

**ORDINANCE NO. BL2018-1404**

**An ordinance amending Section 6.80.550 and Section 12.08.150 of the Metropolitan Code of Laws to remove certain storage and impound fees for recovered stolen vehicles.**

WHEREAS, section 6.80.415 of the Metropolitan Code of Laws authorizes the Metropolitan Government to contract with wreckers or private vehicle tow services for the towing or removal of any vehicle believed to be stolen; and

WHEREAS, owners of recovered stolen vehicles are currently required to pay certain fees in order to reclaim their vehicle from both Metro-owned and private facilities, including storage fees; and

WHEREAS, individuals who are victims of vehicle theft can often experience dramatic difficulties as a result of these crimes, including financial hardship; and their losses should not be compounded by assessing fees for the storage of their stolen vehicles; and

WHEREAS, storage fees for tow-in lots under the jurisdiction of the Metropolitan Nashville Police Department (MNPDP) are waived for owners of stolen vehicles, pursuant to Metro Code of Laws section 12.72.080, provided the owner reports the automobile as stolen to the MNPDP prior to recovery, and that the owner reclaims the vehicle within twenty-four hours after being notified by the MNPDP; and

WHEREAS, individuals who are the victims of vehicle theft should be similarly relieved of paying storage fees for vehicles held at facilities within the jurisdiction 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. That section 6.80.550 of the Metropolitan Code of Laws be amended by adding the following new subsection:

- K. Effective June 30, 2019, if a vehicle stored pursuant to this chapter is determined to be a stolen vehicle, a waiver of storage fees charged pursuant to this section shall be granted to the owner, authorized operator, or lienholder seeking to reclaim the vehicle. An individual requesting a waiver under this subsection must present (1) a police report or other official documentation from the Metropolitan Nashville Police Department confirming that the vehicle was stolen and (2) an affidavit signed by the owner, authorized operator, or lienholder attesting that the storage fees are not eligible for coverage under any applicable insurance policy.

Section 2. That section 12.08.150 of the Metropolitan Code of Laws be amended by adding the following new subsection:

- G. Effective June 30, 2019, the owner or authorized driver or operator of the impounded vehicle may have storage fees waived if the vehicle is a recovered stolen vehicle. An individual requesting a waiver of fees must present (1) a police report or other official documentation from the Metropolitan Nashville Police Department confirming that the vehicle was stolen and (2) an affidavit signed by the owner or authorized driver or operator attesting that the storage fees are not eligible for coverage under any applicable insurance policy.

Section 3. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

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Kevin Rhoten

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Freddie O'Connell  
Member of Council