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To: Common Council President Michael J. Murphy, Alderman Joe Dudzik,  
Recycling, Salvage, and Metal Scrapping Task Force Members, Local Business  
Action Team Committee Members

From: Attorney Michael Maistelman

Re: Towing Regulation Suggestions

Date: March 13, 2015

**Recommendations (License):**

- If there is a license to be created, it should apply to all towing companies in the City of Milwaukee.
- The license should be universal and required for all companies engaging in towing services of any kind, including but not limited to “consensual towing,” salvage/scrap towing, repossession, Private Property Impounds (PPI), Municipal Towing, etc.). This will accomplish the goal of determining “how big the towing universe is,” and will create a level playing field for all companies, large and small.
- The signage requirements of the license should be limited to a conspicuous sticker easily placed on the front or rear windshield of a tow truck<sup>1</sup>. Currently, to comply with state and local requirements, the following signage is required:

Display of the US DOT number, LC number, Salvage number (if licensed), City of Milwaukee “Junk Collector/Salvage” sticker placed on the front windshield, annual vehicle inspection certification placed on the outside of the truck, “City of Milwaukee Towing” (for all direct and subcontractors), “Milwaukee County Towing”(contractors, and most companies display their business name and contact information). The requirement is not less than 2 inches in height.

**Recommendations (Private Property Impounds):**

A property owner, manager, or agent out of the necessity to control parking on private property always initiates Private Property Impound towing. There are a

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<sup>1</sup> The concern is that signage requirements are turning trucks into “billboards.” Continued additions are going to take away from the company “brand.”

number of reasons a vehicle gets towed; trespass, parking in a restricted area (i.e. fire lane), non-registration, and being a “nuisance vehicle.” Whether it is a tenant complaining that they are unable to park in their designated space, or DNS issues a notice to the property owner, the need for the service is substantial. An added benefit of monitoring properties 24/7 is that it allows an extra set of eyes and ears to ensure the safety of residents. It cuts down on loitering, vehicle break-ins, etc.

- Create and allow an electronic site that allows licensees access to document a PPI (which will have the towers information on file; as required under Trans 319.05<sup>2</sup>). The site should allow licensees to run a stolen check and seamlessly receive a tow reference number once the stolen check is completed.

#### Ongoing Concerns:

- The City of Milwaukee tow lot and DPW Parking Enforcement has engaged and continues to engage in behavior that suppresses local businesses<sup>3</sup>.
  1. After July 01, 2014, the DPW began engaging in Private Property Impound towing, directly competing against local businesses.
  2. The Tow Lot currently requires things that are outside of the state statute for notification (i.e. recording on property data with DNS as “parking agent” before they will issue a tow reference number).  
*(This is not required under the state law or the temporary emergency rule nor has it been adopted by the Milwaukee Common Council)*

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<sup>2</sup> Trans 319.05 Towing service notification requirements.

(1) LAW ENFORCEMENT AGENCIES. Each law enforcement agency shall provide a telephone number with message recording capabilities or an electronic mail address capable of receiving notice from towing services. Each law enforcement agency shall make such telephone number or electronic mail address publicly available.

(2) TOWING SERVICES. A towing service shall, prior to removing a vehicle, contact the law enforcement with primary jurisdiction over the area where the vehicle is parked.

(3) NOTICE. A towing service shall provide the following information to the law enforcement agency:

- (a) The make and model of the vehicle.
- (b) The license plate number of the vehicle.
- (c) The location from which the car will be removed.
- (d) The location to which the car will be towed.
- (e) A phone number of the location identified in par. (d).

<sup>3</sup> See attached Public Records Request from DPW - Tow Lot. Specifically pages: 28, 74-82, which discusses the City’s new venture into providing towing services from private property.

3. *Work Product*: forcing privileged information regarding who filed the vehicle complaint to be submitted before a tow reference number will be issued. The name and telephone number of the complainant is required). *This has been turned over to the general public in the past.*
4. Lobbied the state against 2013 Wisconsin Act 76, citing a loss of revenue (a ticket is no longer issued). Once the law was getting passed they lobbied to have a “municipal service fee.” This allows the municipality to charge a maximum fee of \$35 per vehicle to the towing company for recording the information required under Trans 319.05. In addition, they lobbied the state and submitted recommendations for a fee schedule (see Trans 319.03). This fee schedule significantly reduced the allowable charges for an impound tow while not considering variable factors and actual costs such as: different versions of towing, medium/heavy duty towing, and towing that requires “special equipment” (vehicles missing wheels, etc.).
5. Prior to July 01, 2014, when citation was required for a tow, the Tow Lot regularly refused to service private property complaints, and as a stated policy refused to ticket vehicles in violation of the state statute between the hours of 2 a.m.-6 a.m.

TO: PETER BLOCK

Opens Records Request: Michael Maistelman

Submitted By: David Lawrence

Contains emails and other miscellaneous documents

CITY OF MILWAUKEE  
RECEIVED

2015 JAN 12 PM 3:16

OFFICE OF  
CITY ATTORNEY

## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Tuesday, December 23, 2014 6:12 AM  
**To:** Rusch Walton, Sandra  
**Cc:** Dollhopf, Richard  
**Subject:** Open Records Request  
**Attachments:** Open Records Request private property tow data 2014 ytd.xlsx; Towing Database request.pdf

Sandy,

Attached is the data in Excel format as requested by Fox 6 News. There were no dates specified so I ran data from July 1, 2014, which is the commencement date for 349.13.

For simplicity purposes, I divided the data into three separate categories represented by tabs in the attached spreadsheet:

- A) Tows by Private Contractors allowed by 349. (2,356 reported)
  - B) Towed dispatched and cited by the City consistent with pre-349 (493 Tows)
  - C) Dispatched for Citation Only (313).
- (The raw data is also attached)

### Limitations

- 1) We do not know if all vehicles towed from private property were reported. This is the contractor's responsibility.
- 2) Individual records where a contractor name is not specifically listed in the record were either reported as cancelled, vehicle gone or not towed for some other reason.
- 3) The company or agent reporting the tow is not recorded. We record the company name and maintain contact information separately. Tow company contact information is stored at the Tow Lot for customer service inquiries.
- 4) The data appears reliable however is subject to data entry, sorting or extraction error.

Some of this data may be difficult to decipher because of coding and acronyms. I would be happy to assist with any questions or clarifications.

**Thanks,**

**Dave**

**David A. Lawrence**

*City of Milwaukee Tow Lot Manager*

3811 West Lincoln Ave

Milwaukee, Wisconsin 53215

**Office: (414) 286-5974**

Cellular: (414) 708-9036

Fax: (414) 286-5093

[david.Lawrence@milwaukee.gov](mailto:david.Lawrence@milwaukee.gov)

**PARKING ENFORCEMENT MANAGER'S MEETING  
THURSDAY, DECEMBER 18th, 2014 @ 9 A.M.  
PARKING ENFORCEMENT FACILITY @ 123 N. 25<sup>th</sup> STREET  
AGENDA**

- 1) APPROVAL OF PREVIOUS MTG. MINUTES
- 2) TOW ACTIVITIES
  - Contractor Performance
  - Tow Volumes
  - Technology
  - Private Property Tows
- 3) DUNCAN
- 4) UCC
- 5) WINTER ACTIVITIES
- 6) NEW STAFF MEMBERS
- 7) SECTION UPDATES / ROUND TABLE

## Lawrence, David

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**From:** Lawrence, Nicole  
**Sent:** Tuesday, December 16, 2014 2:33 PM  
**To:** Sanders, Thomas; Dollhopf, Richard; Wilks, Charmaine; Angelos, Cindy; Birenbaum, Bambi-Lynn; Lawrence, David; Knox, Peter; Roundy, Patricia; Lopez, Adam; Stolorski, Michael; Boyd, Christopher; Holter, Jennifer  
**Subject:** Manager's Meeting  
**Attachments:** Manager's Meeting Agenda 12.16.14.docx

Please see attached agenda for manager's meeting. If you would like to add any additional items, let me know. Please note this meeting will be held at the Parking Enforcement Facility located at 123 N. 25<sup>th</sup> Street.

Thank you,

Nicole Lawrence  
DPW Parking Enforcement  
OA IV  
(414) 286-8362 Desk  
(414) 286-8347 Fax  
[nlawre@milwaukee.gov](mailto:nlawre@milwaukee.gov)

## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Friday, December 12, 2014 1:45 PM  
**To:** Caldwell (BCMASF62@yahoo.com)  
**Subject:** Excerpt from Emergency Rule

### CHAPTER TRANS 319

#### PROCEDURES AND FEES FOR TOWING ILLEGALLY PARKED VEHICLES

##### **Trans 319.01 Scope.**

This chapter applies to private property owners, traffic officers, parking enforcers, towing services, and law enforcement agencies involved in the removal of vehicles parked on private property which are not authorized to be parked there.

**Trans 319.02 Definitions.** The words and phrases defined in ss. 340.01 and 349.13(3m)(a), Stats., have the same meaning in this chapter unless a different definition is specifically provided. In this chapter:

(1) "Law enforcement agency" means a governmental unit of one or more persons employed full time by the state or a political subdivision of the state for the purpose of preventing and detecting crime and enforcing state laws or local ordinances, employees of which unit are authorized to make arrests for crimes while acting within the scope of their authority.

##### **Trans 319.03 Charges for towing and storage.**

(1) SCHEDULE. A towing service may charge the vehicle owner actual costs related to towing and storage, but not to exceed the following amounts:

- (a) \$105 for a regular tow.
- (b) \$120 for a flatbed tow.
- (c) \$20 per 24-hour period of outdoor storage.
- (d) \$25 per 24-hour period of indoor storage.
- (e) \$50 drop fee.
- (f) \$20 per tow dolly fee for indoor structures and blocked vehicles.
- (g) \$25 uninsured relocation fee.



(2) MUNICIPAL SERVICE FEE. If requested by the municipality in which the vehicle was parked, a towing service shall assess a fee not exceeding \$35 to the vehicle owner. This fee shall be in addition to any charges under subsection (1). The towing service shall remit the collected fee to the municipality.

(3) OTHER CHARGES. No person may assess a charge or fee not specified in this rule.

**Trans 319.04 Properly posted notice requirements.**

*Thanks,*

*Dave*

**David A. Lawrence**

*City of Milwaukee Tow Lot Manager*

3811 West Lincoln Ave

Milwaukee, Wisconsin 53215

**Office: (414) 286-5974**

Cellular: (414) 708-9036

Fax: (414) 286-5093

*david.Lawrence@milwaukee.gov*

## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Wednesday, November 12, 2014 12:04 PM  
**To:** Wood, Brenda  
**Cc:** Dollhopf, Richard  
**Subject:** FW:  
**Attachments:** Placards 11.12.14~Photos.docx; PLACARDS 11.12.14.docx; PLACARDS 11.12.14.pdf; SKM\_454e14111212290.pdf

Brenda,

The Placards are attached.

- 1) The **24 Notice Placard** used by Parking Enforcement (blue) lists the tow fee of \$105 and 20/day storage. These vehicles are on the street.
- 2) The **Abandoned Placard** used by MPD and PE (yellow) lists up to \$200 in ordinance violations. Tow Fess are not specified. These vehicles are on private property.
- 3) **Health Department Placard** lists a Citation with fines of \$150 to \$1,000 per day. Tow Fess are not specified.

In 2013 (July through November ), there were 1,007 tow requests from private property. In 2014, there were 2,582 tows requested from private property for the same period.

Call if you need more information or have questions.

*Thanks,*

*Dave*

**David A. Lawrence**

*City of Milwaukee Tow Lot Manager*

3811 West Lincoln Ave

Milwaukee, Wisconsin 53215

**Office: (414) 286-5974**

Cellular: (414) 708-9036

Fax: (414) 286-5093

[david.Lawrence@milwaukee.gov](mailto:david.Lawrence@milwaukee.gov)

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**From:** Harris, Dawn  
**Sent:** Wednesday, November 12, 2014 11:04 AM  
**To:** Lawrence, David  
**Subject:**

See attached...

*Dawn Harris*

CITY OF MILWAUKEE

DEPARTMENT OF PUBLIC WORKS

PARKING ENFORCEMENT

LEAD COMMUNICATION ASSISTANT IV

(414) 286-8344-OFFICE

(414) 286-8385-FAX  
[dawn.harris@milwaukee.gov](mailto:dawn.harris@milwaukee.gov)

## Lawrence, David

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**From:** Knox, Peter  
**Sent:** Thursday, October 16, 2014 4:48 PM  
**To:** Lawrence, David  
**Subject:** DOT Private Towing Regulations (Emergency Rule Emr1425)

**Categories:** Agenda Item

FYI,

Looks like the regulation is soon to be here. Our private contractors are not happy.

