

ITEM 8
MANAGER'S REPORT NO. 26
COUNCIL MEETING 87/04/13

RE: LETTER FROM MR. DOUG STEAD WHICH APPEARED ON THE AGENDA FOR THE
APRIL 06 MEETING OF COUNCIL (Item 3 a)
AUTO TOWING SERVICES

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Finance be adopted.

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TO: MUNICIPAL MANAGER 1987 April 08
FROM: DIRECTOR FINANCE
RE: AUTO TOWING SERVICES

RECOMMENDATION

1. THAT a copy of this report be sent to Mr. Doug Stead,
7146 Gilley Avenue, Burnaby, B.C. V5J 4X2

REPORT

On Council's agenda for the meeting of 1987 April 06, was a suggestion from Mr. Stead that operators of auto towing services be required to provide insurance to cover the costs of repairing damages resulting from a vehicle being towed. Mr. Stead outlined the difficulties that he has experienced in attempting to recover costs for repairing damages to his vehicle allegedly caused by B. C. Auto Towing Ltd. when they removed it from the parking lot of Loughheed Mall.

Vehicles may be removed from private property in accordance with Section 193 of the Motor Vehicle Act. Such action and the resulting costs of impoundment covering towing and storage is a private matter between the parties involved; property owner/occupant, vehicle owner, tow truck operator.

A spokesman for I.C.B.C. advises that in accordance with Provincial Motor Vehicle regulations, operators of towing services are required to maintain a "garage policy" which is intended to provide coverage of damage that may be incurred during towing or storage of a customer's vehicle. In the event that such a policy was not in force or did not otherwise cover the alleged damage, the owner of the vehicle could take action as a private matter, through the courts if necessary.

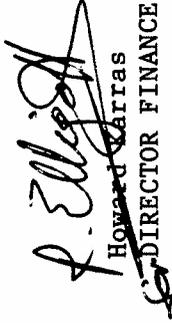
Mr. Stead states that while B.C. Auto Towing is no longer in business, the impounding service that they provided is being offered by Mr. A. Palmer, a former principal of that company, through Mundie's Towing Service on Kingsway. A spokesman for Mundie's advises that such service is not being provided through their facilities.

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Mr. Stead further enquired as to the relationship of a company under contract to provide towing services for the Municipality. In this regard the municipality is named as co-insured against liability on the towing company's insurance policy, and they file with us proof of a garage policy. Our current towing contractor (Mundie's Towing Service) meets these requirements. In Mr. Stead's case, the towing company is out of business and we are unable to confirm that there was a valid garage policy at the time of impounding.

In any event, the Provincial statute requires operators of towing services to provide insurance coverage for damage incurred during towing or storage of a vehicle. These regulations supercede any Municipal by-law requirements.

The contents of this report have been discussed with Mr. Stead. Mr. Stead advises that since writing to Council, I.C.B.C. has agreed to pay the total amount of his claim.


HOWARD VARRAS
DIRECTOR FINANCE

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