

Wrecker Driver Licensing – Chapter 8 Changes Frequently Asked Questions

Q. Why are these changes being proposed?

A. To clarify and update the Chapter 8 to reflect current state law and to provide a safer environment for our citizens when they interact with the towing industry by clarifying the licensing requirements and qualifications for wrecker drivers and wreckers.

Q. Who was involved in the development of the proposed changes?

A. The HPD Auto Dealers Detail, HPD and City Legal and industry stakeholders.

Q. Was the industry notified of the proposed changes?

A. Yes, approximately 1,800 notification letters were sent to industry stakeholders. The Auto Dealers Detail held seven meetings at locations throughout the City to present the changes.

Q. What has been the response from the industry?

A. There have been no negative responses or opposition regarding the proposed changes.

Q. Why are equipment standards being added to City Ordinance?

A. Tow operators have previously been held to these standards per State law. Recently, the equipment standards were removed from State law and currently only exist in the Police Authorized Tow Service Agreement (PATSA). The equipment standards should be added to City Ordinance to set minimum safety standards for tow operators.

**Q. Why must tow operators be able to read, write and communicate in the English language?
Will there be a test?**

A. Tow operators should be able to effectively communicate necessary information regarding the towing of the vehicle to citizens. There will not be a test.

Q. Why are the background standards being increased for wrecker driver licensing?

A. Currently, if an applicant or licensed driver has been charged with or indicated for a crime listed in Section 1-10 of the Code, there is no mechanism by which to deny the issuance of the license, regardless of the heinous nature of the charged crime. Thus, a City of Houston license must be issued to the applicant though HPD is aware of the pending charge(s). This applies, for example, in cases involving criminally negligent homicide (in a wrecker), aggravated sexual assault of a child, burglary of a motor vehicle (in a wrecker), etc. The change is proposed to close the gap that exists in the Section 1-10 criminal history standards and to increase the safety of citizens.

Q. What will change specific to wrecker driver licensing?

A. With the proposed changes, the Chief of Police may now take into consideration indictments or pending charges for offenses listed in Section 1-10 of the Code as opposed to final convictions. Also, the qualifications to be a wrecker driver have been clarified.

Q. Will the wrecker drivers have an opportunity to appeal?

A. Yes, appeals may be made to the Automotive Board.

Q. What changes are being proposed in Section 1-10?

A. We are clarifying the language, adding the word “towing” to the types of violations that are relevant to wrecker drivers, and adding several crimes to the list of crimes wrecker drivers have a special opportunity to commit due to the nature of the towing business: robbery, misdemeanor theft and burglary, burglary of a motor vehicle and misdemeanor possession of drugs.