

GPSC MF/NCT NO. 2 (cancels DMVS NON CONSENSUAL TOWING NO.1)



GEORGIA PUBLIC SERVICE COMMISSION

MAXIMUM RATE TARIFF NO. 2

INTRASTATE RATES AND CHARGES

Applying on

NON-CONSENSUAL TOWING

As described in
GPSC Transportation Rule 11-1

And
O.C.G.A 44-1-13

Between

POINTS IN GEORGIA

MAXIMUM RATE TARIFF NO. 2

NOTE: Applying to the towing and storage of vehicles improperly parked or trespassing on private property and removed at the request of the property owner or authorized agent, without the prior consent of the vehicle's owner or operator.

ISSUED BY:

GEORGIA PUBLIC SERVICE COMMISSION
244 Washington Street, SW
Atlanta, Georgia 30334

ISSUED: December 5, 2006

EFFECTIVE: December 7, 2006

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CHECK SHEET OF TARIFF PAGES AND SUPPLEMENTS

All of the pages contained in this tariff are listed consecutively by number and revision number. The pages of this tariff, and the supplements to the tariff listed on this page, bear issued date, which are the same as, or are prior to, the issued date of this page. "00" in the revision column indicates an original page.

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SECTION I

RULES & REGULATIONS GOVERNING THIS TARIFF

The rates prescribed in this tariff apply to all non-consensual towing and storage movements within the State of Georgia for the removal and storage of vehicles improperly parked or trespassing on private property. (Exception: Towing and storage charges for traffic moving wholly within a single municipality where the towing and storage firms have been licensed by the local municipality in which such movement occurs and where such local municipality has established by ordinance non-consensual towing charges lower than those prescribed herein.)

ITEM 10

APPLICATION OF TARIFF

The rates and charges for the towing and storage of trespassing vehicles are subject to the rules and regulations contained in this tariff and the GPSC Transportation Rules and Regulations. Specifically, Section 1 rules; Section 2 rates; and Section 3 terms and definitions used in this tariff.

ITEM 20

GOVERNING PUBLICATIONS

This tariff is governed by the Georgia Public Service Commission Rules and Regulations adopted July 1, 2001, and amendments and reissues thereof.

ITEM 30

REVISION OR CANCELLATION OF TARIFF PROVISIONS

Revision or cancellation of tariff provisions will be made by the issuance of Supplements to the original tariff numbered consecutively starting with Supplement No. 1. When an Item is brought forward in a Supplement and revised, the Item will have the next consecutive letter suffix added to it and will cancel the previous Item of the same number. For example, Item 3-A will cancel Item 3; Item 3-B will cancel Item 3-A.



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SECTION I

RULES & REGULATIONS GOVERNING THIS TARIFF

ITEM 40

DISCOUNTS FROM MAXIMUM RATES OR CHARGES

The rates and charges prescribed herein are maximum rates. Carriers may not exceed the maximum rate or charge applicable for any individual component set forth herein. Carriers may negotiate lower rates at their discretion.

ITEM 50

METHOD OF PAYMENT

Payment may be payable by cash, commonly recognized traveler's checks, money orders, certified checks or cashier's checks. Carriers equipped to accept debit cards and major credit cards may do so at no additional charge.

ITEM 60

POSTED NOTICE

The rates and charges prescribed in this tariff may only be assessed if the private property on which the trespassing vehicle is located has a posted notice(s) stating unauthorized vehicles will be towed. Such notices must conform to the sign specifications outlined in GPSC Transportation Rule 11-5.

Private property containing not more than four (4) residential units are not required to posted such notices.

ITEM 70

IMPOUNDMENT RECORDS AND CONTRACTS

In lieu of the contract with the private property owner or agent required in GPSC Transportation Rule 11-10(6), carriers removing trespassing vehicles from residential properties containing not more than four (4) residential units may obtain signed authorization from the property owner or agent. Such authorization must be maintained by the wrecker service and provided to GPSC staff upon request.

