



Vehicle Towing and Booting

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Many Coloradans are likely familiar with a local invention known as the Denver Boot™, the vehicle-immobilizing device they may find on their vehicle as a result of a parking violation. This *issue brief* provides an overview of Colorado laws and regulations related to towing and the immobilization of motor vehicles through the use of boots.

Definitions

Booting. A boot immobilizes a motor vehicle, usually until a fee, unpaid parking tickets, or other outstanding citations are paid.

Consensual towing. Consensual tows occur when the towing carrier is requested to perform a tow by the owner, authorized operator, or authorized agent of a motor vehicle. An example of a consensual tow is when a motor vehicle breaks down and a towing carrier is called to tow the vehicle to a repair shop.

Nonconsensual towing. Nonconsensual tows occur when the towing agent is directed to perform a tow by a law enforcement officer or upon authorization of the property owner. Typically nonconsensual tows occur due to illegal parking.

Regulation

Colorado's Public Utilities Commission (PUC) is the entity responsible for the oversight of towing carriers and vehicle booting companies operating within the state.

Towing carriers. Towing carriers are authorized to provide for both the consensual and nonconsensual towing of motor vehicles.¹ Colorado law also provides the PUC with limited authority to promulgate rules to regulate the operations of towing carriers.² Colorado law requires all towing carriers to obtain a permit. Towing carriers are also subject to certain insurance, bonding, and nonconsensual towing rate requirements.

Vehicle booting companies. In 2019, the Colorado General Assembly extended the PUC's authority to include vehicle booting companies. Colorado law requires all vehicle booting companies to obtain a permit; companies are also subject to certain insurance requirements. The PUC is in the process of promulgating rules related to vehicle booting companies, including signage and notice requirements and drop fees.

Nonconsensual Towing

The PUC has promulgated several rules related to nonconsensual towing.

Signage and notice requirements. In order for a vehicle to be towed from a parking lot, notice of applicable parking regulations must be provided at the time the vehicle was parked, along with notice that those in violation of these regulations are subject to being towed at the owner's expense. In order to meet this notice requirement, a permanent sign must be conspicuously posted near each entrance to the parking lot and on

¹4 CCR 723-6. Rule 6508 (b)(1).

²Section 40-10.1-401, *et seq.*, C.R.S.

lampposts throughout the parking lot, as specified in rule. These signs must meet certain minimum requirements related to readability and content.³

Drop charges. If a motor vehicle owner, authorized operator, or authorized agent appears in person while the vehicle is about to be towed, or is in the process of being towed, the motor vehicle owner must be given the opportunity to pay the towing carrier’s drop charge to halt the tow. The regulations limit the amount towing carriers may charge to \$70 for most passenger vehicles. Towing carriers may charge more for larger vehicles.⁴

Towing rates. PUC regulations limit the amount towing carriers may charge for a nonconsensual tow from a private property upon authorization of the property owner. These towing rates consist of a base rate, mileage charge, fuel surcharge, vehicle storage charge, and a charge for the release of the vehicle from storage. A summary of the regulatory limits are included below in Table 1. Different limits apply to the rates and charges that may be assessed on nonconsensual tows that are ordered by law enforcement.

Forms of payment. PUC rules require that all towing carriers immediately accept cash or a major credit card as payment for any charges.⁵

Release requirements. Towing carriers are required by rule to provide access to a motor vehicle that has been towed:

- within one-hour’s notice within the first 24 hours of storage; and
- upon demand during the towing carrier’s business hours.

Carriers must also immediately relinquish prescription medicines, medical equipment or devices, or any child restraint system without requiring payment and without additional charge.⁶

Local governments. Colorado state law does not regulate private parking lots. Local jurisdictions may adopt ordinances that regulate private parking lots. The town of Avon is the only municipality that has adopted an ordinance regarding the immobilization and booting of motor vehicles on private property by towing carriers and other private companies.

**Table 1
Private Property Towing Rate Limits**

Item	Limit
Base rate	\$180 for most passenger vehicles; \$210 - \$325 for larger vehicles, depending on weight.
Mileage rate	\$3.80 per mile for each mile that the motor vehicle is towed, up to 12 miles for tows within 10 miles of either side of I-25, and up to 16.5 miles for mountain areas and eastern plains communities that lie farther than 10 miles from I-25.
Fuel surcharge	When the price per gallon of diesel fuel exceeds a base rate of \$2.60, an additional fuel surcharge may be added.
Storage charge	\$30 per 24-hour period for most passenger vehicles; \$37 for larger vehicles; or \$1.50 per foot according to the motor vehicle’s length.
Release charge	\$66

Source: 4 CCR 723-6, Rule 6511.

³4 CCR 723-6. Rule 6508 (b).

⁴4 CCR 723-6. Rule 6511 (a).

⁵4 CCR 723-6. Rule 6512.

⁶4 CCR 723-6. Rule 6512.