

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

3 **Resolution urging the Municipal Transportation Agency to include a provision in its**  
4 **2015 towing contract that either waives all fees imposed on all victims of motor vehicle**  
5 **theft in San Francisco, or significantly reduces the towing fee and significantly extends**  
6 **the grace period during which victims of motor vehicle theft can recover their vehicles**  
7 **before incurring storage fees.**

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

13 WHEREAS, The Board of Supervisors repealed San Francisco Administrative Code,  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

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

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

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

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

1           WHEREAS, The vehicle is then towed and the victim must retrieve it from AutoReturn,  
2 the same as if he or she had simply parked the vehicle in a tow-away zone instead of having it  
3 stolen; and

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

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

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

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

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

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

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

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

1           FURTHER RESOLVED, That the Board of Supervisors does not wish this amended  
2 provision, relating to stolen vehicles, to have negative financial consequences for the SFMTA  
3 and that the contract should adjust pricing in order to keep the SFMTA whole.  
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**City and County of San Francisco**  
**Tails**  
**Resolution**

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

**File Number:** 141157

**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

File No. 141157

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

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Date Approved