

Private Property Tow Laws (effective January 1, 2007)

	Requirements	Comments	Penalties for Violations
Specific Authorizations	<p>CVC 22658(I)(1)(A): A towing company shall not remove or commence the removal of a vehicle from private property without first obtaining the written authorization from the property owner or lessee, including an association of a common interest development, or an employee or agent thereof, who shall be present at the time of removal and verify the alleged violation. For the purpose of this subparagraph, a person providing the written authorization who is required to be present on the private property at the time of the tow does not have to be physically present at the specified location of where the vehicle to be removed is located on the private property. <i>A separate specific authorization is required for each vehicle removed.</i></p>	<p>CVC 22658(I)(1)(B): The written authorization under subparagraph (A) shall include all of the following:</p> <ol style="list-style-type: none"> 1) The make, model, vehicle identification number, and license plate number of the removed vehicle. 2) The name, signature, job title, residential or business address and working telephone number of the person, described in subparagraph (A), authorizing the removal of the vehicle. 3) The grounds for the removal of the vehicle 4) The time when the vehicle was first observed parked at the private property. 5) The time that authorization to tow the vehicle was given. 	<p>Criminal: Misdemeanor: CVC 22658(I)(4): Punishable by no more than \$2,500.00 and/or 3 months in county jail.</p> <p>Civil Liability: CVC 22658(I)(5): Up to four times the amount of towing and storage charges.</p>
Private lot open to the public	<p>CVC 22658(I)(1)(D): Property Owner or Management must comply with CVC 22953</p>	<p>CVC 22953, prohibits a tow from private property lot open to the public within 1 hour of the vehicle being parked, except for Motel, Hotel, apartments, disabled parking or within 15 feet of fire hydrant.</p>	<p>Criminal: Misdemeanor: Same as above</p> <p>Civil Liability: Same as above.</p> <p>CVC 22953(e): A property owner or his agent or lessee who causes removal of a vehicle in violation of 22953(e) is liable for two times the towing and storage charges.</p>
General Authorization	<p>CVC 22658(I)(1)(E): General authorization must be in the form of a written contract and only applies to 3 instances: 1) parked within 15 feet of a fire hydrant, 2) parked in a fire lane, 3) parked interfering with entrance or exit from parking lot.</p>		<p>Criminal: Misdemeanor: Same as above.</p> <p>Civil Liability: Same as above.</p>
Apartments of 15 or less units	<p>CVC 22265(I)(1): Allows for special exemptions when there is nor on-site owner or manager.</p>	<p>In these cases, "Actual Presence" can be established using electronic mail, under special circumstances.</p>	<p>Criminal and Civil liabilities can apply for the misuse of these exceptions.</p>

Private Property Tow Laws (effective January 1, 2007)

	Requirements	Comments	Penalties for Violations
Notification to Law Enforcement by Property Owner or Agent	CVC 22658(f): An owner or person in lawful possession of private property causing the removal of a vehicle shall notify the local traffic law enforcement agency within one hour of authorizing the tow.		CVC 40000.1: Infraction: for failure to notify law enforcement within one hour.
Vehicle Storage	CVC 22658(n)(1)(A): A vehicle removed from private property shall be stored in a facility located within 10 miles of the property where the vehicle was removed.		CVC 40000.1: Infraction: for storing vehicle in excess of 10 miles from the place of removal.
Vehicle release at the scene	CVC 22658(g)(1)(B): A vehicle to be towed shall be immediately and unconditionally released upon the request of the owner if the vehicle has not been removed from the property.	CVC 22658(g)(2): If a vehicle is immediately and unconditionally released, the owner or agent shall immediately move that vehicle to a lawful location.	CVC 22658(g)(1)(C): Misdemeanor: punishable by a fine of not more than \$2,500.00 and/or three months in jail.
Signage on Property	CVC 22658(a)(1): There must be displayed, in plain view at all entrances to the property, a sign not less than 17 inches by 22 inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that vehicles will be removed at the owner's expense, and containing the telephone number of the local traffic law enforcement agency and the name and telephone number of each towing company that is a party to a written general towing authorization agreement with the owner or person in lawful possession of the property.	CVC 22658(a)(2)(3)(4): Signage is not required under the following circumstances: 1) The vehicle has been issued a notice of parking violation, and 96 hours have elapsed since the issuance of that notice. 2) The vehicle lacks an engine, transmission, wheels, tires, doors, windshield, or any other major part or equipment necessary to operate safely on the highways, the owner or person in lawful possession of the private property has notified the local traffic law enforcement agency, and 24 hours have elapsed since that notification. 3) The lot or parcel upon which the vehicle is parked is improved with a single family dwelling.	CVC 22658(e)(1): An owner or person in lawful possession of private property, or an association of a common interest development, causing the removal of a vehicle parked on that property is liable for double the storage or towing charges whenever there has been a failure to comply with the signage requirements.

