

**AN ORDINANCE AMENDING CHAPTER 375 OF THE MUNICIPAL CODE OF THE CITY OF RIVERSIDE, MISSOURI ESTABLISHING PROCEDURES ON ARREST, TO PROVIDE FOR REGULATION OF TOW VEHICLES AT THE SCENE OF AN ACCIDENT**

**WHEREAS**, Chapter 375 of the Municipal Code of the City of Riverside, Missouri provides procedures on arrest; and

**WHEREAS**, the Board of Aldermen of the City of Riverside, Missouri have determined that it is in the best interests of the City and its residents to include provisions regulating the operation of tow vehicles at the scene of an accident.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Aldermen of the City of Riverside, Missouri, as follows:

Section 1. Chapter 375 of the Municipal Code of the City of Riverside, Missouri is hereby amended to include the following additional provisions:

**SECTION 375.080: TOW VEHICLES AND ACCIDENT SCENE**

A. No owner of a tow vehicle or tow vehicle operator shall:

1. Stop, stand or park a tow vehicle at a location where an accident has occurred to solicit business unless:
  - (a) The owner of a tow vehicle or tow vehicle operator has been requested by the police officer in charge at the location where an accident has occurred; or
  - (b) The owner of a tow vehicle or tow operator has been requested by one of the operators, owner, or agent of the vehicles involved in the accident; or
  - (c) The owner of a tow vehicle or tow operator has been requested by the dispatcher of the police officer in charge at the location where an accident has occurred.
2. Remain at a location where an accident has occurred after being directed to leave by a police officer.
3. Fail to provide any police officer, upon request, at the location where an accident has occurred with the name and telephone number of the person requesting the tow truck operator, or the police officer's name and serial number requesting the tow truck operator or the dispatcher's name and serial number requesting the tow truck operator.

B. Failure by the owner of a tow vehicle or tow vehicle operator to provide the police officer's name and serial number or the police officer's dispatchers name and serial number or

the name and telephone number of the operator of the vehicle involved in the traffic accident requesting the tow truck operator to be present at the scene of the accident to any police officer shall be prima facie evidence that the owner of a tow vehicle or tow vehicle operator had not been requested to stop, stand or park a tow vehicle at a location where an accident occurred.

**SECTION 375.090: SOLICITATION OF TOW BUSINESS**

No person shall, while at the scene of a fire or traffic accident, solicit any person for the purpose of procuring towing business or authorization or for an agreement for hire or for a fee to tow, lift, extract, or push any vehicle, nor any engine starting, nor any roll back pick up or recovery, nor transportation of any vehicle.

Section 2. The sections, paragraphs, clauses, and phrases of the Ordinance are severable and if any portion of the Ordinance is declared unlawful by the valid judgment, decree, or injunction order of a court of competent jurisdiction, such ruling shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance and all provisions of the Ordinance not specifically declared to be unlawful shall remain in full force and effect.

Section 3. This Ordinance overrides any conflicting provision or regulation within the Municipal Code of the City of Riverside, Missouri.

Section 4. This Ordinance shall take effect immediately.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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Mayor Kathleen L. Rose

ATTEST:

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City Clerk