[http://docs.legis.wisconsin.gov/code/emergency\\_rules/current/emr1425](http://docs.legis.wisconsin.gov/code/emergency_rules/current/emr1425)

## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Tuesday, October 07, 2014 10:57 AM  
**To:** Dollhopf, Richard  
**Subject:** Private Towing Report  
**Attachments:** Private Property Tow Data Draft 2014 Sept YTD August.docx

Attached

Private Property Tow Data  
 July-September 2013 & 2014 Comparison  
 Fiscal and Volume Impact of

### Historical Citation Collection Rate and and Associated Volumes

	2013	2014	% Change	Net
Total Tow Records Created (Requests)	665	1,887	184%	1,222
Total Citations Issued	2,602	1,770	-32%	(832)
Straight Revenue Projection	\$ 104,130	\$ 70,870	-32%	(33,260)
Actual Citation Amount Collected	\$ 59,114	\$ 24,310	-59%	(34,804)
Percent Collection*	57%	34%	-40%	-22%

Total tow requests have increased by 184%. Citation issuance has declined by 32%. Citation collection is below other categorical collection averages (57%) for 2013. The 2014 collection average is 32%, however many of the citations are not due or been paid. It is expected that the collection percentage will remain consistent or increase for 2014 because of higher historical collection ratios when vehicle are towed internally.

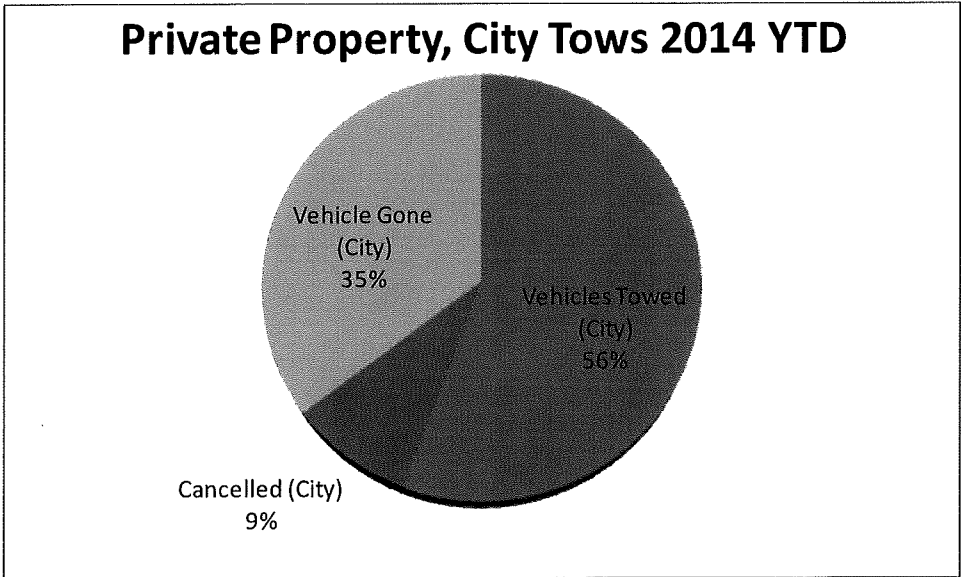
### Private Property Tow Summary

Total Requested Private Tows	665	1,887	184%	1,222
Total Tows Request by Contractor	660	1,443	119%	783
Vehicles Dispatched to Milwaukee Tow Lo	5	454	n/a	449
Vehicles Towed (City)	2	252	n/a	250
Cancelled (City)	3	41	n/a	38
Vehicle Gone (City)	0	160	n/a	160

The number of vehicle gone or cancelled in private property tows performed by outside contractors is not known or recorded. The no tow rate for internal tows is approximately 45%. If this same percentage is applied to private tows, it will decrease tow request revenues proportionally thus increasing dispatch costs.

<b>City Revenue</b>				
Citations	\$ 59,114	\$ 24,310	-59%	(34,804)
Tow Request Fee	\$ -	\$ 50,505		
Tow Release Fees	\$ -	\$ 27,010		
Disposal	\$ 295	\$ 3,080		
Costs*DOES NOT INCLUDE DISPATCH	\$ (266.00)	\$ (18,900.00)		(18,634)
<b>Total (Net)</b>	<b>\$ 59,143.00</b>	<b>\$ 86,005.00</b>	<b>45%</b>	<b>26,862</b>

City revenue has increased by 45% or \$26,862. The revenue figures are YTD actual. Since not all vehicles have been retrieved or are eligible for deposition, the totals are artificially low. As indicated above, Tow Request fees may be lowered for no-tows and for lack of payment.



## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Wednesday, September 10, 2014 10:34 AM  
**To:** Dollhopf, Richard  
**Cc:** Knox, Peter  
**Subject:** RE: Private Tow data  
**Attachments:** Private Property Tow Data Draft 2014 YTD August.docx

Updated, grammatical corrections

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**From:** Lawrence, David  
**Sent:** Tuesday, September 09, 2014 5:55 PM  
**To:** Dollhopf, Richard  
**Cc:** Knox, Peter  
**Subject:** Private Tow data

Please review and get back to me. I'd like Peter to take another look before submitting.

Interesting stuff.

Thanks,

Dave



Private Property Tow Data  
 July-August, 2013 & 2014 Comparison  
 Fiscal and Volume Impact of

### Historical Citation Collection Rate and and Associated Volumes

	2013	2014	% Change	Net
Total Tow Records Created (Requests)	444	1,286	190%	842
Total Citations Issued	1,699	1,160	-32%	(539)
Straight Revenue Projection	\$ 67,990	\$ 46,400	-32%	(21,590)
Actual Citation Amount Collected	\$ 38,859	\$ 14,657	-62%	(24,202)
Percent Collection*	57%	32%	-45%	-26%

Total tow requests have increased by 190%. Citation issuance has declined by 32%. Citation collection is below other categorical collection averages (57%) for 2013. The 2014 collection average is 32%, however many of the citations are not due or been paid. It is expected that the collection percentage will remain consistent or increase for 2014 because of higher historical collection ratios when vehicle are towed internally.

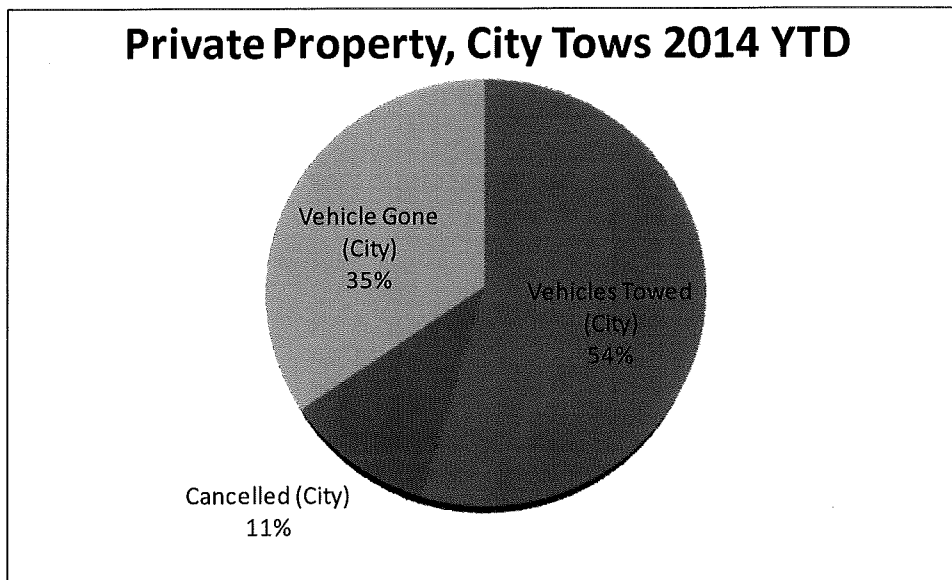
### Private Property Tow Summary

Total Requested Private Tows	444	1,286	190%	842
Total Tows Request by Contractor	439	1,000	128%	561
Vehicles Dispatched to Milwaukee Tow Lo	3	286	n/a	283
Vehicles Towed (City)	2	156	n/a	154
Cancelled (City)	1	31	n/a	30
Vehicle Gone (City)	0	99	n/a	99

The number of vehicle gone or cancelled in private property tows performed by outside contractors is not known or recorded. The no tow rate for internal tows is approximately 45%. If this same percentage is applied to private tows, it will decrease tow request revenues proportionally thus increasing dispatch costs.

<b>City Revenue</b>				
Citations	\$ 38,859	\$ 14,657	-62%	(24,202)
Tow Request Fee	\$ -	\$ 35,000		
Tow Release Fees	\$ -	\$ 15,565		
Disposal	\$ 295	\$ 720		
Costs*DOES NOT INCLUDE DISPATCH	\$ (266.00)	\$ (10,920.00)		(10,654)
<b>Total (Net)</b>	<b>\$ 38,888.00</b>	<b>\$ 55,022.00</b>	<b>41%</b>	<b>16,134</b>

City revenue has increased by 41% or \$16,134. The revenue figures are YTD actual. Since not all vehicles have been retrieved or are eligible for deposition, the totals are artificially low. As indicated above, Tow Request fees may be lowered for no-tows and for lack of payment. One of the largest contractors has not paid fees.



## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Tuesday, September 09, 2014 5:55 PM  
**To:** Dollhopf, Richard  
**Cc:** Knox, Peter  
**Subject:** Private Tow data  
**Attachments:** Private Property Tow Data Draft 2014 YTD August.docx

Please review and get back to me. I'd like Peter to take another look before submitting.

Interesting stuff.

Thanks,

Dave

## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Tuesday, September 09, 2014 8:13 AM  
**To:** Knox, Peter; Dollhopf, Richard  
**Subject:** RE: Private Property Data

This data is not correct, do not use. I will forward a corrected version.

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**From:** Knox, Peter  
**Sent:** Monday, September 08, 2014 5:57 PM  
**To:** Dollhopf, Richard  
**Cc:** Lawrence, David  
**Subject:** Private Property Data

Rich,

Here is the updated data and estimated revenue for private property tows per your request. I have included a comparison of July 2014 and July 2013, August 2014 and August 2013, and July and August of 2014. Use the data from this email for the 1<sup>st</sup> chart (July 14 and July 13) as there was an inaccurate percent calculation in the previous version. Attached are the excel documents in case you wanted to merge data or incorporate any graphics. Let me know if you need anything else.

Peter Knox  
City of Milwaukee  
Tow Lot Assistant Manager  
414-286-5091 Office

<b>Private Property Data (July 1 - July 31)</b>			
	<b>2014</b>	<b>2013</b>	<b>Percent Change</b>
<b>Citations Issued Private Tows</b>	697	1005	-31%
<b>Potential Revenue</b>	\$ 27,880	\$ 40,200	-31%
<b>Collected @ 67%</b>	\$ 18,680	\$ 26,934	-31%
<b>Total Reported Tow Request</b>	732	282	160%
<b>Vehicle Dispatched to City</b>	136	0	
<b>Vehicles Towed</b>	75	0	
<b>Revenue</b>	\$ 7,875		

## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Friday, July 25, 2014 9:28 AM  
**To:** Dollhopf, Richard  
**Cc:** Wood, Brenda  
**Subject:** RE: Legislative Proposals  
**Attachments:** Private Property Tow Rate Analysis Revised.docx

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**From:** Dollhopf, Richard  
**Sent:** Friday, July 25, 2014 9:02 AM  
**To:** Lawrence, David  
**Subject:** FW: Legislative Proposals

Dave can you resend your report on the DOT rule making procedure to Brenda and myself.

Thanks

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**From:** Wood, Brenda  
**Sent:** Wednesday, July 23, 2014 2:12 PM  
**To:** Dollhopf, Richard  
**Subject:** RE: Legislative Proposals

Let me take a look. I should have them and if I don't someone else will. Once located, I'll send to you.

Did you ever see the proposed DOT rule I sent to you and Dave Lawrence re: the private property tows? I didn't hear from either of you so just curious.

Thanks.

---

**From:** Dollhopf, Richard  
**Sent:** Wednesday, July 23, 2014 12:57 PM  
**To:** Wood, Brenda  
**Subject:** Legislative Proposals

Brenda,

Would you have electronic copies of the Legislative Proposals that Parking submitted last year? I do not have copies of what we proposed and would like to use those as a template for this year's requests.

Thank You,

Richard Dollhopf  
Parking Services Manager  
City of Milwaukee DPW  
414-286-8365

## Summary

An internet search for corresponding regulations for private property towing was conducted. Thirty five of the municipalities surveyed have regulations regarding the maximum allowable fees a tow company may charge for the retrieval of towed vehicles from private property. Several of the states have enacted maximum fees. In the majority of instances, state regulations defer to local units of government for rate setting purposes.

