# Things to Know Before You Trespass Tow

Trespass towing companies, drivers, and property owners must comply with specific Hillsborough County requirements anytime a vehicle is towed or immobilized on private property.

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In accordance with Hillsborough County's Trespass Towing, Immobilization and Rates Ordinance 17-34, towing companies must take these and other actions:

- ✓ Have a valid business certificate for trespass towing and required permits for all trucks
- ✓ Ensure all drivers maintain a valid Driver Identification Badge (DIB)
- ✓ Maintain specified regular business hours, vehicle and driver records, and adequate security for stored vehicles
- ✓ Clearly post signage at all properties and include in executed written agreements the conditions under which a tow is authorized and other required information
- ✓ Prominently display required consumer disclosures
- ✓ Contact the appropriate law enforcement agency within 30 minutes of completion of a tow or immobilization, and retain the provided law enforcement case number
- ✓ Properly document all towed vehicles with photographs or video
- ✓ Make all towed vehicles available for pickup by the vehicle owner within one hour of request
- ✓ Document all charges and fees, making them available upon request and accrue at specified rates
- ✓ Accept payment for accrued charges in any form from at least two of the following lists:
  - Cash, cashier's check, money order, or traveler's check
  - Bank, debit, or credit card
  - Mobile payment service, digital wallet, or other electronic payment system
- ✓ Provide a legible receipt at time of payment, including a full accounting of all charges, the driver's DIB number, and the required consumer disclosure

**Full rules and regulations for trespass towing are available in Hillsborough County Code of Ordinances and Laws Sec. 50-171 through 50-199.**

Hillsborough County Florida
Code Enforcement

**Regulatory Compliance** (813) 274-6600 • RegComp@hcfl.gov

### Common violations of Ordinance 17-34 include:

- x Expired DIB
- x Failure to collect, retain, and produce evidence substantiating the legitimacy of the tow
- x Failure to accept authorized forms of payment
- x Failure to provide a legible receipt with required disclosures
- x Failure to follow the rate schedule set by the Hillsborough County Board of County Commissioners
- x Failure to prominently post notice on real property and meet all requirements necessary to execute a valid written agreement authorizing the tow or immobilization

## Enforcement and Penalties

- Failure to comply with these regulations could result in a citation and civil penalty, and violators may be referred to a Code Enforcement Board or Special Magistrate hearing and assessed additional fines.
- Under Florida Statute, violations may also be prosecuted and result in fines of up to $500 and/or up to 60 days in jail.
- Towing and/or immobilization services (including owners, operators, drivers, or representatives) who violate Hillsborough County's Trespass Towing, Immobilization and Rates Ordinance may be liable to the owner or lessee of the vehicle for all costs of recovery (including all towing, storage, and other associated fees and costs), attorney's fees, court costs, and any damages resulting from the placement or removal, transportation, or storage of the vehicle.
- The County's code enforcement officers, law enforcement, or any other person authorized to enforce County ordinances may enforce these regulations.