

Columbia Heights Civic Association
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December 12, 2016

To: Arlington County Board

From: Ron Haddox and Sarah McKinley
Columbia Heights Civic Association Board

Re: Trespass Towing Ordinance

Columbia Heights wishes to thank the County Board for considering the suggestions we offered for changes to the county ordinance on trespass towing, which will be considered at the December 13, 2016 board meeting. We will be attending this meeting to offer comments.

The changes made to the draft document go far in protecting consumer rights. However, we have some additional comments to offer in the spirit of making county processes more transparent to the people who live, work and enjoy our community.

Signage

At the last board meeting on this issue staff offered examples of signs that would warn citizens that parking would be subject to towing. This is essential if ordinary citizens are to avoid having their vehicles towed. The examples offered were clear and unambiguous. The best signs were individual standing signs at each parking spot, letting people know that that particular space was off limits.

However, signage in many lots is far more ambiguous. We offer two examples. The first is the Westmont Shopping Center on the corner of Columbia Pike and Glebe Road. The signs basically tell people that the parking lot is only for shopping in that center. What they don't tell people is that stepping one foot off the Westmont property will result in a tow truck rushing in to pick up your vehicle. That means that if people step one foot onto the public sidewalk in front of Westmont they will get towed. There is no "magic line" demarcating where the Westmont property lies. And there are businesses on Columbia Heights that are right next to Westmont that people could reasonably assume are included. A lot of towing from this lot involves legitimate customers who weren't clear on the "rules" that the towing companies are using to target them.

Another example is the CVS parking lot on Columbia Pike next to Penrose Square. We now have a policy in Arlington that people should be encouraged to park once to shop multiple places. The County parking lots are there for that purpose. But in

the case of the CVS lot, it lies next door to Penrose Square and all the shops there, so the natural assumption of shoppers is that they should be able to park there and walk over to Penrose. Most of the people who are towed from CVS are legitimate shoppers on Columbia Pike, but they just don't know the "rules" for that lot.

Second Signature

The County Board's willingness to consider requiring a second signature for business lots during business hours is a step forward. However, we predict that it won't be particularly effective. First, it requires the second signature to be of the lot owner, not the small businesses that are directly affected by towing practices. Most of the owners are off-site and some are out-of-state. In addition, the new language of the ordinance allows this "second signature" to be made electronically. We predict that the towing companies and owners will simply create an "app" for their smart phones that will allow them to get authorization almost automatically.

Again, we would ask the County to give the small businesses some control over the situation. For example, in shopping centers one or two business people could be designated for this purpose to make it easier for tow companies to get a signature.

Contacting Police Prior to Tow

CHCA commends the County for requiring that information be transmitted to policy prior to the tow. This keeps in place the same consumer protection that was contained in the original ordinance. This is a form of consumer protection that we fully support.

Four-Point Photographs of the Vehicle

Finally, we applaud the County Board for requiring 4-point photos of the vehicles prior to towing, as well as the requirement to inform the public about complaint procedures, that the photos exist and that the photos will be made available. This represents strong support for consumers. Not only will this protect citizens. It will also provide evidence for towing companies, in those instances in which they might be accused of damaging a car during a tow.

Columbia Heights applauds the County's efforts to curb predatory towing and protect the rights of citizens. We believe that such protection makes us a community that is user-friendly to shoppers. Ultimately this helps everyone—citizens and businesses alike.