In Wisconsin, private property tows are largely unregulated with regard to maximum allowable fees. Excessive fees and other abuses are rampant and documented in numerous posts and complaints. In Milwaukee, many private property tow fees range from \$200 to \$400 per tow with storage and other fees added. Consumer complaints have registered fees exceeding \$700. The unregulated Milwaukee rates are significantly higher when compared to other similar municipalities. The average tow fee for the thirty five municipalities reviewed is \$125.72. There are outliers in densely populated major cities such as San Francisco (\$250).

In most of the cases examined, there are provisions for “drops” where the owner can retrieve their vehicle on site just after it is loaded. These fees are generally 50% of the tow fee. Outdoor storage fees typically range between \$10 and \$25 per day. Indoor storage fees are generally an additional \$5 to \$10 per day.

Other administrative and millage fees are typically seen in the municipalities with lower initial tow fees in the \$88 to \$105 range. Although difficult to estimate, total average tow fees without storage days average \$147.06. Heavy Duty tows vary significantly. They are generally based on time and material charges in millage and equipment utilized.

## Options

There are several possible options.

- A. Defer to the prevailing municipal tow rate established by local ordinances. For example, In the City Milwaukee and Milwaukee County rates are as follows;
- B. Establish a Wisconsin Standard Rate Schedule for Private Tows where local ordinance does not address this issue.
  - a. \$105 Regular Tow
  - b. \$120 Flatbed Tow
  - c. \$20/day Outdoor Storage
  - d. \$25/day Indoor Storage
  - e. \$50 Drop Fee<sup>1</sup>
  - f. \$20/tow Dolly Fee for indoor structures and blocked vehicles<sup>2</sup>
  - g. \$25 Uninsured Relocation Fee<sup>3</sup>

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<sup>1</sup> Recommended Addition

<sup>2</sup> Rarely used but provides for specialized relocation

## Recommendations

1. Millage should not be included in the tow fee as it is difficult to regulate and helps ensure that vehicles are stored locally.
2. Incorporating the existing municipal tow rates reflects the individual needs of the specific community and prices will increase or decrease in response to local need or economic conditions. Therefore, it would not require frequent DOT rule/price revisions.
3. No other fees should be permitted. Administrative fees charged for abandonment or notifications are unreasonable as costs are recovered by scrapping or selling the vehicle. This provision is common among municipalities.
4. Establishing state maximum towing rates would cover municipalities and protect visitors and residents from predatory tow operators operating in areas without established rates or programs.
5. The \$35 stolen fee required by Act 25 should be an additional fee added to the Tow as it is remitted separately to local law enforcement. Average fee, under the below price structure for standard tow, is \$140.00. The estimated average of the municipalities surveyed is \$147.06

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<sup>3</sup> If the vehicle is uninsured it must be towed or driven out to the customer as the customer cannot legally drive an uninsured vehicle

## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Monday, July 21, 2014 12:37 PM  
**To:** Dollhopf, Richard  
**Cc:** Knox, Peter  
**Subject:** Preliminary Private Tow Data

Richard,

Below is the data for private property. Please note; this data is draft preliminary.

	<b>2014</b>	<b>2013</b>	<b>Percent Change</b>
<b>Citations Issued Private Tows</b>	447	622	-39%
<b>Potential Revenue</b>	\$ 17,880	\$ 24,880	-39%
<b>Collected @ 67%</b>	\$ 11,980	\$ 16,687	-39%
<b>Total Reported Tow Requests</b>	518	159	<b>69%</b>
<b>Vehicle Dispatched to City</b>	104	0	
<b>Vehicles Towed</b>	50	0	
<b>Revenue</b>	\$4,805	\$0	
<b>Private Tows Reported</b>	414	159	<b>62%</b>
<b>Vehicles Towed</b>	Unknown	Unknown	
<b>Estimated City Reporting Revenue</b>	\$ 14,490	\$ -	
<b>Estimated Total Revenue</b>	\$ 31,275	\$ 16,687	<b>47%</b>



## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Friday, July 11, 2014 10:32 AM  
**To:** Roundy, Patricia; Knox, Peter  
**Subject:** FW: Official Notice (Private Property)  
**Attachments:** City of Milwaukee Official Notification (Private Tows).docx

One more for monday

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**From:** Knox, Peter  
**Sent:** Thursday, June 26, 2014 10:03 AM  
**To:** Lawrence, David  
**Subject:** FW: Official Notice (Private Property)

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**From:** Knox, Peter  
**Sent:** Thursday, June 12, 2014 10:56 AM  
**To:** Lawrence, David  
**Subject:** Official Notice (Private Property)

Dave,

Here are the drafts. Let me know what you think.

Peter

## City of Milwaukee Official Notification

**Re:** Wisconsin ACT 25 (Vehicles Towed From Private Property)

**To:** All Milwaukee Towing Operators towing from private property

### Notification Requirements

Effective July 1<sup>st</sup>, 2014 any vehicle towed from properly posted private property must receive authorization prior to any towing activity. The City of Milwaukee has designated the Parking Information Desk (PID) as the official notification entity.

In order to receive a Private Property Tow Reference Number the following criteria must be met.

- A.** If the property is not properly posted,
  - 1.** A citation must be issued prior to any towing of vehicles.
  - 2.** You must be the documented owner or authorized agent for the owner of the property.
  - 3.** Citation requests must be directed to the PID at 286-0000. A Parking Enforcement Officer (PEO) will be dispatched to the property to issue a citation if the proper authority and property ownership/authorization can be verified.
  - 4.** Once the vehicle has been run stolen, issued a citation, and a Private Property Tow ID Number is issued, the vehicle may be towed.
  - 5.** A \$35.00 processing fee must be remitted to the DPW Tow Lot within 30 days of the vehicle's release.
  
- B.** If the property is properly posted,
  - 1.** Notification to PID and a Private Property Tow ID Number is required prior to any towing activity.
  - 2.** You must be the owner or the authorized agent of the property to request any tow.
  - 3.** Once the vehicle has been run stolen and a Private Property Tow ID Number is issued the vehicle may be towed.
  - 4.** A \$35.00 processing fee must be remitted to the DPW Tow Lot within 30 days of the vehicle's release.

Enclosed is the required Private Property Tow Certification form. This form is required to obtain a tow authorization number. Please fully complete the Private Property Certification Form and return to the Milwaukee Tow Lot in the provided envelope. Questions should be directed to Patricia Roundy (Tow Lot Supervisor) as 414-286-5085.

## Private Property Tow Operator Registration Form

Company Name: \_\_\_\_\_ Date: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Billing Address: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

Fax #: ( ) \_\_\_\_\_

Email: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

Number of Tow Vehicles: \_\_\_\_\_

Wisconsin Licensed Carrier Number (LC or MC): \_\_\_\_\_

DOT Carrier Number            Type: \_\_\_\_\_

Salvage License Y or N            Number: \_\_\_\_\_

Insurance Provider: \_\_\_\_\_

Vehicle Storage Location: \_\_\_\_\_

Customer Service Hours: \_\_\_\_\_

Customer Service Contact Information: \_\_\_\_\_

Towing Fees: \$ \_\_\_\_\_

Daily Storage Fee: \$ \_\_\_\_\_

List any Additional Fees Charged (ie administrative, flatbed, mileage, or any other potential release fee):

(Fee) \_\_\_\_\_ \$ \_\_\_\_\_    (Fee) \_\_\_\_\_ \$ \_\_\_\_\_    (Fee) \_\_\_\_\_ \$ \_\_\_\_\_



## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Friday, July 11, 2014 10:30 AM  
**To:** Knox, Peter; Roundy, Patricia  
**Subject:** Monday 11:00 am

Let's meet to discuss private property and other issues

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Friday, June 20, 2014 9:21 AM  
**To:** Sanders, Thomas  
**Subject:** RE: Vehicles parked on private property

Tom,

2013 Wisconsin Act 76 was enacted December 12, 2013. The majority of this act pertains to Landlord/Tenant rights and the eviction process. There are two provisions within the statute that relate to the towing from private property.

- 1) **Trespass Vehicles on Post Private Property:** A citation is no longer required for a vehicle to be towed from properly posted private property providing that the owner or towing operator reports this tow to the local municipality and the vehicle has not been reported stolen. The property owner or agent may call the City or a private contractor to have a vehicle towed from posted private property. It is the responsibility of the Tow Operator to notify local law enforcement prior to the tow.
- 2) **Trespass Vehicles on Un-Posted Private Property:** A citation is required for vehicles to be removed from private property. The owner or agent for the owner may call Parking Enforcement to have a trespass vehicle removed. A Parking Enforcement Officer is dispatched and determines if the property owner/agent is the proper authority. If so, a ticket is issued. If the vehicle has not been reported stolen, the vehicle may be towed by the City or privately.

Simply put this legislative change makes trespass vehicles easier to remove from private property. The City is able to provide this service to property owner when appropriate.

References: <https://docs.legis.wisconsin.gov/2013/related/acts/76>

Call with any questions,

Thanks,  
Dave  
David A. Lawrence  
Tow Lot Manager  
City of Milwaukee  
(414) 286-5974  
(414)708-9036 Cell

---

**From:** Sanders, Thomas  
**Sent:** Friday, June 20, 2014 8:10 AM  
**To:** Lawrence, David  
**Subject:** FW: Vehicles parked on private property

---

**From:** O'Connor, Megan Ann  
**Sent:** Thursday, June 19, 2014 3:58 PM  
**To:** Sanders, Thomas  
**Subject:** RE: Vehicles parked on private property

Tom,

Can you please provide more information to me regarding the change beginning July 1<sup>st</sup>

Sincerely,

Megan O'Connor  
Constituent Relations Manager  
Office of Mayor Tom Barrett  
P: 414-286-2200  
[moconn@milwaukee.gov](mailto:moconn@milwaukee.gov)



---

**From:** Sanders, Thomas  
**Sent:** Thursday, June 19, 2014 1:14 PM  
**To:** O'Connor, Megan Ann; Dollhopf, Richard  
**Cc:** Mishefske, Thomas  
**Subject:** RE: Vehicles parked on private property

Hello Megan, I spoke with Mrs. Moore and explained to her that she can call 286-8350 and we will come and ticket the veh parked on her property. I explained to her that once the veh has been cited she can contact a private tow contractor and have the veh towed. I also explained to her that on July 1<sup>st</sup> the City of Milwaukee will start towing veh's off private property parked without the property owner's permission.

---

**From:** O'Connor, Megan Ann  
**Sent:** Thursday, June 19, 2014 12:57 PM  
**To:** Dollhopf, Richard; Sanders, Thomas  
**Cc:** Mishefske, Thomas  
**Subject:** Vehicles parked on private property

Good Afternoon,

I spoke to Ms. Alicia Moore, 4865 North 60<sup>th</sup> Street, phone number 469-7604, regarding tenants at 4859 North 60<sup>th</sup> Street parking their vehicles on her yard/property and parking in the back of the alley on her carport and behind her garbage cans on the grass. She has called that Landlord, Alderman's office, DNS and MPD but the issue is ongoing. What can be done to resolve this matter?

Sincerely,

Megan O'Connor  
Constituent Relations Manager  
Office of Mayor Tom Barrett  
P: 414-286-2200  
[moconn@milwaukee.gov](mailto:moconn@milwaukee.gov)



## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Thursday, June 12, 2014 11:21 AM  
**To:** Sanders, Thomas; Dollhopf, Richard; Wilks, Charmaine  
**Subject:** FW: Official Notice (Private Property)  
**Attachments:** City of Milwaukee Official Notification (Private Tows).docx

Please review.



## City of Milwaukee Official Notification

**Re:** Wisconsin ACT 25 (Vehicles Towed From Private Property)

**To:** All Milwaukee Towing Operators towing from private property

### Notification Requirements

Effective July 1<sup>st</sup>, 2014 any vehicle towed from properly posted private property must receive authorization prior to any towing activity. The City of Milwaukee has designated the Parking Information Desk (PID) as the official notification entity.

In order to receive a Private Property Tow Reference Number the following criteria must be met.

- A.** If the property is not properly posted,
  - 1. A citation must be issued prior to any towing of vehicles.
  - 2. You must be the documented owner or authorized agent for the owner of the property.
  - 3. Citation requests must be directed to the PID at 286-0000. A Parking Enforcement Officer (PEO) will be dispatched to the property to issue a citation if the proper authority and property ownership/authorization can be verified.
  - 4. Once the vehicle has been run stolen, issued a citation, and a Private Property Tow ID Number is issued, the vehicle may be towed.
  - 5. A \$35.00 processing fee must be remitted to the DPW Tow Lot within 30 days of the vehicle's release.
  
