Predatory Towing Practices

In recent years, there has been a significant increase in reports of predatory towing practices across the trucking industry. In particular, motor carriers have faced concerns related to excessive rates, unwarranted service charges, release delays, baseless truck seizures and nonconsensual tows.

One report from the American Transportation Research Institute (ATRI) found that over 80% of motor carriers regularly experience both excessive rates and unwarranted charges. What's more, 29.8% of crash-related towing invoices contained some form of predatory billing as well as miscellaneous service charges (found in 8% of invoices), administrative fees (6.5%) and equipment rates (6.3%). Even more concerning is that more than half of the respondents (55.7%) in ATRI's research reported having a vehicle seized without cause.

Combating predatory towing practices can be a challenge for motor carriers, given they are typically unable to choose the towing company they work with, compare rates or approve tow strategies. However, there are some strategies motor carriers should consider, including the following:

- Research local and state laws to determine the best course of action to take should your business become the victim of predatory towing practices.

- Contact your local trucking association. These organizations can provide a list of preferred towing companies.

- Encourage drivers to take photos and videos of the scene before, during and after the tow. Drivers should also be instructed to take notes regarding the arrival and departure of the tow truck, what equipment was used, and whether law enforcement or other departments participated in the tow. Drivers should also be cautious when it comes to signing documents from the tow truck company/operator.

Should a predatory towing incident occur, it's important for motor carriers to work through their insurers as well as professional legal counsel. To learn more about predator towing and potential countermeasures, check out the full report from the ATRI here.