

ORDINANCE NO. BL2012- 332

An ordinance amending Chapter 6.80 of the Metropolitan Code of Laws to reflect changes in emergency towing costs.

WHEREAS, the Transportation Licensing Commission recognizes that business expenses for equipment, insurance, taxes, and most notably fuel have increased since the rates were previously set for emergency towing in Chapter 6.80 of the Metropolitan Code of Laws; and,

WHEREAS, Chapter 6.80 of the Metropolitan Code of Laws should be amended in order to bring such rates in line with the increased costs of emergency towing; and,

WHEREAS, the Metro Transportation Licensing Commission approved specific emergency wrecker rate increases in October 2008, along with other clarifications of the existing Code; and,

WHEREAS, such amendment to Chapter 6.80 of the Metropolitan Code of Laws is in the best interest of the citizens of The Metropolitan Government of Nashville and Davidson County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$125.00" for "\$85.00" in subsection 6.80.550 (A)(1)(a).

Section 2. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$135.00" for "\$95.00" in subsection 6.80.550 (A)(1)(b).

Section 3. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$145.00" for "\$105.00" in subsection 6.80.550 (A)(1)(c).

Section 4. Chapter 6.80 of the Metropolitan Code of Laws is amended by adding "at the direction of a police officer" after "company lot" in subsection 6.80.550 (A)(1)(d).

Section 5. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$145.00" for "\$105.00" in subsection 6.80.550 (A)(1)(d)(i).

Section 6. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$135.00" for "\$95.00" in subsection 6.80.550 (A)(1)(d)(ii).

Section 7. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting "one hundred and fifteen dollars per hour (\$115.00)" for "seventy-five dollars per hour" in both the first and second sentence in subsection 6.80.550 (A)(2).

Section 8. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting "three dollars and fifty cents (\$3.50)" for "two dollars" in subsection 6.80.550 (A)(3).

Section 9. Chapter 6.80 of the Metropolitan Code of Laws is amended by deleting subsection B of Section 6.80.550 in its entirety and substituting the following:

B. Vehicles Over Seven Thousand Pounds GVWR

1. Base Rates - Base rates apply in the following situations: "Towed vehicles" means those vehicles which can be driven, but are towed to the lot at the request of the owner or police officer. "Driven vehicles" means those vehicles driven to the lot by a wrecker company driver at the request of the owner or police officer. "Wrecked vehicles" means those vehicles that cannot be driven, and must be towed to the lot.

TABLE 6.80.550(B)(1)

	<u>Towed</u>	<u>Driven</u>	<u>Wrecked</u>
Straight Trucks and Vans:	\$220	\$175	\$240
Tandem-Axle, Not Loaded:	\$265	\$195	\$285
Tandem-Axle, Loaded:	\$290	\$195	\$315
Recreational Vehicles:			
26 Feet & Under in Length:	\$210	\$175	\$230
Over 26 Feet in Length:	\$245	\$195	\$265
Buses (Large):	\$290	\$195	\$315

2. Additional Fees

a. Hourly Rate for necessary preparation or removal of bumpers, drive shafts before towing is possible, and reconnection after towing is one hundred- forty dollars (\$140.00) per hour.

b. Labor Rates after first hour for wrecker and driver:

- i. Class B Wrecker ... \$215 per hour
- ii. Class C Wrecker ... \$315 per hour
- iii. Class C Rotator, if needed ... \$415 per hour

c. When wreckers are required to wait at the scene for functions to be performed by others (e.g., emergency personnel), waiting time charges may not exceed one-half (1/2) the allowable labor rate.

d. When the use of outside labor and equipment is required, wrecker company charges may include not more than an additional thirty-five percent (35%) charge.

e. When the use of air bags is necessary under special recovery circumstances, an additional rate of three thousand dollars (\$3,000.00) may be charged.

Section 10. Chapter 6.80 of the Metropolitan Code of Laws is amended by adding a new subsection C (3) and (4) to 6.80.550 which shall read:

(3) Additional charge for recovery and storage of vehicle burned by fire... \$175

(4) Set Out fee... \$35.00 or proof of insurance in full force and effect

Section 11. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$215.00 per emergency vehicle needed for Class A" for "\$125.00" in subsection 6.80.550 (C)(1).

Section 12. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$25.00" for "\$15.00" in subsection 6.80.550 (C)(2)(a).

Section 13. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$25.00" for "\$15.00" in subsection 6.80.550 (C)(2)(b).

Section 14. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$30.00" for "\$20.00" in subsection 6.80.550 (C)(2)(c).

Section 15. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$35.00" for "\$25.00" in subsection 6.80.550 (C)(2)(d).

Section 16. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$50.00" for "\$30.00" in subsection 6.80.550 (C)(2)(e).

Section 17. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$60.00" for "\$35.00" in subsection 6.80.550 (C)(2)(f).

Section 18. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$60.00" for "\$35.00" and adding "C-Class Drop Fee \$140.00" after the sentence beginning "Before Departing..." and adding "Vehicles over seven thousand pounds: C-Class Drop Fee \$140.00" after the paragraph beginning "If the owner or operator of the vehicle is present..." in subsection 6.80.550 (C)(2)(g).

Section 19. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$30.00" for "\$20.00" in subsection 6.80.550 (C)(2)(h).

Section 20. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$40.00" for "\$30.00" in subsection 6.80.550 (C)(2)(i).

Section 21. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$50.00" for "\$35.00" in subsection 6.80.550 (C)(2)(j).

Section 22. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "\$55.00" for "\$45.00" and by substituting "fifty-five dollars (\$55.00)" for "forty-five dollars" in subsection 6.80.550 (G).

Section 23. Chapter 6.80 of the Metropolitan Code of Laws is amended by deleting subsection H of Section 6.80.550 in its entirety and substituting the following:

H. Rate Schedule for Nonconsent Towing from Private Property

Any towing and storage firm engaged in the business of non-consent towing shall not charge the owner of any towed vehicle or personal property in excess of the following rates.

1. Towing:

- a. Vehicles under seven thousand pounds GVWR: \$125.00 maximum
- b. Vehicles over seven thousand pounds GVWR:
 - i. Length of 26 feet and under -- \$200.00 maximum
 - ii. Length over 26 feet -- \$350.00 maximum

The towing fee shall be all inclusive; no additional fees may be charged for using dollies, trailers, lifts, slim jims or any other equipment or service, or for mileage.

2. Storage. The maximum fee for storage of any vehicle removed from private property is thirty dollars (\$30.00) per day. No storage fee may be charged for vehicles stored two hours or less.

Section 24. Chapter 6.80 of the Metropolitan Code of Laws is amended by substituting the number "twenty-five dollars (\$25.00)" for "\$10.00" and adding "within a reasonable time" after "wrecker companies are authorized to charge" in subsection 6.80.550(I).

Section 25. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:



Billy Fields, Interim Director
Transportation Licensing Commission

INTRODUCED BY:

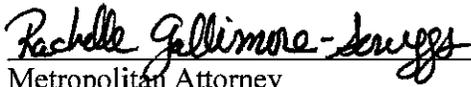
APPROVED AS TO AVAILABILITY
OF FUNDS:



Director of Finance

Member(s) of Council

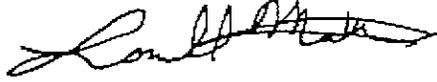
APPROVED AS TO FORM AND LEGALITY:



Metropolitan Attorney

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Lonell Matthews", with a stylized flourish at the end.

Lonell Matthews
Councilmember, District 1