- B.** If the property is properly posted,
  - 1. Notification to PID and a Private Property Tow ID Number is required prior to any towing activity.
  - 2. You must be the owner or the authorized agent of the property to request any tow.
  - 3. Once the vehicle has been run stolen and a Private Property Tow ID Number is issued the vehicle may be towed.
  - 4. A \$35.00 processing fee must be remitted to the DPW Tow Lot within 30 days of the vehicle's release.

Enclosed is the required Private Property Tow Certification form. This form is required to obtain a tow authorization number. Please fully complete the Private Property Certification Form and return to the Milwaukee Tow Lot in the provided envelope. Questions should be directed to Patricia Roundy (Tow Lot Supervisor) as 414-286-5085.

## Private Property Tow Operator Registration Form

Company Name: \_\_\_\_\_ Date: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Billing Address: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

Fax #: ( ) \_\_\_\_\_

Email: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

Number of Tow Vehicles: \_\_\_\_\_

Wisconsin Licensed Carrier Number (LC or MC): \_\_\_\_\_

DOT Carrier Number            Type: \_\_\_\_\_

Salvage License Y or N            Number: \_\_\_\_\_

Insurance Provider: \_\_\_\_\_

Vehicle Storage Location: \_\_\_\_\_

Customer Service Hours: \_\_\_\_\_

Customer Service Contact Information: \_\_\_\_\_

Towing Fees: \$ \_\_\_\_\_

Daily Storage Fee: \$ \_\_\_\_\_

List any Additional Fees Charged (ie administrative, flatbed, mileage, or any other potential release fee):

(Fee) \_\_\_\_\_ \$ \_\_\_\_\_    (Fee) \_\_\_\_\_ \$ \_\_\_\_\_    (Fee) \_\_\_\_\_ \$ \_\_\_\_\_

## Lawrence, David

---

**Subject:** Private Property Tows  
**Location:** 123 Canal

**Start:** Wed 6/11/2014 1:00 PM  
**End:** Wed 6/11/2014 2:00 PM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** Lawrence, David  
**Required Attendees:** Knox, Peter; Dollhopf, Richard; Sanders, Thomas; Wilks, Charmaine

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Tuesday, June 10, 2014 2:01 PM  
**To:** Withers, Richard (Old Acct)  
**Subject:** RE: Tow Trucks

Richard, What is the status of this? Thanks, Dave

---

**From:** Withers, Richard  
**Sent:** Tuesday, March 25, 2014 12:13 PM  
**To:** Pfaff, Richard; Grill, Rebecca; Wessel, Thomas; Stephens, Adam; Raden, Chad  
**Cc:** Lawrence, David; Block, Kathryn  
**Subject:** Tow Trucks

Good Morning, All,

I received this correspondence from Dave Lawrence (together with his attachment – a rough draft). I understand that Tow Truck issues are on the agenda for the Tuesday meeting based upon the March 4 opinion from the City Attorney's Office (Kurt Behling) that they are subject to licensing and regulation as junk collectors. I thought this should be added to the mix...please let me know how you'd like to proceed. (Sorry I can't be there due to election duty).

I've also attached a copy of 2013 Wisconsin Act 76, referenced by Dave in his e-mail.

Dick

---

**From:** Lawrence, David [<mailto:dlawre@milwaukee.gov>]  
**Sent:** Tuesday, March 25, 2014 11:19 AM  
**To:** Withers, Richard  
**Subject:** FW: Ordinance relating to SB 179

Richard,

SB-179 was passed in 2013. It is effective on July 1, 2014. We are seeking to create a licensure requirement for Tow Drivers who tow from private property. The current system is full of fraud and aldermanic complaints. I will be working with Donovan.

In short, what we hope to accomplish is

- 1) A license to Tow of private property in the City of Milwaukee
- 2) This license is contingent upon:
  - a. Insurance
  - b. Payment of required fees to the municipality
  - c. Vehicle safety
  - d. Holding area safety
  - e. Penalties for non-compliance

It appears, we may be able to add this to CH 93. I have attached a very rough draft of possible language changes. Can we setup a time to discuss?

Thanks,

Dave  
David Lawrence  
Tow Lot Manager  
286-5974  
708-9036 Cell

---

**From:** Block, Kathryn  
**Sent:** Friday, March 21, 2014 11:44 AM  
**To:** Lawrence, David  
**Cc:** Dollhopf, Richard  
**Subject:** RE: Ordinance relating to SB 179

Without reviewing the draft for specifics, the idea of placing in Chapter 93 seems sensible to me, but I defer to LRB on these types of issues.

K

---

**From:** Lawrence, David  
**Sent:** Friday, March 21, 2014 10:40 AM  
**To:** Block, Kathryn  
**Cc:** Dollhopf, Richard  
**Subject:** Ordinance relating to SB 179

Kathy,

I had a thought. What do you think about modifying "Secondhand Motor Vehicles and Auto Wreckers 93-15" to include Towing Operators as it relates to SB179 or Act 76.

I have attached a word version of the ordinance and made some suggested changes. This is only a very rough draft I realize much more will need to be done and modified, but it may be easier than developing an entirely new licensing.

Let me know if you think this is feasible.

Dave

## Lawrence, David

---

**Subject:** Various Issues: Private Property MPD Tows  
**Location:** Tow Lot

**Start:** Tue 6/10/2014 1:30 PM  
**End:** Tue 6/10/2014 2:30 PM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** Lawrence, David  
**Required Attendees:** Dollhopf, Richard

## Lawrence, David

---

**Subject:** Various Issues: Private Property MPD Tows  
**Location:** Tow Lot

**Start:** Tue 6/10/2014 1:30 PM  
**End:** Tue 6/10/2014 2:30 PM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** Lawrence, David  
**Required Attendees:** Dollhopf, Richard

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Thursday, June 05, 2014 11:34 AM  
**To:** Dollhopf, Richard  
**Cc:** Knox, Peter  
**Subject:** Meeting Request/Out of Office

Welcome Back Rich,

Things here went smooth or as smooth as can be expected during your absence. Although, we reaching deadline on the private property tow stuff and I could use your assistance.

If you available next Tuesday, I would like to discuss the private property stuff and a good opportunity to make some changes in MPD towing procedure. I've spoken with Lt.Baral on several occasions (you were copied on the emails) about allegations of late tows from a ride along patrol. This is specifically about large scale towing and few other operations. Since we have thier attention, there are some mutually beneficial items we have worked on in the past that will minimize the safekeeping designation and provide for better communication. You assistance would be appreciated. So, if we can let's add this to the list get together on Tuesday or early next week.

FYI: Neal is serving the ten day and will probably head to City Service, although I have not received any formal notification.

I will be out this afternoon and off Friday for my weekend duty, but as always will have my cell should the need arise. Peter is back and on duty for the weekend.

Thanks,

Dave



## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Thursday, June 05, 2014 11:34 AM  
**To:** Dollhopf, Richard  
**Cc:** Knox, Peter  
**Subject:** Meeting Request/Out of Office

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FYI: Neal is serving the ten day and will probably head to City Service, although I have not received any formal notification.

I will be out this afternoon and off Friday for my weekend duty, but as always will have my cell should the need arise. Peter is back and on duty for the weekend.

Thanks,

Dave

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Tuesday, May 27, 2014 11:09 AM  
**To:** Dollhopf, Richard  
**Subject:** Items for Discussion: Please schedule some time for this weeks & Furlough Days

Rich,

Please let me know your availability for a meeting on Thursday. We need to discuss Neal and Private Property Tows. I am on furlough this Friday, have Jud leg Wednesday Afternoon and will be out of the office this afternoon.

Please let me know.

Thanks,  
Dave

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Friday, May 09, 2014 1:37 PM  
**To:** Wood, Brenda  
**Cc:** Knox, Peter; Dollhopf, Richard; Sanders, Thomas  
**Subject:** Private Property Towing Recommendations  
**Attachments:** Private Property Tow Rate Analysis Revised.docx

Brenda,

Attached are the recommendations you requested. I've went through many ordinances and regulations with maximum towing rates for private property. The data is for the most part based on internet searches of ordinances, statues and articles. In many cases, the data was scanty and difficult to decipher. I am confident that the data is representative, but could probably be picked a part in the specifics. Rates are variable, based on some ambiguity and constantly changing. A formal analysis would take much more time. In short, I would use caution in quoting specific examples.

I hope this helps. Feel free to comment, question or request clarifications.

Thanks,

Dave

**Analysis and Recommendations for Private Property Towing Rates****Summary**

An internet search for corresponding regulations for private property towing was conducted. Thirty five of the municipalities surveyed have regulations regarding the maximum allowable fees a tow company may charge for the retrieval of towed vehicles from private property. Several of the states have enacted maximum fees. In the majority of instances, state regulations defer to local units of government for rate setting purposes.

In Wisconsin, private property tows are largely unregulated with regard to maximum allowable fees. Excessive fees and other abuses are rampant and documented in numerous posts and complaints. In Milwaukee, many private property tow fees range from \$200 to \$400 per tow with storage and other fees added. Consumer complaints have registered fees exceeding \$700. The unregulated Milwaukee rates are significantly higher when compared to other similar municipalities. The average tow fee for the thirty five municipalities reviewed is \$125.72. There are outliers in densely populated major cities such as San Francisco (\$250).

In most of the cases examined, there are provisions for “drops” where the owner can retrieve their vehicle on site just after it is loaded. These fees are generally 50% of the tow fee. Outdoor storage fees typically range between \$10 and \$25 per day. Indoor storage fees are generally an additional \$5 to \$10 per day.

Other administrative and millage fees are typically seen in the municipalities with lower initial tow fees in the \$88 to \$105 range. Although difficult to estimate, total average tow fees without storage days average \$147.06. Heavy Duty tows vary significantly. They are generally based on time and material charges in millage and equipment utilized.

**Options**

There are several possible options.

- A. Defer to the prevailing municipal tow rate established by local ordinances. For example, In the City Milwaukee and Milwaukee County rates are as follows;
- B. Establish a Wisconsin Standard Rate Schedule for Private Tows where local ordinance does not address this issue.
  - a. \$105 Regular Tow
  - b. \$120 Flatbed Tow
  - c. \$20/day Outdoor Storage
  - d. \$25/day Indoor Storage
  - e. \$50 Drop Fee<sup>1</sup>
  - f. \$20/tow Dolly Fee for indoor structures and blocked vehicles<sup>2</sup>
  - g. \$25 Uninsured Relocation Fee<sup>3</sup>

---

<sup>1</sup> Recommended Addition

<sup>2</sup> Rarely used but provides for specialized relocation

**Analysis and Recommendations for Private Property Towing Rates****Recommendations**

1. Millage should not be included in the tow fee as it is difficult to regulate and helps ensure that vehicles are stored locally.
2. Incorporating the existing municipal tow rates reflects the individual needs of the specific community and prices will increase or decrease in response to local need or economic conditions. Therefore, it would not require frequent DOT rule/price revisions.
3. No other fees should be permitted. Administrative fees charged for abandonment or notifications are unreasonable as costs are recovered by scrapping or selling the vehicle. This provision is common among municipalities.
4. Establishing state maximum towing rates would cover municipalities and protect visitors and residents from predatory tow operators operating in areas without established rates or programs.
5. The \$35 stolen fee required by Act 25 should be an additional fee added to the Tow as it is remitted separately to local law enforcement. Average fee, under the below price structure for standard tow, is \$140.00. The estimated average of the municipalities surveyed is \$147.06

---

<sup>3</sup> If the vehicle is uninsured it must be towed or driven out to the customer as the customer cannot legally drive an uninsured vehicle

## Summary

An internet search for corresponding regulations for private property towing was conducted. Thirty five of the municipalities surveyed have regulations regarding the maximum allowable fees a tow company may charge for the retrieval of towed vehicles from private property. Several of the states have enacted maximum fees. In the majority of instances, state regulations defer to local units of government for rate setting purposes.

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---

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## Recommendations

1. Millage should not be included in the tow fee as it is difficult to regulate and helps ensure that vehicles are stored locally.
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---

<sup>3</sup> If the vehicle is uninsured it must be towed or driven out to the customer as the customer cannot legally drive an uninsured vehicle

**Lawrence, David**

---

**From:** Lawrence, David  
**Sent:** Friday, May 09, 2014 1:09 PM  
**To:** Knox, Peter  
**Attachments:** Private Property Tow Rate Analysis.docx

One more time



## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Friday, May 09, 2014 8:47 AM  
**To:** Behling, Kurt  
**Subject:** FW: Tow Trucks  
**Attachments:** Revised Secondhand Motor Vehicles and.docx; 2013 Wis Act 76 ( 2013 SB 179).pdf

Kurt, This is the item I was talking about. I was under the impression they had forwarded this to you for review.

