

## **CHAPTER 266. CRIMES AGAINST PROPERTY**

### **Chapter 266: Section 120D Removal of motor vehicles from private ways or property; penalties; liability for removal and storage charges; release of vehicle**

Section 120D. No person shall remove a motor vehicle which is parked or standing on a private way or upon improved or enclosed property unless the operator of such vehicle has been forbidden so to park or stand, either directly or by posted notice, by the person who has lawful control of such way or property. No vehicle shall be removed from such way or property without the consent of the owner of such vehicle unless the person who has lawful control of such way or property shall have notified the chief of police or his designee in a city or town, or, in the city of Boston the police commissioner, or a person from time to time designated by said police commissioner, that such vehicle is to be removed. Such notification shall be made before any such vehicle shall be removed, and shall be in writing unless otherwise specified by such chief of police or police commissioner and shall include the address from which the vehicle is to be removed, the address to which the vehicle is to be removed, the registration number of the vehicle, the name of the person in lawful control of the way or property from which such vehicle is being removed, and the name of the person or company or other business entity removing the vehicle. Vehicles so removed shall be stored in a convenient location. Neither the city or town, nor its chief of police or police commissioner or his designee, shall be liable for any damages incurred during the removal or storage of any such vehicle removed under this section. Any person who, without notifying the chief of police or his designee, or the police commissioner or his designee, or without obtaining the consent of the owner, removes a vehicle from a private way or from improved or enclosed property as aforesaid, shall, in addition to any other penalty of law, be punished by a fine of not more than one hundred dollars. The employer of such person if any, shall also be punished by a fine of not more than one hundred dollars.

Any person who purports to authorize the removal of a vehicle from a way or property as aforesaid without having fully complied with the provision of this section shall be punished by a fine of not more than one hundred dollars.

In addition to any other penalty provided by law, the registered owner of a vehicle illegally parked or standing on a private way or upon improved or enclosed property shall be liable for charges for the removal and storage of such vehicle; provided, however, that the liability so imposed shall not exceed the following, and provided, further, that the vehicle has been removed after compliance with the provisions of this section:

(1) the maximum amount for towing or transportation of motor vehicles established by the department of telecommunications and energy for motor vehicles towed away when such towing is ordered by the police or other public authority under the provisions of section six B of chapter one hundred and fifty-nine B; and

(2) the maximum charge for storage of non-commercial passenger motor vehicles with a maximum capacity of nine persons, shall be not more than the maximum storage charge allowed under the provisions of said section six B of said chapter one hundred and fifty-nine B.

A person lawfully holding a vehicle removed under the provisions of this section may hold such vehicle until the registered owner pays the removal and storage charges.

Any person who is called to remove by towing a vehicle illegally parked or standing on a private way or upon improved or enclosed property may, at his discretion, if the owner appears to remove said vehicle before the towing is completed, charge said owner one half of the fee usually charged for such towing.

Any person who removes a vehicle illegally parked or standing on a private way or upon improved or enclosed property, or holds such a vehicle after its removal, and who has not complied in full with the provisions of this section, shall release such vehicle to its owner without assessing any charges for its removal or storage.



**PRO TECH TOWING & RECOVERY INC.**  
**TRESPASS TOWING AGREEMENT**  
(CALL-IN TOW OR ROAM TOW)  
**PART I**

**Please complete all areas:**

I, \_\_\_\_\_, OWNER/AUTHORIZED AGENT OF THE  
PROPERTY (IES\*\*) KNOWN AS \_\_\_\_\_,  
LOCATED AT \_\_\_\_\_,  
AUTHORIZE **PRO TECH TOWING & RECOVERY INC.** WHOSE  
REGISTERED AGENT IS 205 WILLOW ST, WALTHAM, MA 02453 AND  
PHONE NO. (781)894-5058 TO REMOVE VEHICLES PARKED ON SAID  
PROPERTY (IES) AS FOLLOWS (CIRCLE CHOICE OF CALL-IN, ROAM, OR BOTH):

1) **CALL-IN TOWS** - WHEN CALLED BY OWNER/AUTHORIZED AGENT OF SAID  
PROPERTY (IES),

**OR**

2) **ROAM TOWS** - ON THE FOLLOWING DAYS OF EACH WEEK (CIRCLE DESIRED  
DAYS AND HOURS FOR ROAM TOWING):

SATURDAY SUNDAY MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY **OR ALL**  
BETWEEN THE HOURS OF \_\_\_\_\_AM/PM AND \_\_\_\_\_AM/PM **OR 24 HRS./DAY.**

**REMOVAL IS AUTHORIZED TO BEGIN ON THE \_\_\_\_\_ DAY OF**  
\_\_\_\_\_, 20\_\_\_\_, **AND WILL END ON THE \_\_\_\_\_ DAY OF**  
\_\_\_\_\_, 20\_\_\_\_ (date cannot exceed two years).

**IMPORTANT NOTE:** THIS TRESPASS TOW CONTRACT IS NOT VALID UNTIL  
THE PERSON/BUSINESS ENTERING INTO THE CONTRACT HAS SIGNED WITH  
THE TOW COMPANY AND A COPY OF THIS CONTRACT HAS BEEN FILED WITH  
THE \_\_\_\_\_ POLICE DEPARTMENT. IF THERE IS AN ADMINISTRATIVE FEE  
TO BE PAID, IN ADDITION TO SUBMITTING A NEW CONTRACT, PRO TECH  
TOWING & RECOVERY INC. WILL BE RESPONSIBLE FOR SUCH FEE.

**\*\* IF MORE THAN ONE PROPERTY LOCATION IS TO BE COVERED IN THIS  
CONTRACT, EACH PROPERTY NAME AND LOCATION MUST BE LISTED.**

**TRESPASS TOWING FEE:** THE MAXIMUM FEE AS SET BY RESOLUTION OF THE  
DEPARTMENT OF PUBLIC UTILITIES COVERS THE FIRST 24 HOURS FOLLOWING  
NOTIFICATION OF THE VEHICLE TOW TO THE \_\_\_\_\_ POLICE DEPT.



## PART II

THE OWNER/AUTHORIZED AGENT OF THE PROPERTY DESCRIBED AND THE OWNER/AUTHORIZED AGENT OF THE TOWING SERVICE NAMED HEREIN, EACH CERTIFY THAT HE/SHE HAS READ AND IS IN COMPLIANCE WITH ALL THE PROVISIONS OF CITY OF \_\_\_\_\_ STATUTES, "VEHICLES PARKED ON PRIVATE PROPERTY - TOWING" AND CITY/TOWN CODE OF ORDINANCES, "TOWING FROM CERTAIN PRIVATE PROPERTY". CHANGES TO THIS CONTRACT SHALL BE IN WRITING SIGNED BY BOTH PARTIES. THIS CONTRACT MAY BE TERMINATED BY EITHER PARTY AT ANY TIME UPON WRITTEN NOTICE FROM EITHER PARTY. HOWEVER, THIS CONTRACT SHALL AUTOMATICALLY EXPIRE TWO YEARS FROM THE DATE IT IS EXECUTES BY THE PROPERTY REPRESENTATIVE.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.  
TOWING SERVICE AGENT - DATE

PRINT \_\_\_\_\_  
PHONE # \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.  
PROPERTY REPRESENTATIVE - DATE

PRNT \_\_\_\_\_  
PHONE # \_\_\_\_\_

ANY OTHER PERSONS AUTHORIZED TO HAVE VEHICLES TOWED: (SIGN & PRINT)

\_\_\_\_\_  
SIGNATURE  
PRINT \_\_\_\_\_  
PHONE # \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE  
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## This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.