**PROPOSAL & AGREEMENT TO PROVIDE
TOWING AND IMPOUND SERVICES**

(All towing and impound services to comply with CVC § 22658 et. al)

Towing Provider:
Alliance Towing
1148 Paso Robles Street
Paso Robles, CA 93446
Phone: (805) 226-9099
Fax: (805) 226-0833

Property:

Paso Robles, CA 93446

Alliance Towing agrees to provide towing and impound services for _____ with exclusive rights to remove unauthorized and illegally parked vehicles pursuant to California Vehicle Code §22658, et.al.

This agreement shall be month to month, commencing on the date that this agreement is ratified by both parties; and shall continue, month to month, until cancelled by either party with a thirty (30) day written notice.

Upon telephone contact from an authorized representative of _____ or their Property Management Company, as listed on the attached authorization, Alliance Towing shall dispatch the appropriate tow truck within 30 minutes.

_____ representatives shall provide their name; vehicle(s) description(s); e.g. year, make, model and special circumstances. The Representative will then meet with the tow truck driver at the parking lot or a meeting point communicated to dispatch.

Upon arrival, the tow truck driver and the authorizing party will inspect the vehicle noting pre-existing damage and making an inventory of personal items in the vehicle to the extent practical. The tow truck driver shall provide the appropriate paperwork and documentation.

If the impounded vehicle owner/operator arrives following hookup but prior to the tow truck leaving the property, the fee shall be no more than one-half of the regular rate for the designated tow. If the vehicle driver/operator arrives and claims the vehicle after it has been hooked up and moved off of the property then the fee shall be the full rate for the designated tow. Once the vehicle has been towed to the Alliance Towing storage yard, appropriate storage charges shall be added to the fee. The Paso Robles Police Department or other appropriate police agency shall be notified and advised of the tow, by the tow truck driver, within 45 minutes of the tow.

Rates are calculated as follows and are owed to Alliance Towing by the vehicle owner:

1. \$265.00 per hour towing charge, one hour minimum,
2. \$75.00 per day for outside storage. First day's storage accrues at the time that the vehicle is unloaded at the storage yard. The first day's storage covers the first 24 hours of storage. Following the first 24 hours, each day of storage shall be a calendar day.
3. \$130.00 for a "gate fee". If a vehicle is claimed by the registered owner after 5:00 pm on Monday through Friday, or at any time on a weekend day or CHP observed holiday, then a "gate fee" shall be assessed in addition to the tow charge and any storage charges.

ALLIANCE TOWING
1148 Paso Robles Street
Paso Robles, CA 93446
Phone: (805) 226-9099
Fax: (805) 226-0833

TOWAWAY AUTHORIZATION
(Please see attached proposal and agreement)

Location: _____
Address: _____, Paso Robles, CA
Manager: _____
Email Address: _____
Phone #1 _____ Phone #2 _____

We, _____ do hereby grant Alliance Towing exclusive rights to remove unauthorized and illegally parked vehicles from the above location, pursuant to California Vehicle Code §22658, et.al. Either party may cancel this agreement with a 30 day written notice.

Signature: _____ Date: _____

Print Name: _____

Signature: _____ Date: _____

Print Name: _____

List all people authorized to order a Tow Away from the above address:

Name: _____