---

**From:** Withers, Richard  
**Sent:** Tuesday, March 25, 2014 12:13 PM  
**To:** Pfaff, Richard; Grill, Rebecca; Wessel, Thomas; Stephens, Adam; Raden, Chad  
**Cc:** Lawrence, David; Block, Kathryn  
**Subject:** Tow Trucks

Good Morning, All,

I received this correspondence from Dave Lawrence (together with his attachment – a rough draft). I understand that Tow Truck issues are on the agenda for the Tuesday meeting based upon the March 4 opinion from the City Attorney's Office (Kurt Behling) that they are subject to licensing and regulation as junk collectors. I thought this should be added to the mix...please let me know how you'd like to proceed. (Sorry I can't be there due to election duty).

I've also attached a copy of 2013 Wisconsin Act 76, referenced by Dave in his e-mail.

Dick

---

**From:** Lawrence, David [<mailto:dlawre@milwaukee.gov>]  
**Sent:** Tuesday, March 25, 2014 11:19 AM  
**To:** Withers, Richard  
**Subject:** FW: Ordinance relating to SB 179

Richard,

SB-179 was passed in 2013. It is effective on July 1, 2014. We are seeking to create a licensure requirement for Tow Drivers who tow from private property. The current system is full of fraud and aldermanic complaints. I will be working with Donovan.

In short, what we hope to accomplish is

- 1) A license to Tow of private property in the City of Milwaukee
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  - b. Payment of required fees to the municipality
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  - d. Holding area safety
  - e. Penalties for non-compliance

It appears, we may be able to add this to CH 93. I have attached a very rough draft of possible language changes. Can we setup a time to discuss?

Thanks,

Dave  
David Lawrence  
Tow Lot Manager  
286-5974  
708-9036 Cell

---

**From:** Block, Kathryn  
**Sent:** Friday, March 21, 2014 11:44 AM  
**To:** Lawrence, David  
**Cc:** Dollhopf, Richard  
**Subject:** RE: Ordinance relating to SB 179

Without reviewing the draft for specifics, the idea of placing in Chapter 93 seems sensible to me, but I defer to LRB on these types of issues.

K

---

**From:** Lawrence, David  
**Sent:** Friday, March 21, 2014 10:40 AM  
**To:** Block, Kathryn  
**Cc:** Dollhopf, Richard  
**Subject:** Ordinance relating to SB 179

Kathy,

I had a thought. What do you think about modifying "Secondhand Motor Vehicles and Auto Wreckers 93-15" to include Towing Operators as it relates to SB179 or Act 76.

I have attached a word version of the ordinance and made some suggested changes. This is only a very rough draft I realize much more will need to be done and modified, but it may be easier than developing an entirely new licensing.

Let me know if you think this is feasible.

Dave

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Tuesday, May 06, 2014 10:11 AM  
**To:** Darren Engbring  
**Subject:** RE: Disposal of Abandoned Motor Vehicles

Darren, I not sure it is necessary for you to have a copy, unless you suspect the contractor is not legitimate or not acting on behalf of the municipality. I think a simple written verification from the municipality or copy of contact or agreement would suffice.

---

**From:** Darren Engbring [mailto:Darren.Engbring@altertrading.com]  
**Sent:** Tuesday, May 06, 2014 10:05 AM  
**To:** Lawrence, David  
**Subject:** RE: Disposal of Abandoned Motor Vehicles

Thank you for your help with my questions.

It seems clear what needs to be done. We should request is a copy of the completed "form supplied by the department" to demonstrate proper notification and holding periods were met.

I will follow up directly with the municipality that the tow operator is working for before accepting any of these vehicles.

Darren Engbring

---

**From:** Lawrence, David [mailto:dlawre@milwaukee.gov]  
**Sent:** Tuesday, May 06, 2014 9:27 AM  
**To:** Darren Engbring  
**Subject:** Disposal of Abandoned Motor Vehicles

Darren,

- 1) The majority of rules are in WI State Statutes "342.40 Vehicle abandonment prohibited; removal; disposal" (relevant except below)
- 2) Municipalities may enact ordinances that add requirements, however I reviewed Eau Claire's and they have adopted the state statute in its entirety.
- 3) If lien holders have been properly notified and not executed their right of retrieval you may dispose the vehicle. However, if as you indicated the vehicles are the result of a municipal tow, the municipality is required to: 342.40(3)(e) "(e) Within 5 days after the sale or disposal of a vehicle as provided in this subsection or sub. (2), the municipality or county shall advise the department of the sale or disposition on a form supplied by the department."

In short, I am not aware of any requirements that you, as the recycler, are required to, or even have the ability to, verify that the notification/holding process was conducted correctly. Furthermore, using the junk bill of sale in these instances does not seem appropriate, since these are municipally generated tows.

I would suggest that you speak directly with the municipality and verify their contractor is authorized to dispose of municipal generated abandoned vehicles and that they are properly notifying the state with regard to these vehicles.

I hope this helps, let me know if you need anything else.

Dave

“(c) Any vehicle which is deemed abandoned by a duly authorized municipal or county representative and not disposed of under sub. (2) shall be retained in storage for a minimum period of 10 days after certified mail notice has been sent to the owner and lienholders of record to permit reclamation of the vehicle after payment of accrued charges. Such notice shall set forth the year, make, model, and serial number of the abandoned motor vehicle, the place where the vehicle is being held, and shall inform the owner and any lienholders of their right to reclaim the vehicle. The notice shall state that the failure of the owner or lienholders to exercise their rights to reclaim the vehicle under this section shall be deemed a waiver of all right, title, and interest in the vehicle and a consent to the sale of the vehicle. Each retained vehicle not reclaimed by its owner or lienholder may be sold. The municipality or county may dispose of the vehicle by sealed bid or auction sale as provided by ordinance. At such sale the highest bid for any such motor vehicle shall be accepted unless the same is deemed inadequate by a duly authorized municipal or county representative, in which event all bids may be rejected. If all bids are rejected or no bid is received, the municipality or county may either readvertise the sale, adjourn the sale to a definite date, sell the motor vehicle at a private sale or junk the vehicle. Any interested person may offer bids on each abandoned vehicle to be sold. If municipal or county ordinances do not state the procedure to be followed in advertising or providing public notice of the sale, a public notice shall be posted at the office of the municipal police department or the office of the county sheriff. The posting of the notice at the police or sheriff's department shall be in the same form as the certified mail notice sent to the owner or lienholders of record. Upon sale of an abandoned vehicle, the municipality or county shall supply the purchaser with a completed form designed by the department enabling the purchaser to obtain a regular certificate of title for the vehicle. The purchaser shall have 10 days to remove the vehicle from the storage area, but shall pay a reasonable storage fee established by the municipality or county for each day the vehicle remains in storage after the 2nd business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again. Any listing of vehicles to be sold by any municipality or county shall be made available to any interested person or organization which makes a written request for such list. The municipality or county may charge a fee for the list.

342.40(3)(e) (e) Within 5 days after the sale or disposal of a vehicle as provided in this subsection or sub. (2), the municipality or county shall advise the department of the sale or disposition on a form supplied by the department.

342.40(4) (4)

342.40(4)(a) (a) In this subsection, "state agency" has the meaning given for "agency" in s. 227.01(1). “

The City of Milwaukee is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City of Milwaukee e-mail should presume that e-mail is subject to release upon request, and is subject to state records retention requirements. See City of Milwaukee full e-mail disclaimer at [www.milwaukee.gov/email\\_disclaimer](http://www.milwaukee.gov/email_disclaimer)

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Tuesday, May 06, 2014 9:27 AM  
**To:** Darren Engbring (darren.engbring@altertrading.com)  
**Subject:** Disposal of Abandoned Motor Vehicles

Darren,

- 1) The majority of rules are in WI State Statutes "342.40 Vehicle abandonment prohibited; removal; disposal" (relevant except below)
- 2) Municipalities may enact ordinances that add requirements, however I reviewed Eau Claire's and they have adopted the state statute in its entirety.
- 3) If lien holders have been properly notified and not executed their right of retrieval you may dispose the vehicle. However, if as you indicated the vehicles are the result of a municipal tow, the municipality is required to: "(e) Within 5 days after the sale or disposal of a vehicle as provided in this subsection or sub. (2), the municipality or county shall advise the department of the sale or disposition on a form supplied by the department."

In short, I am not aware of any requirements that you, as the recycler, are required to, or even have the ability to, verify that the notification/holding process was conducted correctly. Furthermore, using the junk bill of sale in these instances does not seem appropriate, since these are municipally generated tows.

I would suggest that you speak directly with the municipality and verify their contractor is authorized to dispose of municipally generated abandoned vehicles and that they are properly notifying the state with regard to these vehicles.

I hope this helps, let me know if you need anything else.

Dave

"(c) Any vehicle which is deemed abandoned by a duly authorized municipal or county representative and not disposed of under sub. (2) shall be retained in storage for a minimum period of 10 days after certified mail notice has been sent to the owner and lienholders of record to permit reclamation of the vehicle after payment of accrued charges. Such notice shall set forth the year, make, model, and serial number of the abandoned motor vehicle, the place where the vehicle is being held, and shall inform the owner and any lienholders of their right to reclaim the vehicle. The notice shall state that the failure of the owner or lienholders to exercise their rights to reclaim the vehicle under this section shall be deemed a waiver of all right, title, and interest in the vehicle and a consent to the sale of the vehicle. Each retained vehicle not reclaimed by its owner or lienholder may be sold. The municipality or county may dispose of the vehicle by sealed bid or auction sale as provided by ordinance. At such sale the highest bid for any such motor vehicle shall be accepted unless the same is deemed inadequate by a duly authorized municipal or county representative, in which event all bids may be rejected. If all bids are rejected or no bid is received, the municipality or county may either readvertise the sale, adjourn the sale to a definite date, sell the motor vehicle at a private sale or junk the vehicle. Any interested person may offer bids on each abandoned vehicle to be sold. If municipal or county ordinances do not state the procedure to be followed in advertising or providing public notice of the sale, a public notice shall be posted at the office of the municipal police department or the office of the county sheriff. The posting of the notice at the police or sheriff's department shall be in the same form as the certified mail notice sent to the owner or lienholders of record. Upon sale of an abandoned vehicle, the municipality or county shall supply the purchaser with a completed form designed by the department enabling the purchaser to obtain a regular certificate of title for the vehicle. The purchaser shall have 10 days to remove the vehicle from the storage area, but shall pay a reasonable storage fee established by the municipality or county for each day the

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(e) Within 5 days after the sale or disposal of a vehicle as provided in this subsection or sub. (2), the municipality or county shall advise the department of the sale or disposition on a form supplied by the department.

(4)

(a) In this subsection, "state agency" has the meaning given for "agency" in s. 227.01(1). “

## Lawrence, David

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**From:** Lawrence, David  
**Sent:** Thursday, May 01, 2014 10:32 AM  
**To:** Withers, Richard  
**Subject:** FW: Tow Trucks  
**Attachments:** Revised Secondhand Motor Vehicles and.docx; 2013 Wis Act 76 ( 2013 SB 179).pdf

Richard, I met with Alderman Donovan this past week, he is willing to sponsor. Have you heard anything about the review or draft?

---

**From:** Withers, Richard  
**Sent:** Tuesday, March 25, 2014 12:13 PM  
**To:** Pfaff, Richard; Grill, Rebecca; Wessel, Thomas; Stephens, Adam; Raden, Chad  
**Cc:** Lawrence, David; Block, Kathryn  
**Subject:** Tow Trucks

Good Morning, All,

I received this correspondence from Dave Lawrence (together with his attachment – a rough draft). I understand that Tow Truck issues are on the agenda for the Tuesday meeting based upon the March 4 opinion from the City Attorney's Office (Kurt Behling) that they are subject to licensing and regulation as junk collectors. I thought this should be added to the mix...please let me know how you'd like to proceed. (Sorry I can't be there due to election duty).

I've also attached a copy of 2013 Wisconsin Act 76, referenced by Dave in his e-mail.

Dick

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**From:** Lawrence, David [<mailto:dlawre@milwaukee.gov>]  
**Sent:** Tuesday, March 25, 2014 11:19 AM  
**To:** Withers, Richard  
**Subject:** FW: Ordinance relating to SB 179

Richard,

SB-179 was passed in 2013. It is effective on July 1, 2014. We are seeking to create a licensure requirement for Tow Drivers who tow from private property. The current system is full of fraud and aldermanic complaints. I will be working with Donovan.

In short, what we hope to accomplish is

- 1) A license to Tow of private property in the City of Milwaukee
- 2) This license is contingent upon:
  - a. Insurance
  - b. Payment of required fees to the municipality
  - c. Vehicle safety
  - d. Holding area safety
  - e. Penalties for non-compliance

It appears, we may be able to add this to CH 93. I have attached a very rough draft of possible language changes. Can we setup a time to discuss?

