



Department of
Consumer Affairs

vehicle directly to the tow facility, but instead releases the vehicle to the consumer.

The Department interprets Section 19-169.1(g) to require the tow truck operator to allow the owner or authorized driver to remove the vehicle from the premises upon payment of the drop fee as long as the tow truck, with the vehicle attached, has not completely left the parking lot from which it is authorized to tow. Numerous subsections of section 19-169.1 refer to removal from the "property" or the "premises" and to arrival at the "scene" and none refer to the parking "space" or any similar term. The use of the terms that appear in the statute is consistent with the City Council's intention to permit the payment of a drop fee until the tow truck removes the vehicle entirely from the parking lot. Stated otherwise, removal does not occur until the tow truck exits the parking facilities located on private property with the attached vehicle. Accordingly, as long as the tow truck has not departed the parking facility with the attached vehicle, a return of the vehicle to the owner does not violate Section 19-169.1(e).

Please feel free to contact me with any further questions. Thank you.

Sincerely,



Staff Counsel