

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-1217 of the Code of Virginia, relating to local regulation of*
3 *towing.*

4 [H 2050]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 46.2-1217 of the Code of Virginia is amended and reenacted as follows:**

8 § 46.2-1217. Local governing body may regulate certain towing.

9 The governing body of any county, city, or town by ordinance may regulate services rendered
10 pursuant to police towing requests by any business engaged in the towing or storage of unattended,
11 abandoned, or immobile vehicles. The ordinance may include delineation of service areas for towing
12 services, the limitation of the number of persons engaged in towing services in any area, including the
13 creation of one or more exclusive service areas, and the specification of equipment to be used for
14 providing towing service. The governing body of any county, city, or town may contract for services
15 rendered pursuant to a police towing request with one or more businesses engaged in the towing or
16 storage of unattended, abandoned, or immobile vehicles. The contract may specify the fees or charges to
17 be paid by the owner or operator of a towed vehicle to the person undertaking its towing or storage and
18 may prescribe the geographical area to be served by each person providing towing services. The county,
19 city, or town may establish criteria for eligibility of persons to enter into towing services contracts and,
20 in its discretion, may itself provide exclusive towing and storage service for police-requested towing of
21 unattended, abandoned, or immobile vehicles.

22 Prior to adopting an ordinance or entering into a contract pursuant to this section, the local governing
23 body shall appoint an advisory board to advise the governing body with regard to the appropriate
24 provisions of the ordinance or terms of the contract. The advisory board shall include representatives of
25 local law-enforcement agencies, towing and recovery operators, and the general public.

26 "Police-requested towing" or "police towing request," as used in this section, includes all requests
27 made by a law-enforcement officer of the county, city, or town or by a State Police officer within the
28 county, city, or town pursuant to this article or Article 2 (§ 46.2-1209 et seq.) of this chapter and all
29 towing requests made by a law-enforcement officer at the request of the owner or operator of an
30 unattended, abandoned, or immobile vehicle, *when no specific service provider is requested by such*
31 *owner or operator.*

32 If an unattended, abandoned, or immobile vehicle is located so as to impede the free flow of traffic
33 on a highway declared by resolution of the Commonwealth Transportation Board to be a portion of the
34 interstate highway system and a law-enforcement officer determines, in his discretion, that the business
35 or businesses authorized to undertake the towing or storage of the vehicle pursuant to an ordinance or
36 contract adopted pursuant to this section cannot respond in a timely manner, the law-enforcement officer
37 may request towing or storage service from a towing or storage business other than those authorized by
38 such ordinance or contract.

ENROLLED

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