

Research for Councillor Lewis:

Toronto and K&W by-laws around tow trucks, and preventing predatory practises from taking advantage of accident victims.

This seems to have reared its head in Richmond Hill a few year's back:

<https://www.yorkregion.com/news-story/4168744-tow-truck-bylaw-approved-by-richmond-hill-committee/>

Toronto

Covered by the Municipal Code Chapter 545- (67-119) Article VI

https://www.toronto.ca/legdocs/municode/1184_545.pdf

- Rules for both owners and drivers
- “535-71 No owner shall permit any person to use his or her tow truck to tow a vehicle unless that person holds a tow truck driver’s licence under this chapter”
- “545-76 Every driver and every owner carrying on the trade, business or occupation to which this article relates shall provide his or her name, residential address, business address, and their tow truck owner’s or driver’s license, if one has been issued under this chapter, to the Municipal Licensing and Standards Division or any police officer upon request.”
- They also have to do an annual return
- “545-85A “Every owner shall at all times have a valid and subsisting tow truck number plate issued by the Municipal Licensing and Standard Disvision for that tow truck prominently affixed to the rear portion on the outside of the tow truck in a clearly visible position.”
- B details the names
- Have to keep run-sheets.
- “545-94A Every owner shall display in his or her tow truck a notice clearly visible to persons in the passenger seat of the tow truck displaying the words “The tow truck driver may not recommend a body shop or other vehicle repair facility – Municipal Code Chapter 545. Failure to comply may result in a hearing to determine whether the tow truck operator’s licence should be suspended, revoked, or have conditions placed on it.”
- “545-103A Every driver shall tow a vehicle by the most direct route reasonably possible in the circumstances and in the most efficient manner, unless otherwise directed by the hirer.
- “545-104
- A. No driver shall tow any vehicle, or hook, lift, or connect the vehicle to a tow truck, or perform any related services, unless first requested so to do by one of the following:
- (1) A hirer; (2) Any peace officer, as defined in the Criminal Code of Canada; (3) Any member of a municipal fire department; (4) Any person authorized by law to direct the removal of the vehicle from municipal property; or (5) Subject to Subsection G, any person authorized by law to direct the removal of the vehicle from private property.

- B. Every owner or driver, upon being hired to tow a vehicle or to perform any services in respect of such vehicle, shall comply with all reasonable instructions from the hirer or other person requesting the owner's or driver's services, and, without limiting the generality of the foregoing, shall tow or convey the vehicle to the place designated by such person.
- C. No driver shall suggest or recommend to any hirer or other person requesting the driver's services that the vehicle be towed, driven or delivered to any particular salvage yard, body shop, storage yard, or any other public garage, building or place.
- D. No owner or driver shall solicit or permit any other person to solicit the hiring or use of the services of such driver or his or her tow truck, within 60 metres of the scene of an accident or any vehicle that appears to have been involved in an accident.
- E. For the purposes of Subsection D, "to solicit" includes to offer or make available in any way, or to communicate to any person the availability of, the services of a tow truck or the services of an owner or driver of a tow truck, and "solicit" has a corresponding meaning.
- F. Parking or stopping of tow trucks within 60 metres of scene of an accident.
- (1) Subject to Subsection F(2), no owner or driver shall stop a tow truck within 60 metres of the scene of an accident or a vehicle that appears to have been involved in an accident, for the purpose of receiving a request referred to in Subsection A.
- (2) Subsection F(1) shall not prohibit the stopping of any tow truck if, at the time of stopping, there are fewer tow trucks within the distance referred to in that subsection than the number of vehicles for which the services of a tow truck are required. (3) Subsection F(2) shall not prohibit the stopping of a tow truck summoned to the scene of an accident by one of the persons referred to in Subsection A.
- G. No driver shall commence to tow any vehicle from private property or hook, lift, or connect the vehicle to the tow truck, or perform any related services in relation to such vehicle without the consent of the owner of the vehicle, unless:
 - (1) Subject to Subsection H, a penalty notice has been issued and served in accordance with Chapter 610, Penalties, Administration of;
 - (2) A Toronto Police Services tow card has first been issued by the municipal law enforcement officer who issued the penalty notice, or by a police officer, police cadet or a municipal law enforcement officer employed by the Toronto Police Service; (3) All pre-conditions to the removal of vehicles contained in any applicable by-law of the City of Toronto enacted pursuant to subsections 77, 78, and 80 of the City of Toronto Act, 2006, as amended, have been complied with, including, but not limited to, any waiting periods prescribed by such by-laws; and (4) Signs are posted at the property from which the vehicle is to be removed in accordance with the applicable by-law of the City of Toronto enacted pursuant to subsections 77, 78, and 80 of the City of Toronto Act, 2006, as amended.
- H. Subsection G(1) does not apply to vehicles that do not bear a number plate issued under the Highway Traffic Act, as amended.