Thanks,

Dave  
David Lawrence  
Tow Lot Manager  
286-5974  
708-9036 Cell

---

**From:** Block, Kathryn  
**Sent:** Friday, March 21, 2014 11:44 AM  
**To:** Lawrence, David  
**Cc:** Dollhopf, Richard  
**Subject:** RE: Ordinance relating to SB 179

Without reviewing the draft for specifics, the idea of placing in Chapter 93 seems sensible to me, but I defer to LRB on these types of issues.

K

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**From:** Lawrence, David  
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**To:** Block, Kathryn  
**Cc:** Dollhopf, Richard  
**Subject:** Ordinance relating to SB 179

Kathy,

I had a thought. What do you think about modifying "Secondhand Motor Vehicles and Auto Wreckers 93-15" to include Towing Operators as it relates to SB179 or Act 76.

I have attached a word version of the ordinance and made some suggested changes. This is only a very rough draft I realize much more will need to be done and modified, but it may be easier than developing an entirely new licensing.

Let me know if you think this is feasible.

Dave



## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Friday, April 25, 2014 1:20 PM  
**To:** Dollhopf, Richard  
**Subject:** Attachement  
**Attachments:** auto and scrap task force review.docx

For previous message

**Lawrence, David**

---

**From:** Lawrence, David  
**Sent:** Friday, April 25, 2014 1:20 PM  
**To:** Dollhopf, Richard  
**Subject:** Attachement  
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For previous message

## Lawrence, David

---

**Subject:** Ordinance Licensure for Private Property Tows  
**Location:** Alderman Donovan's Office

**Start:** Wed 4/23/2014 9:30 AM  
**End:** Wed 4/23/2014 10:00 AM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** Lawrence, David  
**Required Attendees:** Dollhopf, Richard; Doherty, Patricia

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Tuesday, March 25, 2014 2:57 PM  
**To:** Grill, Rebecca; Withers, Richard; Pfaff, Richard; Wessel, Thomas; Stephens, Adam; Raden, Chad  
**Cc:** Block, Kathryn; Dollhopf, Richard  
**Subject:** RE: Tow Trucks

Unfortunately, I can only give a rough estimate. There are approximately 9, of what I'll call medium to large towing companies. There are at least hundred or more small tow operators (1 or 2) trucks.

I hope this helps, Thanks,

Dave  
David A. Lawrence  
Tow Lot Manager  
414-286-5974

---

**From:** Grill, Rebecca  
**Sent:** Tuesday, March 25, 2014 12:18 PM  
**To:** Withers, Richard; Pfaff, Richard; Wessel, Thomas; Stephens, Adam; Raden, Chad  
**Cc:** Lawrence, David; Block, Kathryn  
**Subject:** RE: Tow Trucks

How many tow truck drivers operate in the City?

---

**From:** Withers, Richard  
**Sent:** Tuesday, March 25, 2014 12:13 PM  
**To:** Pfaff, Richard; Grill, Rebecca; Wessel, Thomas; Stephens, Adam; Raden, Chad  
**Cc:** Lawrence, David; Block, Kathryn  
**Subject:** Tow Trucks

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I have attached a word version of the ordinance and made some suggested changes. This is only a very rough draft I realize much more will need to be done and modified, but it may be easier than developing an entirely new licensing.

Let me know if you think this is feasible.

Dave

## Lawrence, David

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**Subject:** Tow Operator Licensure  
**Location:** Alderman Donovan's Office

**Start:** Mon 3/31/2014 9:30 AM  
**End:** Mon 3/31/2014 10:00 AM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** Lawrence, David  
**Required Attendees:** Donovan, Robert; Dollhopf, Richard; Doherty, Patricia



Revised  
Secondhand Motor Ve

<<Revised Secondhand Motor Vehicles and.docx>>

## Lawrence, David

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FYI

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Dave  
David Lawrence  
Tow Lot Manager  
286-5974  
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I have attached a word version of the ordinance and made some suggested changes. This is only a very rough draft I realize much more will need to be done and modified, but it may be easier than developing an entirely new licensing.

Let me know if you think this is feasible.

Dave

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Tuesday, March 25, 2014 11:21 AM  
**To:** Wood, Brenda  
**Subject:** RE: DOT Contact for Private Towing Max Prices

Fantastic! Thanks

---

**From:** Wood, Brenda  
**Sent:** Tuesday, March 25, 2014 11:14 AM  
**To:** Lawrence, David  
**Subject:** RE: DOT Contact for Private Towing Max Prices

I'll find out and let you know. I'm going to ask the sponsor of the legislation to help us with this.

---

**From:** Lawrence, David [<mailto:dlawre@milwaukee.gov>]  
**Sent:** Tuesday, March 25, 2014 11:09 AM  
**To:** Wood, Brenda  
**Subject:** RE: DOT Contact for Private Towing Max Prices

Brenda,

I've left message with Nate without a return call. Any direction would be appreciated.

Dave  
David Lawrence  
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286-5974  
708-9036

---

**From:** Wood, Brenda  
**Sent:** Tuesday, March 25, 2014 10:47 AM  
**To:** Lawrence, David  
**Subject:** RE: DOT Contact for Private Towing Max Prices

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**From:** Lawrence, David [<mailto:dlawre@milwaukee.gov>]  
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Who would be the best person to contact regarding involvement in the RATE SETTING PROCESS required in sb-179. I would like to participate.

Any suggestions?

Thanks  
Dave  
Tow Lot Manager

414-286-5974

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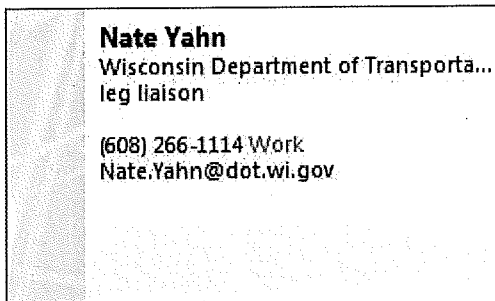
**From:** De Haan, Paulina  
**Sent:** Friday, March 14, 2014 12:34 PM  
**To:** Lawrence, David  
**Cc:** Dollhopf, Richard; Wood, Brenda  
**Subject:** RE: DOT Contact for Private Towing Max Prices

Hi David:

The contact we spoke to on Vehicle Salvage was Nate Yahn, he is the leg liaison for DOT. Attached is his contact information.

I am including my colleague, Brenda Wood, in our email here since she worked very closely on this bill and will more than likely have a better contact. I recommend you talk to her about what exactly you need and she'll have better insight on who to contact.

Thanks, Paulina de Haan



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Paulina,

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Thanks,

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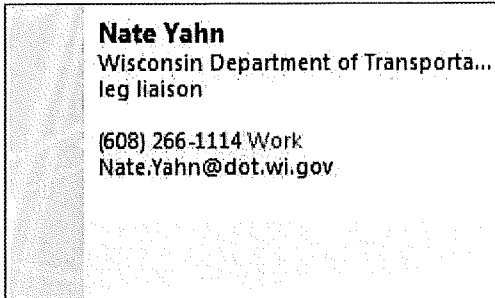
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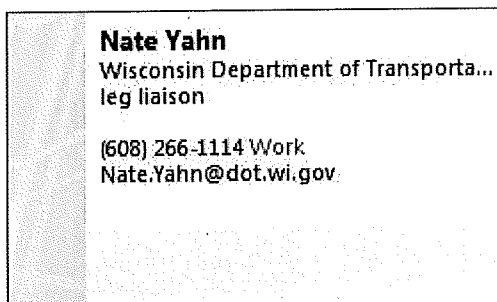
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**From:** Lawrence, David  
**Sent:** Thursday, March 13, 2014 11:19 AM  
**To:** Block, Kathryn  
**Subject:** SB179 Implementation Plan  
**Attachments:** SB179 Implementation Plan.docx

Kathy,

Please review the attached. I placed my notes from our previous meeting in the document. Hopefully they are correct. If not please advise.

Dave

David A. Lawrence  
Tow Lot Manager  
City of Milwaukee  
Office (414) 286-5974  
Cellular (414) 708-9036  
Fax (414) 286-5093

DEPT. OF PUBLIC WORKS

# Proposed SB-179 Implementation

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Plan Draft

DRAFT: David A. Lawrence

2/21/2014

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**Summary with Relevant Approved Amendments: (Bill text Attached)**

Under **Senate Substitute Amendment 1**, if a property owner has a vehicle towed under the provisions described above, the towing service must notify a local law enforcement agency of the make, model, and license plate of the vehicle and the location to which the vehicle will be towed. The law enforcement agency is required to maintain a record of the notice as well as the identification of the towing service. Also, the substitute amendment prohibits a towing service from removing a vehicle that has been reported to a law enforcement agency as stolen.

In addition, under the substitute amendment, if requested by the municipality in which the vehicle was illegally parked, the towing service must charge the vehicle owner a service fee not to exceed \$35. The towing service must then remit the service fee to the municipality according to procedures specified in the statute.

The substitute amendment provides that the rules promulgated by DOT must establish the form, and manner of display, of the notice necessary to qualify as "properly posted" under the provisions described above, as well as guidelines for towing services to notify law enforcement of the removal of a vehicle.

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## City Attorney Notes<sup>1</sup>

- 1) The City may establish an online vehicle location site, provided it does not display personal identification information. The search engine may include plate and VIN as a mechanism to determine if the vehicle has been towed and give associated retrieval information.
- 2) The City may establish a compliant system for private property towing. However, an ordinance may be required to enforce standards. The ordinance must clearly define standards and enforcement activities. This may include local licensure requirements, service criteria, penalties, or other requirements that do not conflict with or supersede state law.
- 3) The City is not prohibited from towing or issuing citations to vehicles from private property. However, the City may not promote this service and must inform requesters of the private removal option.
- 4) The City may not require pre-payment for private property towing requests made by towing contractors. SB-179 does not provide penalties for non-payment. An ordinance would need to be drafted to resolve this potential issue. The City may request pre-payment, however billing for these services must occur as defined by statute (monthly) and not be a condition of pre-payment.
- 5) No additional fees or charges associated with private property towing authorization are allowed.

## Proposed Implementation Plan and Dates

### Phase 1: Educate PID (and UCC where applicable) for Private Property Dispatch Procedure

**March 15, 2014:** *Take requests for private property tows and citations. If the City receives a valid request from a property owner that a vehicle is in violation of private property parking or abandonment statute; the city must:*

- 1) Establish that the vehicle is not stolen. If the vehicle is stolen, refer to MPD.*
- 2) Establish if the caller is the property owner or authorized agent of the owner*
- 3) If the caller is the owner or authorized agent, then ask if they want the vehicle towed by the city or a private contractor.*
- 4) Dispatch a checker to the location to verify signage, verify violation, verify vehicle information, issue a citation, and create a tow request (if applicable). If owner or agent requests a City tow, then dispatch tow through auto cite. If the tow is requested as private, obtain name of contractor, contractor's address, and phone. Record private storage location of vehicle.*

***\*This above procedure is valid until July 1, 2014. After July 1, 2014, a citation is not required, but may be requested by the property owner or agent.***

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<sup>1</sup> To be reviewed by Asst. City Atty. Block

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**Phase 2: The Issuance of Private Property Tow Approval Codes (PPTAC).**

**Start March 1, 2014, Complete by July 1, 2014.** In order to reduce the costs of SB179 implementation and to make information readily available for affected customers, it is recommended that an online towing access system be created to allow customers find their towed vehicles and for contractors to directly enter private property tow requests. Duncan Solutions will need to develop an online Citrix entry system and provide for an online vehicle locator.

**ONLINE ENTRY: Pre-authorized contractors would have access to a Citrix Data Entry Request. Contractor would enter Requestor (Owner) vehicle VIN, Plate, Location, Signage Information, and Relocation Tow information.**

- 1) Parking Enforcement Staff evaluates the online request.
  - a. Determines if stolen, if stolen call MPD. No PPTAC issued and contractor is instructed not to tow vehicle
  - b. PID checks Department of Neighborhood Services (DNS) database to see if the tow requestor, owner, or agent is authorized to remove vehicle.
    1. If not stolen and DNS confirms owner or authorized agent, said owner or agent is issued a PPTAC online. Tow contractor refers to the online request system retrieve PPTAC or DO NOT TOW response.
    2. If contractor is granted a PPTAC, then they are required to mark the vehicle with PPTAC on windows and are required to tow to their designated location.
    3. Contractor would receive a monthly bill based on number of approved requests for the period.
  - c. PHONE REQUESTS: Property owners, contractors without online access, or authorized agents (security companies) call PID and request a PPTAC. PID inputs the information and uses the same criteria as online request to issue, report stolen, or refuse a PPTAC.

