

DISTRICT OF COLUMBIA

City Council



Ordinance No. 0005

Introduced by: Councilman Blueismmm

An ordinance for an Act entitled: "Vehicle Protection Act"

AN ACT to prevent wrongful or malicious towing of vehicles in Washington, D.C., and classify such actions as grand theft auto, ensuring fair penalties for those who violate vehicle owners' rights.

Section 1 – DEFINITIONS

a. Wrongful Towing:

Any unauthorized, unlawful, or menacing towing of a vehicle that is not in violation of parking regulations or local laws, conducted without the owner's consent or proper notification.

b. Grand Theft Auto:

The intentional removal or towing of a vehicle under false pretenses, without legal cause, or in a manner intended to deprive the rightful owner of their property with menace. This action will be prosecuted as grand theft auto, with equivalent criminal penalties as defined in the D.C. Criminal Code.

Section 2 – PROHIBITED ACTIONS

a. Illegal Towing

It shall be unlawful for any towing company, individual, or entity to tow a vehicle unless:

1. The vehicle is parked in a manner that violates clear, posted regulations.
2. The vehicle poses a public safety hazard.
3. The vehicle is obstructing traffic or emergency services.
4. The vehicle is reported stolen or subject to a lawful impoundment order.

b. Malicious Towing

Towing of a vehicle with the intent to harass, threaten, or otherwise cause harm to the owner of the vehicle is strictly prohibited and will be classified as grand theft auto in the D.C. Criminal Code.

Section 3 – PENALTIES

- a. Anyone found guilty of wrongful or malicious towing shall be arrested with a minimum fine of \$500.

Section 4 – OVERSIGHT

- a. All towing companies operating in Washington, D.C. must have reasonable and justifiable cause for towing a vehicle.
- b. Companies must oversee enforcement of these regulations and investigate claims of wrongful or malicious towing. Any violations must be reported immediately to the tow company or the Metropolitan Police Department.

Section 5 – ARREST REQUIREMENTS

- a. An arrest for wrongful or malicious towing may only be made if:
 - 1. A law enforcement officer directly observes the illegal towing action, either by witnessing the vehicle being towed without legal cause or observing the malicious intent of the tow operator.
 - 2. The officer has received clear and corroborated evidence of wrongful towing from multiple sources, such as security footage or eyewitness testimony, in cases where the towing is disputed but not observed firsthand.
- b. The arresting officer must assess the situation in real time to determine if the tow is in violation of this act. If a lawful cause for towing is found, no arrest shall be made. However, if the officer deems the tow illegal or malicious, the offender will be subject to arrest and prosecution under grand theft auto charges.

Section 6 – D.C. CRIMINAL CODE AMENDMENT

- a. Malicious and wrongful towing, as defined in this Act, shall be added to the Grand Theft Auto provision in the District of Columbia Criminal Code, Crimes Against Property.
- b. Any towing that is deemed illegal, unauthorized, or conducted with malicious intent will be prosecuted as grand theft auto, with penalties equivalent to the unlawful taking of a motor vehicle under current D.C. law.