



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 160949

Introduced October 27, 2016

**Councilmember Quiñones Sánchez
for
Council President Clarke**

**Referred to the
Committee on Streets and Services**

AN ORDINANCE

Amending Section 9-605 of The Philadelphia Code, entitled “Towing,” by amending the definition of consensual towing, amending towing agreements in certain circumstances, and amending towing charges; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-605 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 9-600. SERVICE AND OTHER BUSINESSES.

* * *

§ 9-605. Towing.

* * *

(2) Definitions. In this Section the following definitions apply:

* * *

(k) Consensual Towing. Towing of a vehicle by a towing company with the prior consent or authorization of the person who owns or otherwise legally controls the vehicle to be towed. Such prior consent or authorization shall be deemed to have been obtained if the owner or operator of the towed vehicle is present and affirms his or her

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consent; or the tow truck operator possesses (.a) a consent form or agreement for towing, signed by the owner or operator of the towed vehicle; (.b) a current registration card for the towed vehicle; or (.c) electronic verification that the owner or driver of the towed vehicle requested the tow truck's assistance.

(.1) Towing of a vehicle from the scene of an accident or towing a disabled vehicle that is either impeding traffic or on the shoulder of a limited access highway shall not be deemed consensual if the tow occurs within twenty-four (24) hours of the accident or within twenty-four (24) hours of the vehicle becoming disabled.

* * *

(5) Towing Agreements.

(a) Except for towing pursuant to subsection (4) (rotational towing system), no person shall remove or tow a disabled vehicle from or to a place within the limits of the City of Philadelphia unless a towing agreement, in triplicate, has been signed by the owner of a disabled vehicle or the owner's authorized representative, the operator of the towing vehicle, and a police officer if one is present.

(b) The original copy of the towing agreement shall be given to a police officer, if one is at the scene. The operator of the towing vehicle shall give a copy of the towing agreement to the operator of the vehicle, if present, prior to moving the vehicle.

(c) A copy of the towing agreement shall be retained by the licensee for 4 years.

(d) [Reserved.] *A towing agreement shall not be valid if signed by the owner or the owner's representative within twenty-four (24) hours of an accident or within twenty-four (24) hours of the vehicle becoming disabled and impeding traffic or is on the shoulder of a limited access highway.*

* * *

(6) Charges.

* * *

(c) *All charges from tows within twenty-four (24) hours of an accident or within twenty-four (24) hours of the vehicle becoming disabled and impeding traffic or is on the shoulder of a limited access highway shall be the same as §9-605(4)(h).*

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SECTION 2. This Ordinance shall take effect immediately.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate matter added.

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