

FILE NO. 991830

ORDINANCE NO. 300-99

1 [Administrative Code Revision, Chapter 10C]
2 AMENDING CHAPTER 10C OF THE SAN FRANCISCO MUNICIPAL CODE
3 (ADMINISTRATIVE CODE), BY AMENDING SECTIONS 10C.1, 10C.2, AND 10C.5, TO
4 PROVIDE FOR THE WAIVER AS WELL AS THE REIMBURSEMENT OF TOWING FEES,
5 TO PROVIDE FOR WAIVER OR REIMBURSEMENT OF TOWING FEES FOR CERTAIN
6 STOLEN VEHICLES, TO PROHIBIT REIMBURSEMENT OF TOWING FEES WHERE THE
7 VEHICLE OWNER CANNOT PROVIDE PROOF OF FINANCIAL RESPONSIBILITY, AND TO
8 CLARIFY THE PROCEDURE AND TIME LIMIT FOR SEEKING REIMBURSEMENT OF
9 TOWING FEES.

10 Note: Additions are underlined; deletions are in ((double parentheses)).

11
12 Be it ordained by the People of the City and County of San Francisco:

13
14 Section 1. Chapter 10C of the San Francisco Administrative Code is hereby amended
15 by amending Section 10C.1, to read as follows:

16
17 **SEC. 10C.1. REIMBURSEMENT OR WAIVER OF PAYMENT
FOR TOW ON VEHICLES; CONDITIONS THEREFOR.**

18 (1) Except as provided in Sections 10C.8 and 10C.8-1, fees, charges or costs imposed
19 for the towing or storage of vehicles or the amount charged for removal of components of a
20 vehicle may be waived or reimbursed to the owner or person in lawful possession of the
21 vehicle if the fees, charges or costs were incurred:

22 (a) Because the subject vehicle was towed and stored at the order of the San
23 Francisco Police Department to examine the vehicle for evidence of a crime;

24 (b) Because the subject vehicle was towed and stored by the order of the San
25 Francisco Police Department or the Department of Parking and Traffic and said towing

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1 or storage was not authorized by any of the several provisions of the Vehicle Code of
2 the State of California;

3 (c) Because officers, agents or employees of the San Francisco Police
4 Department or the Department of Parking and Traffic were negligent in reporting, filing,
5 or recording the circumstances of the towing and storage of the vehicle;

6 (d) Because officers, agents or employees of the San Francisco Police
7 Department or the Department of Parking and Traffic were negligent in reporting a
8 vehicle as subject to towing or storage or ordering a vehicle towed and stored when, in
9 fact, such vehicle was not subject to towing and storage; or

10 (e) Because a vehicle was towed or stored by order of the San Francisco Police
11 Department or the Department of Parking and Traffic for removal of components of the
12 vehicle, which components were placed on the vehicle in violation of Section 10751 of
13 the Vehicle Code.

14 (2) No person shall be exempt from or reimbursed for tow and storage charges
15 collected pursuant to Section 170.2-A of the Traffic Code.

16 (3) Pursuant to the provisions of Sections 10C.8 and 10C.8-1, indigent owners of
17 vehicles and victims of auto theft shall be exempt from paying fees, charges, or costs imposed
18 for the towing and storage of the vehicle and shall be entitled to reimbursement for the same if
19 collected. ((, except no person shall be exempt from tow and storage charges pursuant to
20 Section 170.2-A of the Traffic Code.))

21
22 / / /

23 / / /

24 / / /

25 / / /

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1 Section 2. Chapter 10C of the San Francisco Administrative Code is hereby amended
2 by amending Section 10C.2, to read as follows:

3 **SEC. 10C.2. PROHIBITION ON REIMBURSEMENT.**

4 No reimbursement or voucher shall be made to the owner of a vehicle or the person in
5 lawful possession of said vehicle pursuant to the provisions of this chapter, if:

6 (a) The owner or person in lawful possession of the vehicle is chargeable with violation
7 of any law of the City and County of San Francisco, the State of California or the United
8 States, and said charge relates to the towing and storage of the vehicle or the removal of
9 component parts thereof; or ((, and))

10 (b) Reimbursement is requested pursuant to Subsections (c) or (d) of Section 10C.1 of
11 this Chapter and the owner or one in lawful possession of the vehicle was contributorially
12 negligent; or ((.))

13 (c) The owner or other person in lawful possession of a motor vehicle, including a firm
14 or corporation which owns vehicles used for commercial purposes, cannot show evidence of
15 financial responsibility for said vehicle as required by Section 16020 of the California Vehicle
16 Code.

17
18 / / /
19 / / /
20 / / /
21 / / /
22 / / /
23 / / /
24 / / /
25 / / /

1 Section 3. Chapter 10C of the San Francisco Administrative Code is hereby amended
2 by amending Section 10C.5, to read as follows:

3 **SEC. 10C.5. TIME LIMIT TO REQUEST REIMBURSEMENT.**

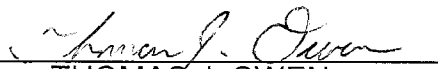
4 Requests for reimbursement or exemption from payment of fees, charges or costs
5 incurred must be presented to the ((Chief of Police or)) Director of ((the Department of))
6 Parking and Traffic or his or her designee, on a form provided therefor, within 30 calendar
7 days ((one month)) of the date of the tow of the vehicle ((the fees, charges or costs accrue)).
8 ,or his or her designee,
9 The Director may, in his or her sole discretion, extend this deadline for good cause shown.

11/2/99

10
11
12 APPROVED AS TO FORM:

13 LOUISE H. RENNE, City Attorney

14
15
16 By:


THOMAS J. OWEN
Deputy City Attorney

17
18
19
20
21
22
23
24
25
SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 991830

Date Passed:

Ordinance amending Administrative Code Sections 10C.1, 10C.2 and 10C.5 to provide for the waiver as well as the reimbursement of towing fees, to provide for waiver or reimbursement of towing fees for certain stolen vehicles, to prohibit reimbursement of towing fees where the vehicle owner cannot provide proof of financial responsibility, and to clarify the procedure and time limit for seeking reimbursement of towing fees.

November 8, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yee
Absent: 2 - Becerril, Yaki

November 15, 1999 Board of Supervisors — FINALLY PASSED

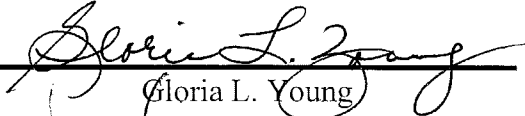
Ayes: 10 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee
Absent: 1 - Brown

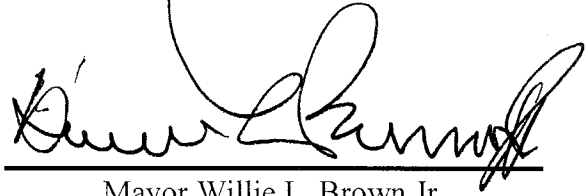
File No. 991830

I hereby certify that the foregoing Ordinance was FINALLY PASSED on November 15, 1999 by the Board of Supervisors of the City and County of San Francisco.

NOV 24 1999

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Willie L. Brown Jr.