**Web-based Towed Vehicle Locator**

- A) Enter Plate or Vin \_\_\_\_\_
- B) Results of Inquiry
- Vehicle VIN** \_\_\_\_\_ **Vehicle Plate** \_\_\_\_\_
- Date Towed:** \_\_\_\_\_
- Lot Name** \_\_\_\_\_ **Phone** \_\_\_\_\_ **Location** \_\_\_\_\_



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### Phase 3: Ordinance Devolvement Requests

**Due Date July, 1 2014**

In order to protect Milwaukee residents from predatory towing practices, ensure compliance with Wisconsin Statutes and ensure contractor payment of required notification fees. It is strongly recommended that an ordinance or ordinances be developed to address the following.

- 1) Registration and licensure of tow contractors to ensure that they:
  - a. Are adequately insured
  - b. Have safe equipment
  - c. Have safe and secure storage
  - d. Are properly licensed
  - e. Release vehicle to their rightful owner
  - f. Charge State mandated reasonable fees
  - g. Do not process stolen vehicles
- 2) Provide for license revocation and monetary penalties for non-compliance with applicable State Laws or Milwaukee Ordinance.

#### Other Issues for Consideration

##### 1) **Non-compliance Issues**

- a. MPD notes vehicle being towed without PPTAC.
- b. Customer reports vehicle towed, but the vehicle never received a PPTAC
- c. MPD or Inspector inspects lot and finds private property tows that do not have PPTAC or determines the facility security or conditions are inadequate?

##### 2) **Extended Hours for Releases**

- a. If the City of Milwaukee assumes a greater volume of vehicles due to private property requests, extending customer service hours with limited staff may be considered.
- b. Private Lots must have established hours for vehicle release

**2015 Estimated Fiscal Impact<sup>2</sup>**

Category	Units	Units Price	Total
Private Property Tow Authorizations	6,000	\$ 35.0	\$ 210,000
Loss of Private Property Citations	6,000	\$ (40.0)	\$ (240,000)
Private Property Tows	2,500	\$ 122.4	\$ 306,000
Towing Cost	2,500	\$ (70.0)	\$ (175,000)
Duncan Online Programming (one time) <sup>3</sup>	1	\$ (25,000)	\$ (25,000)
<b>Net</b>			<b>\$ 76,000</b>

**Implementation Tasks to be Completed**

No.	Task	Start Date	Due Date	Assigned
1	Educate PID Staff	Monday, March 03, 2014	Monday, March 17, 2014	Unassigned
2	City Attorney Review	Tuesday, February 25, 2014	Monday, March 03, 2014	Unassigned
3	Duncan Development	Friday, February 28, 2014	Tuesday, July 01, 2014	Unassigned
4	Draft Ordinance(s)	Monday, March 03, 2014	Tuesday, April 01, 2014	Unassigned
5	Billing System	Thursday, May 01, 2014	Tuesday, July 01, 2014	Unassigned
6	Educate PID Staff Private Property Reporting	Monday, June 02, 2014	Tuesday, July 01, 2014	Unassigned

**Appendix: Original City Attorney Questions<sup>4</sup>**

- 1) We have observed and received numerous complaints about the practices of many Private Property Towing Contractors. This is well documented in websites and through personal knowledge. **In order to protect Citizens from the nefarious and potentially illegal activities, can the city adopt an ordinance that would require any towing contractor to be licensed by the city in order to be permitted to tow from private property?** Example requirements would include; hours of operation, release criteria, insurance, bonding, verification of state licensure and lot security. In addition, there would need to be provisions for inspection and penalties for non-compliance, to include revocation of the license for multiple violations.

**YES**

- 2) Senate Substitute Amendment 1 provides for a \$35 service charge to be collected by the municipality to offset costs associated with recording, citizen inquiries, and stolen checks.

<sup>2</sup> Overhead to include labor was not calculated as no staff addition or reductions are anticipated because of this change

<sup>3</sup> Gross estimate

<sup>4</sup> Asst. City Atty. Kathy Block to Review

<b>Private Tows Reported</b>	596	282	<b>111%</b>
<b>Vehicles Towed</b>	Unknown	Unknown	
<b>Estimated City Reporting Revenue</b>	\$ 20,860	\$ -	
<b>Estimated Total Revenue</b>	<b>\$ 47,415</b>	<b>\$ 26,934</b>	<b>76%</b>

### Private Property Data (August 1 - August 31)

	2014	2013	Percent Change
<b>Citations Issued Private Tows</b>	409	693	-41%
<b>Potential Revenue</b>	\$ 16,360	\$ 27,720	-41%
<b>Collected @ 67%</b>	\$ 10,961	\$ 18,572	-41%
<b>Total Reported Tow Request</b>	528	154	<b>243%</b>
<b>Vehicle Dispatched to City</b>	134	0	
<b>Vehicles Towed</b>	77	0	
<b>Revenue</b>	\$ 8,085		
<b>Private Tows Reported</b>	394	154	<b>156%</b>
<b>Vehicles Towed</b>	Unknown	Unknown	
<b>Estimated City Reporting Revenue</b>	\$ 13,790	\$ -	
<b>Estimated Total Revenue</b>	<b>\$ 32,836</b>	<b>\$ 18,572</b>	<b>77%</b>

### Private Property Data (August & July)

	Aug-14	Jul-14	Percent Change
<b>Citations Issued Private Tows</b>	409	697	-41%
<b>Potential Revenue</b>	\$ 16,360	\$ 27,880	-41%
<b>Collected @ 67%</b>	\$ 10,961	\$ 18,680	-41%

<b>Total Reported Tow Request</b>	528	732	-28%
<b>Vehicle Dispatched to City</b>	134	136	-1%
<b>Vehicles Towed</b>	77	75	3%
<b>Revenue</b>	\$ 8,085	\$ 7,875	3%
<b>Private Tows Reported</b>	394	596	-34%
<b>Vehicles Towed</b>	Unknown	Unknown	
<b>Estimated City Reporting Revenue</b>	\$ 13,790	\$ 20,860	
<b>Estimated Total Revenue</b>	\$ 32,836	\$ 47,415	-31%

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The proposed implementation strategy is twofold: on-line and phone authorizations. In the case of online authorizations, the City would bill the contractor based on the number of requests. **If a contractor is delinquent in payments, can online access be suspended until these payments are made? In the case on direct phone requests, can we require pre-payment or a credit card and can an additional phone service charge be added for this service?**

***The City may not require prepayment and must bill as referenced in SB-179. The City may not charge auxiliary fees.***

- 3) Many private property tow requests come directly to the City of Milwaukee Parking Enforcement Desk (PID) from building or lot owners. **Can the City dispatch, tow, and store vehicles at the Milwaukee Tow Lot?**  
***YES. The City may not promote this option and must let property owners know of private removal options.***
- 4) Currently, there is substantial suspected abuse of private property provisions.
- **In cases where the vehicle is towed without authorization, is it considered auto theft or is it a simple violation of statute or ordinance?**  
***(Will get opinion)***
  - **Can an ordinance be created to provide additional penalties for non-compliance? (YES, but may not supersede state statute)**
- 5) **If the tow lot were to extend customer service hours, can an additional fee for after hour releases be assessed?**  
***YES***

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Tuesday, February 25, 2014 8:56 AM  
**To:** Dollhopf, Richard  
**Subject:** RE: Private Property Towing Implementation Plan  
**Attachments:** SB179 Implementation Plan.docx

Attached

---

**From:** Dollhopf, Richard  
**Sent:** Monday, February 24, 2014 2:37 PM  
**To:** Lawrence, David  
**Subject:** RE: Private Property Towing Implementation Plan

Dave, Can you please reattach the file. It did not come through.

---

**From:** Lawrence, David  
**Sent:** Monday, February 24, 2014 2:14 PM  
**To:** Dollhopf, Richard  
**Cc:** Knox, Peter  
**Subject:** Private Property Towing Implementation Plan

Rich,

Attached is the draft implementation Plan for SB-179. Please review and determine who you want to assign some of the duties. I would appreciate meeting with you to discuss, as this project will involve a lot of coordination.

Please review and make comments. Once you have reviewed, I will send the draft to Kathy Block for her input. I took her opinions from my notes which will need verification.

Please let me know your availability.

Dave

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Monday, February 24, 2014 2:17 PM  
**To:** Williams, Arvis  
**Subject:** RE: RE: Message from the Commissioner of Public Works - Point of Clarification

The Milwaukee Tow Lot provides towing and storage services for vehicles towed from the City of Milwaukee as requested by the Milwaukee Police Department and Parking Enforcement section.

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**From:** Williams, Arvis  
**Sent:** Monday, February 24, 2014 1:24 PM  
**To:** Lawrence, David  
**Subject:** RE: RE: Message from the Commissioner of Public Works - Point of Clarification

Thanks for the quick response David. Is there any additional information you can provide to add to "Vehicle Impound" that gives a more in-depth description of your area. It doesn't have to be long.

Thanks

Arvis R. Williams, M.H.R.M., PHR  
Human Resources Representative  
City of Milwaukee - Department of Public Works  
841 North Broadway, 5th Floor  
Milwaukee, WI 53202  
Office: (414) 286-8019  
Fax: (414) 286-0537  
[arvis.williams@milwaukee.gov](mailto:arvis.williams@milwaukee.gov)

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---

**From:** Lawrence, David  
**Sent:** Monday, February 24, 2014 1:20 PM  
**To:** Williams, Arvis  
**Subject:** RE: RE: Message from the Commissioner of Public Works - Point of Clarification

1. Who handles Open Records Request in your Division/Section?  
**David A. Lawrence Tow Lot Manager, Alternate Peter Knox**
2. Provide a brief description about what your DPW Section does?

## Vehicle Impound

3. List the times and location of where some can come (walk-in) if they want to make an Open Records Requests

**M-F 8am-6pm, Sat. 8-noon**

---

**From:** Williams, Arvis

**Sent:** Monday, February 24, 2014 1:15 PM

**To:** DPW DH TEAM

**Cc:** Rutledge, Melanie; Blasiola, Jason; Brooks, Robert; Brown, Ian; Cole, Preston; Cornell, Marcia; Crowbridge, Dawn; Daniels, Laura; Dellemann, Jeffery; Dollhopf, Richard; Fredrich, Paul; Greene, Edith; Hartmann, Patrick; Klajbor, Paul; Kluslow, Jeffrey; Korban, Ghassan; Krouse, Randy; Lawrence, David; Mejaki, Dale E.; Sanders, Thomas; Sivyler, David; Smith, Jeffery; Tews, Jeffrey; Thomas, Dan; Thur, Timothy; Weigman, John

**Subject:** RE: RE: Message from the Commissioner of Public Works - Point of Clarification

### **Point of Clarification regarding the email you received earlier this afternoon on behalf of Ghassan Korban, Commissioner of Public Works**

In December a Memorandum was sent on behalf of Commissioner Korban identifying ten (10) questions pertaining to Open Records Requests that required your response. The email you received earlier this afternoon is **a completely "NEW" email.**

Under the Open Records Law we are required to have a Public Notice **posted in each** DPW/Division –Section that handles Open (Public) Records Requests. The requirements for the Public Notice are specific as to what should be listed. We are requesting each DPW Division/Section to answer the three questions below. The responses we receive will be the information included on the Public Notice; therefore it's imperative this information is correct and accurate.

This is **not a repeat of information** with the exception of question # 1, reason being there was some discrepancies with identifying the record custodian in some DPW Division/Sections. This email is being sent to ensure we have accurate & consistent information to share with the public. Once again, if you could respond to the three (3) questions listed below by the end of the week, **Friday February 28, 2014** that would be great.

4. Who handles Open Records Request in your Division/Section?
5. Provide a brief description about what your DPW Section does?



6. List the times and location of where some can come (walk-in) if they want to make an Open Records Requests

Thank you everyone in advance for your assistance with this tasks.