ITEM 80 Reserved

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SECTION II

RATES AND CHARGES

ITEM 100

TOWING RATES AND CHARGES

Removal fee for vehicles with a gross vehicle weight rating of 10,000 pounds or less.	Not to exceed \$ 125.00
Removal fee for vehicles with a gross vehicle weight rating of 10,001 pounds to 20,000.	Not to exceed \$ 195.00
Removal fee for vehicles with a gross vehicle weight rating of 20,001 pounds or greater. Per unit charge.	Not to exceed \$ 325.00
Removal fee for vehicles with a gross vehicle weight rating of 20,001 pounds or greater - Combination unit.	Not to exceed \$ 650.00

ITEM 110

STORAGE RATES AND CHARGES

Storage for the first 24 hours, beginning at the time the vehicle is removed from the property.	No charge
Storage for any day or days the impoundment facility is closed and the vehicle's owner is unable to claim the vehicle.	No charge
Storage fee for vehicles with a gross vehicle weight daily rating of 10,000 pounds or less.	Not to exceed \$ 15.00
Storage fee for vehicles with a gross vehicle weight daily rating of 10,001 pounds to 20,000.	Not to exceed \$ 20.00
Storage fee for vehicles with a gross vehicle weight daily rating of 20,001 pounds or greater. Per unit charge.	Not to exceed \$ 25.00
Storage fee for vehicles with a gross vehicle weight daily rating of 20,001 pounds or greater - Combination unit.	Not to exceed \$ 50.00



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SECTION II

RATES AND CHARGES

ITEM 120

OTHER RATES AND CHARGES

Operator Fee

If vehicle has been hooked with hoisting apparatus or loaded by the wrecker service and the vehicle has not left the premises and the owner or operator produces ignition key and removes vehicle immediately.

Operator Fee for vehicles with a GVWR of 19,999 or less. Not to exceed \$ 50.00

Operator Fee for vehicles with a GVWR of 20,000 or more. Not to exceed \$100.00

Notification Fee

Notification fee may be charged within the first 24 hours where local law enforcement is notified in writing, by facsimile or other electronic means, in a manner acceptable to local law enforcement. Not to exceed \$ 10.00

Notification fee may be charged after the first 72 hours. Not to exceed \$ 40.00*

*The Notification Fees provided for herein **SHALL NOT EXCEED** a maximum total Notification Fee of \$40.00, cumulatively.

After 30 days, the process outlined in O.C.G.A. Title 40, Chapter 11 pertaining to abandoned motor vehicles applies.

After Hours Fee

After hours fee may be charged if the vehicle's owner wishes to claim an impounded vehicle after the carrier's posted business hours. Not to exceed \$ 25.00

ITEM 130 Reserved

ITEM 140 Reserved



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SECTION III

TERMS AND DEFINITIONS

ITEM 150

DEFINITIONS

ABANDONED MOTOR VEHICLE means a vehicle deemed abandoned as defined in O.C.G.A. § 40-11-1.

CARRIER means a wrecker service engaged in the towing of trespassing vehicles on private property without prior consent or authorization of the owner or operator of the vehicle and having a secure impoundment facility.

COMMISSION means the Georgia Public Service Commission.

GROSS VEHICLE WEIGHT RATING (GVWR) means the value specified by the manufacturer as the loaded weight of a single vehicle.

IMPOUND means the point in which a trespassing vehicle has been removed from the property and retained for payment of fees.

NONCONSENSUAL TOWING means towing without prior consent or authorization of the owner or operator of the motor vehicle being towed.

OPERATOR FEE means a fee assessed if vehicle has been hooked with hoisting apparatus or loaded by the wrecker service and the vehicle has not left the premises and the owner or operator produces ignition key and removes vehicle immediately.

POSTED BUSINESS HOURS means the hours in which the carrier is open to the public and are posted on carrier's business signs.

PROPERTY means private property.

SECURE IMPOUNDMENT FACILITY means a facility owned or leased by a towing company for the purposes of providing secure storage of towed vehicles. Secure impoundment facility must meet the requirements outlined in GPSC Transportation Rule 11-8 and must be approved by the Commission.

STORAGE means the housing of a towed vehicle in a secure impoundment facility.

TRESPASSING VEHICLE means a vehicle illegally or improperly parked on private property.

UNIT means either a tractor or trailer with a GVWR greater than 20,000.

WRECKER means an automotive vehicle with hoisting apparatus and equipment for towing vehicles. The term "wrecker" also includes any vehicle otherwise equipped and used for the purposes of towing vehicles.

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