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GOVERNOR SIGNS PREDATORY TOWING PREVENTION ACT

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FAIRLAWN - In order to create a coordinated and comprehensive framework to establish minimum standards for tow truck operators, Governor Jon S. Corzine today signed the Predatory Towing Prevention Act.

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"This legislation will prevent rogue tow truck operators from taking advantage of vulnerable citizens and holding their vehicles hostage for exorbitant fees," Governor Corzine said. "In addition, legitimate tow truck operators can be confident that their profession will not be sullied by the unscrupulous actions of those who would take advantage of the very clients that they are trying to assist."

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Under the new legislation, if a motor vehicle is to be towed from private property without the vehicle owner's consent, there must be conspicuous warning signs posted detailing parking rules and towing conditions. Vehicles parked in front of single-family homes or owner occupied multi-unit structures containing six units or less or blocking access to a driveway will be exempt from the bill's signage requirement. Property owners or their representative will be required to be present and give written authorization as well as confirmation of the violation if the non-consensual towing occurs during normal business hours.

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Furthermore, vehicle storage facilities must be secure, well lit from dusk until dawn and open at least five days per week between 8 am and 6 pm. They must also provide reasonable accommodations for after-hours release of stored vehicles and are prohibited from charging an additional fee for releasing a vehicle after normal business hours.

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"Some tow-truck operators had taken a *Wild West* mentality toward their work, engaging in overly aggressive practices that venture into the realm of price gouging and extortion," said Assemblyman Robert Gordon (D-Bergen). "More and more, motorists were finding their cars being held hostage, with ransoms totaling hundreds of dollars or more."

"It's time rogue towers were held to a uniform, higher level of accountability," said Assemblywoman Nilsa Cruz-Perez (D-Camden), chairwoman of the Assembly Consumer Affairs Committee. "New Jersey needs tough rules in place so unscrupulous tow truck operators won't continue to ply their trade as they see fit, to the detriment of motorists everywhere."

Towing companies will be required to submit an annual application for registration with the Division of Consumer Affairs, listing the address of the towing company's principal location and the address of any of its storage facilities as well as a list of the type of towing services the company will provide, insurance information, and any information related to the criminal history of individuals owning a substantial interest in the company. In addition, each company will be required to submit a list of prices and fees to the Division of Consumer Affairs and will be prohibited from charging fees in excess of 150 percent of the average towing fee in the county of the company's principal location.

Each tow truck must affix a decal stating that the truck is registered with the Division of Consumer Affairs, that the customer is entitled to a written schedule of the fees charged for towing and storage

services before they are provided and a telephone number for the Division of Consumer Affairs that the customer could use to report an attempt to charge fees in excess of the schedule.

Finally, the bill will make it unlawful to give an advantage or preference to any person who provides information about vehicles parked for unauthorized purposes on privately owned property. The bill will require operators to release a vehicle subject to non-consensual towing if the vehicle had not yet been removed from the property. If this occurs, the towing company must charge no more than a "decoupling" fee. The bill also prohibits refusal to accept payment for towing services by debit or credit card, if the towing company regularly accepts these forms of payment.

The legislation (A-4053/S-2759) was sponsored in the Assembly by Assemblypersons Robert M. Gordon (D-Bergen), Nilsa Cruz-Perez (D-Camden/ Gloucester), Joseph R. Malone (R-Burlington/Mercer/Monmouth/Ocean), Gordon M. Johnson (D-Bergen), and Louis M. Manzo (D-Hudson). It was sponsored in the Senate by Senators Joseph Coniglio (D-Bergen) and Barbara Buono (D-Middlesex).

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Photos and audio and video clips from Governor Corzine's public events are available in the Governor's Newsroom section on the State of New Jersey web page,
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