

Wilmington, Delaware
June 20, 2024

#0442

Sponsor:

**Council
Member
Darby**

WHEREAS, House Bill 351 (HB 351), An Act to Create a New Chapter in Title 21 Pertaining to the Towing of Vehicles Without Consent of the Owner or Operator, establishes essential requirements for the towing and storage of vehicles without consent, including the necessity for photographic evidence prior to towing, transparent display of rates by towing companies and storage facilities, and the imposition of reasonable towing and storage rates to ensure fairness for vehicle owners; and

WHEREAS, HB 351 adheres to the legislative priorities of the 2022-2025 Wilmington City Council Strategic Plan by promoting the goal of a “Resident and Visitor Friendly Wilmington” through prohibiting predatory practices, such as patrolling for illegally parked cars and offering incentives for information leading to non-consensual towing; and

WHEREAS, HB 351 safeguards consumers by mandating acceptance of credit cards by tow companies and storage facilities, providing recourse for individuals subjected to non-consensual towing through reimbursement of fees and damages, and holding tow companies liable for property damage resulting from unauthorized towing or storage; and

WHEREAS, crafting parking enforcement measures that are both effective and fair is a priority for the Wilmington City Council. The provisions of HB 351 support the work of the Fines and Fees Taskforce, which was established by Wilmington City Council Resolution 22-069, to review the City’s fees, fines, and administrative sanctions “in order to ensure fairness in the administrative process”; and

WHEREAS, despite the resilience of our State and the City of Wilmington, both businesses and residents are still confronting the financial impacts of the COVID-19 pandemic,

the affordable housing crisis, and ongoing inflation. HB 351 would provide necessary safeguards against excessively punitive towing policies. These changes would bring benefits to residents and support the competitiveness of our local hospitality industry.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body is strongly in favor of House Bill 351 (HB 351), An Act to Create a New Chapter in Title 21 Pertaining to the Towing of Vehicles Without Consent of the Owner or Operator. This legislation would play a critical role in protecting consumers from unjust towing practices, promoting transparency in the towing industry, and ensuring fair treatment for vehicle owners in Wilmington and across the State of Delaware.

BE IT FURTHER RESOLVED that the Wilmington City Council urges the honorable members of the Delaware General Assembly to support HB 351 to safeguard the rights and interests of Delawareans in matters related to vehicle towing and storage, as well as bolster our State’s attractiveness as a destination for visitors.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: In accordance with the Wilmington City Council’s 2022-2025 Strategic Plan goal of a “Resident and Visitor Friendly Wilmington,” this Resolution urges the honorable members of the Delaware General Assembly to support House Bill 351 An Act to Create a New Chapter in Title 21 Pertaining to the Towing of Vehicles Without Consent of the Owner or Operator. This bill mandates crucial requirements including the documentation of unauthorized parking with photographic evidence, transparent display of towing and storage rates, and imposition of reasonable fees.