



# Pinellas County

## Staff Report

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**File #:** 23-1105A, **Version:** 1

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### **Subject:**

Ordinance amending the Pinellas County Code, Chapter 122, related to the County Towing Ordinance.

### **Recommended Action:**

Conduct a public hearing and adopt the proposed amendments to the County Towing Ordinance revising County Code sections 122-38, 122-40, and 122-42, adjusting the maximum tow rate schedule, clarifying definitions, and updating agency contact information and guidelines for tow operators.

- As part of a proposed three-year review cycle of the towing ordinance Consumer Protection (CP) has reviewed existing tow rates and language and recommends adjustments to enable the industry to remain competitive while balancing possible impact to consumers.
- Feedback was received from towing industry representatives, law enforcement partners, and the Board of County Commissioners (Board) as part of the review.
- The proposed amendments:
  - a.) Adjust towing rates including base towing rates, mileage rates, and administrative fees. Daily storage and labor fee adjustments are also included for some vehicle classes.
  - b.) Adjust debit and credit card merchant fees.
  - c.) Clarify definition language throughout the ordinance.
  - d.) Update the contact information for Consumer Protection.
  - e.) Provide clarification on charges for towing motor vehicles carrying other vehicles.
  - f.) Require towing agreements to include start/end dates and language which defines the terms and renewal process for the agreement.
  - g.) Require tow operators to maintain records on-site.
- Human Services anticipates that this proposed ordinance change will require no additional staff time or fiscal impact. This ordinance brings in no additional revenue to the County.
- These ordinance updates were reviewed with the Board during their Board's Workshop on April 20, 2023.
- The fees proposed in this amendment are Professional Wreckers of Florida, Inc. recommended increases submitted for consideration and are in line with adjustments and rates found for comparable counties during review. The typical trespass-related tow would increase by approximately 19%.
- CP has incorporated changes reflecting an increase in the base towing fees, mileage, storage,

labor, and administrative fees. The proposed rate increase would be the second-rate increase, see attached, since the ordinance inception in 2000.

### **Strategic Plan:**

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community

Deliver First Class Services to the Public and Our Customers

5.2 Be responsible stewards of the public's resources

5.3 Ensure effective and efficient delivery of county services and support

5.4 Strive to exceed customer expectations

### **Summary:**

In 2019, Pinellas County reviewed and adopted several adjustments to the towing ordinance, including initial increases to towing rates. As part of the update, CP proposed a three-year review cycle for the towing ordinance to help maintain a competitive marketplace and to work with the industry to meet community needs.

As part of the current review cycle, CP held meetings with the towing industry for input, sought feedback from law enforcement, and presented an overview of proposed changes at the Board workshop on April 20, 2023.

The proposed changes amend definitions throughout the ordinance to:

- clarify references to the definitions from Section 122-38 of nonconsensual towing and trespass towing.

The proposed changes amend Section 122-40 to:

- require towing agreements to include start/end dates and language which defines the terms and renewal process for the agreement;
- update CP contact information;
- require towing records to be available on site.

The proposed changes amend Section 122-42 to:

- increase the maximum rate schedule for towing and related charges;
- increase the maximum merchant fee for debit and credit cards to cover the full cost incurred by towing operators;
- clarify the towing rate for a vehicle that is connected to a trailer.

The fees proposed in this amendment are PWOFF recommended increases submitted for consideration and are in line with adjustments and rates found for comparable counties during review. Based on the proposed rates, the typical trespass-related tow would increase by approximately 19%. Two example scenarios are shown below for reference.

Scenario 1:

Current Rates:

Tow, 10 mile max, no storage.  $\$125 + \$40 = \$165$

PWOFF Recommended Rates:

Tow, 10 mile max, no storage.  $\$147 + \$50 = \$197$

Scenario 2:

Current Rates:

Two, 10 mile max, 1 day storage.  $\$125 + \$40 \text{ distance} + \$25 = \$190$

PWOF Recommended Rates:

Tow, 10 mile max, 1 day storage.  $\$147 + \$50 \text{ distance} + \$30 = \$227$

CP has incorporated changes to fee recommendations reflecting an increase in the base towing fees, mileage fees, storage fees, labor fees, and administrative fees. The proposed rate increase would be the second rate increase since the ordinance inception in 2000.

A public hearing was advertised for the August 15, 2023 Board meeting.

**Background Information:**

The initial towing ordinance was established in 2000 to provide guidance and standards for local towing operations and rates within Pinellas County. Pinellas adopted amendments to the initial ordinance in 2016 to enhance several areas for consumer protections. In 2019, following feedback from local towing operators, Pinellas County adopted amendments to the ordinance to clarify language and provide for an initial increase on towing rates while striving to balance consumer and industry interests. As part of the 2019 agenda item, CP proposed an ongoing review of the ordinance and rates every three years.

CP has completed the current ordinance review and is proposing items for clarification, operational improvements, and increases to current towing rates as part of this agenda item. As part of the review, CP has explored towing fees across other regional and urbanized Florida counties, while reaching out to industry partners and law enforcement. The initial towing ordinance was established in 2000 to provide guidance and standards for local towing operations and rates within Pinellas County. Pinellas adopted amendments to the initial ordinance in 2016 to enhance several areas for consumer protections. In 2019, following feedback from local towing operators, Pinellas County adopted amendments to the ordinance to clarify language and provide for an initial increase on towing rates while striving to balance consumer and industry interests. As part of the 2019 agenda item, CP proposed an ongoing review of the ordinance and rates every three years.

CP has completed the current ordinance review and is proposing items for clarification, operational improvements, and increases to current towing rates as part of this agenda item. As part of the review, CP has explored towing fees across other regional and urbanized Florida counties, while reaching out to industry partners and law enforcement for input on operations and fees. CP specifically met with the Professional Wreckers of Florida, Inc. (PWOF) and hosted an industry meeting with towing representatives to directly obtain feedback on local trends, operations, and rates.

While performing the review, it is important to note that, since the previous towing rate adjustment in 2019, industry representatives indicated that they have experienced significant increases in staffing and operational costs and indicated growing difficulties in maintaining competitive operations without the proposed fee increases. Specifically, the group highlighted significant increases in costs for vehicle acquisition, maintenance, insurance, and fuel costs, as well as employee retention challenges and needed pay increases.

The fees proposed in this amendment are PWOFF recommended increases submitted for consideration and are in line with adjustments and rates found for comparable counties during review. Based on the proposed rates, the typical trespass-related tow would increase by approximately 19%. Two example scenarios are shown below for reference.

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Consumer Protection recommends conducting a review of industry trends and associated fees every three years.

**Fiscal Impact:**

Human Services anticipates that this proposed ordinance changes will require no additional staff time or fiscal impact.

**Staff Member Responsible:**

Karen Yatchum, Director, Human Services

**Partners:**

Towing Industry Partners

Law Enforcement Agencies

Local Consumers

**Attachments:**

Proposed Ordinance Change

Proposed Ordinance Change Redline

Pinellas County Proposed Rate Changes Chart

Towing Fee Review Memo 2023

Workshop Towing Ordinance Review Presentation from April 20 2023

Notice of Public Hearing