximum initial hookup and tow fee of \$150. However, the preceding Section 1233 states that the initial hookup and tow fee for Planning District 8 (which includes Alexandria) shall be \$135. There was an initial update to Section 1233 that raised the Planning District 8 fee to \$150, but that was struck during negotiations and was not approved in the General Assembly session. There was some question as to whether or not Section 1233.1 would still apply in Alexandria and therefore tow operators could charge the \$150 maximum for the initial hookup and tow fee, or if Section 1233 took precedence and the \$135 fee for initial hookup and tow applied in Alexandria. It was agreed that T&ES staff would follow up with the City Attorney's Office for an opinion of which section of code would take precedence. *CAO Opinion: State code Section 1233 applies and within Planning District 8 (which includes Alexandria), the initial hookup and tow fee must be \$135 (no more and no less).*

Other Bills related to Towing in 2018 Virginia General Assembly – Failed Bills

[SB250/HB1298](#) – Would have made towing advisory board optional instead of mandatory
Final Outcome: Bill Died in Committee

[HB1406](#) – Would have allowed towing and recovery operators that tow certain abandoned or immobile vehicles on behalf of a law-enforcement agency to recover costs for storage, towing, and recovery fees from such law enforcement agency. The bill provides that such law-enforcement agency may seek full reimbursement of the costs from the state treasury from the appropriation of criminal charges.

Final Outcome: Bill Died in Committee

Other Bills related to Towing in 2018 Virginia General Assembly – Passed Bills

[SB601/HB1349](#) - Exempts Planning District 16 (George Washington) from any requirement by a towing advisory board for written authorization, in addition to a written contract, in the event that a vehicle is being removed from private property. The bill requires that localities in Planning District 16 establish by ordinance (i) a hookup and initial towing fee of \$135; (ii) an additional fee of \$25 for towing at night, on weekends, or on a holiday; and (iii) that no fee pursuant to clause (ii) shall be charged more than twice for a tow. This bill is identical to SB 601.

Final Outcome: Bill Passed and becomes law effective 7/1/18

Effect on Alexandria: None, as the changes only affect Planning District 16, and Alexandria is within Planning District 8.

There being no other new business, the meeting was adjourned at 11:28 AM.