



County of Fairfax, Virginia

MEMORANDUM

DATE: April 24, 2024

TO: Trespass Towing Advisory Board

FROM: Rebecca L. Makely, Director
Department of Cable and Consumer Services

SUBJECT: Trespass Towing Advisory Board Meeting for May 1, 2024

DS
RLM

Please find attached the Trespass Towing Advisory Board agenda packet. The next scheduled meeting is **Wednesday, May 1, 2024, at 5:00 p.m.** The meeting will be held in Conference Room 232, Fairfax County Government Center.

Please RSVP with your attendance to Carl Newcomb by COB on Tuesday, April 30, 2024 at Carl.Newcomb@fairfaxcounty.gov or 703-324-5931.

Enclosures

cc: Amanda K. Kastl, Director, Consumer Services Division
Department of Cable and Consumer Services

Carl A. Newcomb, Manager
Regulation and Licensing Branch, CSD, DCCS

Department of Cable and Consumer Services
12000 Government Center Parkway, Suite 433
Fairfax, Virginia 22035-0045
Phone 703-324-5949 Fax 703-653-1310 TTY 711
www.fairfaxcounty.gov/cableconsumer/



**FAIRFAX COUNTY
TRESPASS TOWING ADVISORY BOARD**

**May 1, 2024
5:00 p.m.**

MEETING AGENDA

Call to Order by the Chairman

Minutes

- Approval of March 27, 2024, meeting minutes

Report of the Chairman

- Law Enforcement #1 Representative

Report of the Director

- 2024 Trespass Towing Fees – Director’s Analysis pursuant to [Fairfax County Code Section 82-5-32\(g\)\(1\)\(C\)](#)
- Administrative Fee

Report of the Staff Liaison

- 2024 Trespass Towing Fees - Jurisdictional Analysis

Board Matters

Old Business

- Election of Advisory Board Officers

New Business

Public Comment

Adjourn

Package Contents

- Meeting Agenda
- Package Contents
- Draft Minutes of March 27, 2024, meeting
- 2024 Yearly Planning Calendar

Minutes of the Fairfax County Trespass Towing Advisory Board

March 27, 2024

5:01 p.m.

Fairfax County Government Center
Conference Room 232
12000 Government Center Parkway
Fairfax, VA 22035
Vice Chairperson Morris, presiding

Board Members Present:

Fleming, Leach, Morris, Stein-McCartney
Supinger

Board Members Absent:

Staff Members Present:

Rebecca L. Makely, Director
Department of Cable and Consumer Services

Amanda K. Kastl, Director
Consumer Services Division

Carl Newcomb, Branch Manager
Regulation and Licensing Branch

Public in Attendance:

David Butcher
Michael Fernandez
Tim Steigleman

Vice Chairperson Morris called the meeting to order at 5:01 p.m.

Minutes

- Member Stein-McCartney made a motion to approve the February 28, 2024, minutes, and it was seconded by Member Leach. The motion passed 4-0.

Report of the Chairperson

- Vice Chairperson Morris had no matters to bring before the Board.

Report of the Director

- Director Makely had no matters to bring before the Board.

Report of the Staff Liaison

- Director Kastl had no matters to bring before the Board.
- Branch Manager Newcomb discussed the upcoming Board meeting schedule.
- Branch Manager Newcomb provided the Board with the number of formal tow complaints received for fiscal years 2020 - 2023.

Board Matters

Private Property Towing

- Member Stein-McCartney inquired as to the circumstances under which law enforcement may issue tickets on private property. Discussion ensued.

Tow Rates

- Member Leach discussed the significant increase in costs associated with owning a tow truck business, including increases in tow truck costs, insurance costs, and wages and benefits of drivers. Member Leach commented that tow rates – as outlined in the Fairfax County Towing Ordinance – have remained unchanged in recent years despite the increased costs of doing business.
- Member Leach discussed the increase in tow fees assessed by Fairfax County on law enforcement tows. Member Morris referenced a 3% increase in law enforcement towing rates, effective April 1, 2023. As a result of this increase, the resulting administrative fee for law enforcement tows was increased to \$154.50.
- Member Leach motioned for the Board to consider increasing administrative fees – similar to the increase in the administrative fee for law enforcement tows (approximately \$150). Member Fleming seconded the motion. Member Stein-McCartney said that the administrative fee is not regulated by state code. Director Kastl advised that a legal and feasibility analysis would need to be conducted on an increase in the administrative fee. Vice Chairperson Morris recommended tabling the motion pending further study by staff. Member Leach withdrew the motion.
- Member Stein-McCartney motioned that staff perform a “cost of services” study to include a questionnaire to be sent by staff to permitted trespass tow operators in Fairfax County. The purpose of the survey would be to assess whether an industry-wide increase in costs could support an increase in the administrative fee, Member Fleming seconded the motion. Discussion ensued, including data to be collected and resulting deadlines for collection. Member Stein-McCartney withdrew the motion.
- Member Stein-McCartney motioned that staff perform a review of tow rates, as required by Section 82-5-32, and present the same to the Board on May 1, 2024. Member Fleming seconded the motion. The motion passed 4-0.

Old Business

- There was no old business before the Board.

New Business

Public Comment

- David Butcher commented on the administrative fees charged in other jurisdictions.

Meeting adjourned at 6:26 p.m.

Fairfax County Trespass Towing Advisory Board 2024 Yearly Planning Calendar

Date	Possible Agenda Topics
March 27	
May 1	Advisory Board Officer Elections
May 29	
June 26	
July 24	

Meeting Location

All meetings will be held at the Fairfax County Government Center – Conference Room 232, unless otherwise specified.

Possible Future Agenda Topics

Legislation changes affecting current state/county codes.