What You Should Know About Getting Towed Consumer brief

Failing to release a vehicle hooked or lifted, but not actually removed from private property, upon request

The amended Predatory Towing Prevention Act became effective in New Jersey on April 15, 2009. The amended Act regulates tows from private property, and tows initiated by law enforcement, without the prior consent of the vehicle's owner or operator.

Trolling (cruising) for vehicles parked without authorization;

TOWING FROM PRIVATE PROPERTY

■ Paying for information about vehicles parked without authorization;

Unattended cars cannot be towed from private parking lots, unless:

- Refusing to accept an insurance company check or a debit card, charge card, credit card or check for towing or storage services, if the towing company ordinarily accepts such payment at its place of business;
- There is a sign, no smaller than 36" high by 36" wide, posted at vehicular entrances to the property stating:
- Charging for a towing or storage service not on the Division's schedule of services; and
- 1) The purposes for which parking is authorized;
- Charging an unreasonable or excessive fee.
- 2) The times when parking is permitted;

TOWING AND STORAGE CHARGES

of the vehicle's owner;

3) That unauthorized parking is prohibited and unauthorized vehicles will be towed at the owner's expense;

The towing company's fees must be reasonable. A reasonable fee is considered one that is no more than 25% greater than the company's fee for the same vehicle-owner-approved towing services, or no more than 50% above the fees charged by other towing companies in the community for the same towing services without the vehicle owner's permission.

4) The name of, and contact information for, the towing company and the address of the storage facility—which must be secure and located within a reasonable distance of the property—to which the vehicle will be towed;

Towing and storage charges cannot exceed rates set by town ordinance.

5) The charges for towing and storage and the times during which the vehicle may be redeemed; and

VEHICLE STORAGE

6) Contact information for the Division of Consumer Affairs (1-800-242-5846).

The Act requires that after a vehicle is towed:

- The property owner and the towing company have a contract for the towing and the property owner has authorized the towing company to remove the particular vehicle.
- The vehicle must be stored in a secure facility;

The requirements do not apply to a single-family home or an owner-occupied multi-unit structure, and the signage requirements are different for a residential community with clearly marked assigned spaces for residents. The facility's business office must be open to the public between 8 a.m. and 6 p.m. at least five days a week; and

UNLAWFUL PRACTICES FOR TOWING COMPANIES

A towing company must make reasonable accommodation for after-hours release of stored vehicles. The towing company may charge for after-hours release.

The Act prohibits towing companies from the following:

800-242-5846 • New Jersey Division of Consumer Affairs www.NJConsumerAffairs.gov