FILE NO. 141157

RESOLUTION NO. 432-14

[Urging the Municipal Transportation Agency to Negotiate a Provision in the Upcoming Towing Contract that Eliminates or Reduces Fees Imposed on Victims of Motor Vehicle Theft]

Resolution urging the Municipal Transportation Agency to include a provision in its 2015 towing contract that either waives all fees imposed on all victims of motor vehicle theft in San Francisco, or significantly reduces the towing fee and significantly extends the grace period during which victims of motor vehicle theft can recover their vehicles before incurring storage fees.

WHEREAS, San Francisco Administrative Code, Section 10C.8-1 was enacted in 1984 and provided San Francisco residents who were the victims of motor vehicle theft with reimbursement for all administrative, towing and storage fees associated with recovering their towed stolen vehicles; and

WHEREAS, The Board of Supervisors repealed San Francisco Administrative Code, Section 10C.8-1 in 2005, thus making residents of San Francisco financially responsible for all towing and storage fees associated with stolen vehicles; and

WHEREAS, On October 23, 2014, at the request of Supervisor Wiener, the Government Audit & Oversight Committee held a hearing at which with the Municipal Transportation Agency (SFMTA), San Francisco Police Department (SFPD), and AutoReturn discussed how the City and AutoReturn treats recovered stolen vehicles; and

WHEREAS, AutoReturn currently processes an average of 195 stolen vehicles a month; and

WHEREAS, When a vehicle that has been reported stolen is found on the street, the SFPD will contact the owner and give him or her 20 minutes to retrieve the vehicle; and

WHEREAS, If the owner does not appear within 20 minutes, the SFPD authorizes the impound of the vehicle; and

Supervisors Wiener and Tang BOARD OF SUPERVISORS WHEREAS, The vehicle is then towed and the victim must retrieve it from AutoReturn, the same as if he or she had simply parked the vehicle in a tow-away zone instead of having it stolen; and

WHEREAS, The victim is charged a \$220.75 tow fee in addition to storage fees, which accumulate quickly, in order to retrieve the vehicle; and

WHEREAS, Car owners have only four hours during which they can recover their vehicles before AutoReturn begins charging a storage fee; and

WHEREAS, Storage fees can accrue to the point where a car owner is required, in order to retrieve the stolen vehicle, to pay an amount higher than the value of the vehicle; and

WHEREAS, Some people choose to abandon their vehicle rather than pay significant storage and towing fees, meaning that AutoReturn will auction off the vehicle in order to satisfy the fees; and

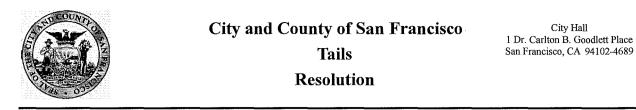
WHEREAS, AutoReturn has significantly improved towing operations in San Francisco but is required to enforce these contract provisions relating to stolen vehicles; and

WHEREAS, AutoReturn's existing contract was approved in 2010 by the Board of Supervisors and expires in July 2015; now, therefore, be it

RESOLVED, That victims of motor vehicle theft should not be treated as if they have illegally parked their cars and that doing so effectively subjects owners of stolen vehicles to additional victimization; and, be it

FURTHER RESOLVED, That the Board of Supervisors states its strong view that the towing contract presented by the SFMTA to the Board of Supervisors for approval in 2015 should contain a provision that either (a) completely waives all fees associated with stolen vehicles, or (b) significantly reduces the towing fee and extends the grace period during which victims of car theft can recover their vehicles from AutoReturn before incurring storage fees; and, be it

FURTHER RESOLVED, That the Board of Supervisors does not wish this amended provision, relating to stolen vehicles, to have negative financial consequences for the SFMTA and that the contract should adjust pricing in order to keep the SFMTA whole.



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Date Passed: November 18, 2014

Resolution urging the Municipal Transportation Agency to include a provision in its 2015 towing contract that either waives all fees imposed on all victims of motor vehicle theft in San Francisco, or significantly reduces the towing fee and significantly extends the grace period during which victims of motor vehicle theft can recover their vehicles before incurring storage fees.

November 18, 2014 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee Excused: 1 - Campos

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I hereby certify that the foregoing Resolution was ADOPTED on 11/18/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo Clerk of the Board

Mayór

Date Approved