Arvis R. Williams, M.H.R.M., PHR  
Human Resources Representative  
City of Milwaukee - Department of Public Works  
841 North Broadway, 5th Floor  
Milwaukee, WI 53202  
Office: (414) 286-8019  
Fax: (414) 286-0537  
[arvis.williams@milwaukee.gov](mailto:arvis.williams@milwaukee.gov)

*Confidentiality Notice: This electronic transmission, including any files attached thereto, may contain confidential information that is legally privileged, confidential, and exempt from disclosure. The information is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient or any employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any disclosure, dissemination, copying, distribution, or the taking of any action in reliance on the contents of this confidential information is strictly prohibited. If you have received this communication in error, please destroy it and immediately notify me - Arvis R. Williams at [arvis.williams@milwaukee.gov](mailto:arvis.williams@milwaukee.gov)*

---

**From:** Williams, Arvis

**Sent:** Monday, February 24, 2014 12:25 PM

**To:** DPW DH TEAM

**Cc:** Rutledge, Melanie; Blasiola, Jason; Brooks, Robert; Brown, Ian; Cole, Preston; Cornnell, Marcia; Crowbridge, Dawn; Daniels, Laura; Dellemann, Jeffery; Dollhopf, Richard; Fredrich, Paul; Greene, Edith; Hartmann, Patrick; Klajbor, Paul; Kluslow, Jeffrey; Korban, Ghassan; Krouse, Randy; Lawrence, David; Mejaki, Dale E.; Sanders, Thomas; Sivyver, David; Smith, Jeffery; Tews, Jeffrey; Thomas, Dan; Thur, Timothy; Weigman, John; Williams, Arvis

**Subject:** RE: Message from the Commissioner of Public Works - Designating a Record Custodian for your Division

**THIS MESSAGE IS BEING SENT ON BEHALF OF GHASSAN KORBAN,  
COMMISSIONER OF PUBLIC WORKS**

February 24, 2014

Memorandum

To: All Division Heads

RE: DPW Open (Public) Records Requests

By Law the Commissioner of Public Works is the legal custodian of all DPW records. The Commissioner at his discretion may designate "record custodians" for each DPW Section. In compliance with Wisconsin Statutes §19.33(4) & §19.34 each Record Custodian/Designee must provide notice to the public. The **notice must identify the following**:

- (A) The record custodian and his or her designees for your Division/Section
- (B) A brief description of your DPW Division/Section
- (C) Times and Locations where the public can request access to or copies of records.

All Division Heads are being asked to **provide the information listed below** to Arvis R. Williams via email by the close of the day on Friday, February 28, 2014:

1. Who is the Designated Record Custodian for your respective Division/DPW Sections?
2. Brief description of your Division/Section
3. Times and Location where the public can request access to or copies of records from your Division/Section

If you have any additional questions or concerns, please feel free to contact Arvis Williams directly at X8019

Thank you in advance and have a great day.

Arvis R. Williams, M.H.R.M., PHR  
Human Resources Representative  
City of Milwaukee - Department of Public Works  
841 North Broadway, 5th Floor  
Milwaukee, WI 53202  
Office: (414) 286-8019  
Fax: (414) 286-0537  
[arvis.williams@milwaukee.gov](mailto:arvis.williams@milwaukee.gov)

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**Lawrence, David**

---

**From:** Lawrence, David  
**Sent:** Monday, February 24, 2014 2:14 PM  
**To:** Dollhopf, Richard  
**Cc:** Knox, Peter  
**Subject:** Private Property Towing Implementation Plan

Rich,

Attached is the draft implementation Plan for SB-179. Please review and determine who you want to assign some of the duties. I would appreciate meeting with you to discuss, as this project will involve a lot of coordination.

Please review and make comments. Once you have reviewed, I will send the draft to Kathy Block for her input. I took her opinions from my notes which will need verification.

Please let me know your availability.

Dave

## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Friday, February 07, 2014 8:51 AM  
**To:** Taylor, Karen; "service@tlreese.com" (service@tlreese.com)  
**Cc:** Doherty, Patricia; Mishefske, Thomas; Dollhopf, Richard; Roundy, Patricia  
**Subject:** RE: City-owned property 1013 S. Layton Bl.

If this is a city owned property, we can placard the vehicles and have them towed in 72 hours. Signage on private property would work for more expeditious towing in the future.

However, Placards would also give immediate notice and may prevent the individual(s) from parking on this site.

Let me know if you want this placarded.

Dave

David A. Lawrence  
Tow Lot Manager  
City of Milwaukee  
Office (414) 286-5974  
Cellular (414) 708-9036  
Fax (414) 286-5093

-----Original Message-----

**From:** Taylor, Karen  
**Sent:** Friday, February 07, 2014 7:44 AM  
**To:** "service@tlreese.com" (service@tlreese.com)  
**Cc:** Doherty, Patricia; Mishefske, Thomas; Lawrence, David; Dollhopf, Richard; Roundy, Patricia  
**Subject:** FW: City-owned property 1013 S. Layton Bl.

Please post a "no parking" sign at the parking slab.

Karen Taylor  
In-Rem Property Disposition Manager  
DCD Real Estate  
809 North Broadway  
Milwaukee, WI 53202  
Phone: (414) 286-5738  
Fax: (414) 286-0395  
[City.milwaukee.gov/cityhouses.htm](http://City.milwaukee.gov/cityhouses.htm)

-----Original Message-----

**From:** Lawrence, David  
**Sent:** Friday, February 07, 2014 5:20 AM  
**To:** Doherty, Patricia; Taylor, Karen; Mishefske, Thomas

Cc: Roundy, Patricia; Dollhopf, Richard  
Subject: RE: City-owned property 1013 S. Layton Bl.

Patti,

I'll have someone take a look at the property today. Potentially, we have several avenues we can pursue. I'll forward some options after the site has been investigated.

TRISH: SEE ME ABOUT THIS WHEN YOU GET IN

Thanks,

Dave

David A. Lawrence  
City of Milwaukee  
Tow Lot Manager  
414-286-5974 Office  
414-708-9036 Mobile

-----Original Message-----

From: Doherty, Patricia  
Sent: Thu 2/6/2014 4:26 PM  
To: Taylor, Karen; Mishefske, Thomas; Lawrence, David  
Subject: City-owned property 1013 S. Layton Bl.

Hi All,

I am sending this to all of you to see if we can work jointly to fix an issue. The City of Milwaukee owns the property at 1013 S. Layton Bl., but a neighbor continually parks both his cars and his boat on the parking slab there. Can we get them towed? This is the same neighbor who ransacked the garage.

Thanks,

Patty

Patty Doherty

Legislative Aide

Alderman Donovan

8th District

(414) 286-3533



## Lawrence, David

---

**From:** Lawrence, David  
**Sent:** Friday, February 07, 2014 8:32 AM  
**To:** De Haan, Paulina  
**Subject:** FW: Co-sponsorship of LRB 4018 salvage dealers title liens vehicle wrecking or junking-VERY SHORT DEADLINE

FYI

---

**From:** Darren Engbring [mailto:Darren.Engbring@altertrading.com]  
**Sent:** Friday, February 07, 2014 7:17 AM  
**To:** Lawrence, David  
**Subject:** RE: Co-sponsorship of LRB 4018 salvage dealers title liens vehicle wrecking or junking-VERY SHORT DEADLINE

I know the salvage guys are not happy with this, but I have not actually seen anything but the memo yet.

I would think it would be hard to get this through before the end of the session April 3<sup>rd</sup>.

Ron Kuehn (WISRI's lobbyist) is going contact Sen Petrowski about our bill today.

Darren Engbring

---

**From:** Lawrence, David [mailto:dlawre@milwaukee.gov]  
**Sent:** Friday, February 07, 2014 5:26 AM  
**To:** Darren Engbring  
**Subject:** RE: Co-sponsorship of LRB 4018 salvage dealers title liens vehicle wrecking or junking-VERY SHORT DEADLINE

Darren,

Perhaps some good potential. Please keep me informed, Thanks for the update.

Thanks,

Dave

David A. Lawrence  
City of Milwaukee  
Tow Lot Manager  
414-286-5974 Office  
414-708-9036 Mobile

-----Original Message-----

**From:** Darren Engbring [mailto:Darren.Engbring@altertrading.com]  
**Sent:** Thu 2/6/2014 3:03 PM  
**To:** Lawrence, David  
**Subject:** FW: Co-sponsorship of LRB 4018 salvage dealers title liens vehicle wrecking or junking-VERY SHORT DEADLINE

FYI

I have not read the proposed bill yet but I wanted to give you a heads up.

A competing bill is being presented by what I assume is the financial group/association.



Darren Engbring

From: Ron Kuehn [mailto:rwk@dewittross.com]

Sent: Thursday, February 06, 2014 2:57 PM

To: David Borsuk (BorsukD@sadoff.com); Darren Engbring

Cc: Jordan K. Lamb

Subject: FW: Co-sponsorship of LRB 4018 salvage dealers title liens vehicle wrecking or junking-VERY SHORT DEADLINE

Here's a new auto salvage bill ...and a new source- Rep. Scott Krug from WI Rapids \_ heard from.  
I've forwarded to Greg Hubbard and to Sen. Petrowski to discuss  
Ron

[Description: Ron Kuehn Attorney DeWitt Ross & Stevens S.C. 608-252-

9325]<[http://mm1.lettermark.net/dewittross/card/MMYO\\_1.map](http://mm1.lettermark.net/dewittross/card/MMYO_1.map)>[cid:image001.png@01CF234B.9EFCF110]<[http://mm1.lettermark.net/dewittross/card/MMYO\\_1.map?8.3](http://mm1.lettermark.net/dewittross/card/MMYO_1.map?8.3)>[cid:image002.png@01CF234B.9EFCF110]<[http://mm1.lettermark.net/dewittross/card/MMYO\\_1.map?3.150](http://mm1.lettermark.net/dewittross/card/MMYO_1.map?3.150)>[cid:image003.png@01CF234B.9EFCF110]<[http://mm1.lettermark.net/dewittross/card/MMYO\\_1.map?213.154](http://mm1.lettermark.net/dewittross/card/MMYO_1.map?213.154)>[cid:image004.png@01CF234B.9EFCF110]<[http://mm1.lettermark.net/dewittross/card/MMYO\\_1.map?260.154](http://mm1.lettermark.net/dewittross/card/MMYO_1.map?260.154)>

From: Barry, Sarah [mailto:Sarah.Barry@legis.wisconsin.gov]

Sent: Thursday, February 06, 2014 2:49 PM

To: Barry, Sarah

Subject: FW: Co-sponsorship of LRB 4018 salvage dealers title liens vehicle wrecking or junking-VERY SHORT DEADLINE

From: Rep.Krug

Sent: Thursday, February 06, 2014 2:48 PM

To: \*Legislative All Assembly; \*Legislative All Senate

Subject: Co-sponsorship of LRB 4018 salvage dealers title liens vehicle wrecking or junking-VERY SHORT DEADLINE

#### CO-SPONSORSHIP MEMORANDUM

TO: All Legislators

From: Representative Scott Krug

Date: January 21, 2014

RE: The acquisition of motor vehicles by motor vehicle salvage dealers for the purpose of salvage or scrap. As lien holders currently keep the vehicle titles on automobiles, unscrupulous vehicle owners have been able to salvage/scrap their vehicles for monetary gain at the expense of the lien holders. This legislation would remedy this situation by requiring salvage/scrap yards to check on outstanding liens with DOT before actually scrapping or junking a vehicle that is presented without a valid title.

Deadline: Monday February 10th, 2014 @ 4:00 pm.

#### Analysis by the Legislative Reference Bureau

Under current law, a person may not operate as a motor vehicle salvage dealer unless the person holds a salvage dealer's license issued by the Department of Transportation (DOT). Motor vehicle salvage dealers carry on the business of wrecking, scrapping, or dismantling (processing) motor vehicles, buying and selling motor vehicles for processing, or selling parts from motor vehicles subject to processing.

Under current law, an owner transferring an interest in a motor vehicle must usually, at the time the vehicle is delivered, sign the certificate of title and provide it to the transferee, who in turn must deliver it to DOT. However, if the vehicle being transferred is a junk vehicle or has been junked, the owner must provide the certificate of title directly to DOT, not to the transferee.

Under current law, if a salvage dealer acquires a motor vehicle for the purpose of wrecking it, the dealer must send to DOT a bill of sale or the certificate of title within 30 days after the vehicle is delivered to the salvage yard unless the previous owner or other person

in possession of the certificate of title has already done so. A bill of sale must describe the vehicle and state that the certificate of title for the vehicle has been sent to DOT because the vehicle is to be junked. A salvage dealer is required to maintain a record, in a form prescribed by DOT, for every vehicle the dealer acquires and wrecks. This record must include the name and address of the person from whom the vehicle was acquired and the date the vehicle was acquired.

Under this bill, before a salvage dealer may acquire a motor vehicle for the purpose of wrecking or junking the motor vehicle, the dealer must examine the certificate of title for the motor vehicle, or examine DOT's title records if the person transferring the motor vehicle is not in possession of the certificate of title, to determine whether there is any security interest in the motor vehicle.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

If you would like to co-sponsor this legislation, please e-mail my office or call 6-0216 before 4:00 pm Monday February 10th, 2014.

Thank you.

Scott Krug  
State Representative  
72nd Assembly District

\*\*\*\*\*  
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## Lawrence, David

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**Subject:** Private Property Tows  
**Location:** Tow Lot Conference Room

**Start:** Tue 2/4/2014 10:00 AM  
**End:** Tue 2/4/2014 11:00 AM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** Lawrence, David  
**Required Attendees:** Dollhopf, Richard; Sanders, Thomas; Knox, Peter; Wilks, Charmaine; Roundy, Patricia