



## Recommendation for Action

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**File #: 22-1920, Agenda Item #: 31.**

**5/19/2022**

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### **Posting Language**

Approve an ordinance amending City Code Chapter 13-7 (Vehicle Immobilization Services) to authorize use of vehicle boots that may be removed by a vehicle owner and deposited in an on-site receptacle, and to prohibit imposing a security deposit for vehicle boots.

### **Lead Department**

Austin Transportation Department.

### **Fiscal Note**

This item has no fiscal impact.

### **Prior Council Action:**

August 23, 2018 - Ordinance No. 20180823-075 creating City Code Chapter 13-7 to enact regulations for vehicle immobilization services; authorizing related fees; creating offenses; and declaring an emergency was approved on a 11-0 vote.

### **For More Information:**

Robert Spillar, Director, 512-974-2488; Jason JonMichael, Assistant Director, 512-974-7028; Jacob Culberson, Division Manager, 512-974-1489; Gilda Powers, Administrative Manager, 512-974-7092

### **Council Committee, Boards and Commission Action:**

February 8, 2022 - Urban Transportation Commission (UTC) Recommendation No. 20220208-02C was approved on a 9-0 vote with Commissioners Weatherby and Ryan absent.

### **Additional Backup Information:**

The Austin Transportation Department (ATD) and the Austin Police Department (APD) regulate Vehicle Immobilization Services in accordance with Chapter 13-7 of City Code and the City's adopted vehicle immobilization rules.

Vehicle immobilization services are primarily intended to reduce unauthorized parking activities within privately owned parking lots throughout the City. Currently, there are four companies licensed by ATD to perform private vehicle immobilization services within the City. Personnel who engage in vehicle boot installation and removal are required to pass a criminal history background check and receive a permit from APD.

Currently, companies are required by City Code § 13-7-42 to remove a boot, in exchange for the vehicle immobilization fee, not later than one hour after the time the owner or operator of the vehicle contacts the licensee responsible for installation of the boot to request removal of the boot. In October of 2021, a licensed booting company in Austin requested authorization to install boots that would allow customers the option of removing the boot from their own vehicle, in exchange for payment of the fee, for the purposes of convenience and more timely service. Self-removal would be accomplished by booting licensees sending a code or other signal to the vehicle owner's smart phone that would enable removal of the boot.

In September of 2021, staff from ATD met with vehicle immobilization company representatives to discuss the possible processes and details associated with a customer removal option. Then, in November of 2021, ATD

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staff met with APD to discuss the processes and details associated with the possibility of a customer removal option.

Based on these discussions, ATD, in collaboration with APD, recommends that City Code be amended to authorize vehicle immobilization companies to allow an option for customers to self-remove a booting device upon their own vehicle with the following stipulations:

1. Customers shall retain the ability to request the company remove the booting device within one hour of requesting removal.
2. Customers shall not be required to provide a security deposit for a boot.
3. A secured, well-lit receptacle shall be available upon every parking lot where customer removal of a booting device occurs, so that a customer may return the boot safely and without having to travel to another location.

**Strategic Outcome(s):**

Mobility, Safety, Government that Works for All, Economic Opportunity and Affordability