

10.25.030 Allowable fees for permitted towing companies – Release of vehicles.

(A) No private towing and recovery service shall hold or attempt to hold any vehicle towed from any location within the City without the consent of the owner or operator thereof as security for accrued towing and storage charges. Any such vehicle shall be immediately released, regardless of impound location, to the owner or operator thereof upon the production of proof of ownership or agency, as hereinafter defined.

(B) For the purposes of subsection (A) of this section, ownership or agency shall be deemed proven should any one or more of the following obtain:

- (1) The claimant of the vehicle is in possession of a key or keys which operate the door locks or ignition switch of the vehicle;
- (2) The claimant of the vehicle displays a driver's license, whether current or not, issued by any state or other sovereign empowered to issue a license, the license indicating the same last name as that in which the vehicle is registered;
- (3) The claimant displays any piece of photographic identification showing the claimant's last name to be the same as that in which the vehicle is registered; and/or
- (4) The claimant displays a vehicle registration, whether current or not, to the impounded vehicle.

(C) A private towing and recovery service may require a claimant to provide a current address to assist the private towing and recovery service's billing and collection process. No private towing and recovery service may require as a condition precedent to the release of any vehicle documentation or proof in excess of, or different than, that described in subsection (B) of this section.

(D) A private towing and recovery service may require any claimant to sign a receipt for the vehicle claimed; however, the receipt shall contain no language other than the following:

- (1) The name and address of the claimant;
- (2) The date and time at which the vehicle was claimed;
- (3) A description, including the license number, of the claimed vehicle; and

- (4) A statement of the unpaid balance, if any.
- (E) Any private towing and recovery service that requires the claimant of a vehicle to execute a receipt shall provide claimant with a copy of the receipt, regardless of whether or not the receipt has been executed by that claimant.
- (F) Notwithstanding any of the foregoing provisions, no private towing and recovery service shall release any vehicle after having been advised by any law enforcement agency that the vehicle has been reported as stolen.
- (G) Notwithstanding any of the provisions herein, no private towing and recovery service shall tow any vehicle which has displayed a valid placard or license plate showing the international symbol of access for disabled persons, as described in A.R.S. § [28-884](#), or any successor thereto.
- (H)
- (1) Private towing and recovery services permitted by the City may charge for nonconsensual towing and recovery services only those amounts authorized in the most recent tariff approved by the City. This shall include all no-preference and impounded vehicle calls originated through the City Police Department or other authorized City agency.
- (2) A private towing and recovery service shall be deemed permitted by the City if it has a current City business license.
- (a) The tariff shall be approved and enacted by resolution of the City Council and shall be made available by the City Administrator to all towing and recovery companies operating within City limits.
- (b) The maximum fees shall be as set by City Council from time to time for towing and as set by City Council from time to time per 24-hour day for storage. The 24-hour period is to begin upon the towing of the vehicle. As an example, for illustrative purposes only, if a vehicle is towed on a Wednesday at 1:30 p.m., the maximum charge for storage shall be limited as set by City Council from time to time until 1:30 p.m. on Thursday. The fees may be changed by subsequent resolution of the City Council.
- (I) No private towing and recovery service or its representatives shall charge more than the established tariff for nonconsensual towing and recovery or no-preference towing originated by the City Police Department. (Ord. 202 § 1, passed 12-23-2003; Ord. 273 § 1, passed 3-11-2009. Code 1982 § 10-7-3. Code 2012 § 74.03.)

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The San Luis City Code is current through Ordinance 423, passed January 12, 2022.

Disclaimer: The City Clerk's Office has the official version of the San Luis City Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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