Tow Hearing Procedures

GENERAL INFORMATION

If you believe the SFMTA towed your vehicle in error, you may contest the validity of the tow by scheduling a hearing with the SFMTA no later than 30 days after tow date. Hearing officers at the SFMTA will review challenges to tows ordered by SFMTA parking control officers only. If you wish to contest a tow ordered by the SFPD, please visit: https://sanfranciscopolice.org/towed-vehicle-information.

At your tow hearing, an SFMTA hearing officer will consider testimony you provide, review evidence you submit, and make a decision whether there were reasonable grounds to tow your vehicle. At the same time, the hearing officer will make a decision about the validity of any parking citation issued in conjunction with the tow. You are not required to pay parking citations before your hearing. But if you choose to do so, the hearing officer will not consider this an admission of fault and will not hold this against you in any way at the hearing.

SFMTA hearings are not held in traditional courtrooms. The setting is informal and should not be intimidating.

REASONABLE GROUNDS FOR TOWING

SFMTA hearing officers will consider whether there were reasonable grounds to tow your vehicle. For example, reasonable grounds exist under the following circumstances:

1. Your vehicle was parked in a zone or space appropriately marked or signed as a tow-away zone or a temporary tow-away zone designated by permit for construction or special events. These zones or spaces include bus zones, commercial loading zones, red zones, and regular parking zones that become tow-away zones during morning and evening commute hours.

2. Your vehicle was parked in a manner that constituted a hazard to traffic, or was parked unlawfully in the same space over 72 hours (i.e., in violation of San Francisco 72-hour parking prohibition / S.F. Tranp. Code §7.2.29).

3. Your vehicle was parked blocking a driveway or loading dock; or

4. Your vehicle had five or more delinquent, unpaid parking citations, an expired DMV registration (over 6 months), or was parked displaying an expired or cancelled disabled parking placard.

In making these determinations, SFMTA hearing officers may review official records, citation histories, or whether there was adequate signage at the location where your vehicle was towed.

While SFMTA parking control officers may take and submit photographs that depict how your vehicle was parked at the time of towing, photographs are not required to validate the tow or the parking citation. If there are images available in connection with the tow or citation you wish to contest, you may access those images using your citation number at the following link: www.SFMTA.com/citationinfo.
EVIDENCE AT THE HEARING

Provide to the SFMTA hearing officer all documentation you want them to consider in making the determination about the validity of your tow or parking citation. Documentation may include, among other items, photographs, video recordings, applicable parking permits, your own testimony, or the testimony of an eyewitness to the corresponding parking infraction or who may have other relevant information. Character witnesses are not particularly helpful, but you certainly may bring a friend with you if you feel that you might need some moral support, or need physical assistance.

OPPORTUNITY FOR FULL INVESTIGATION

Claiming your towed vehicle from impound before your tow hearing may provide an SFMTA hearing officer more time to thoroughly review and investigate your case, because this allows the hearing officer to receive evidence as it becomes available prior to the decision. For this reason, we encourage you to claim your vehicle as soon as possible. Paying for the tow and storage charges is never considered an admission of responsibility, and does not in any way prejudice your case in terms of how the hearing officer will decide on the issues.

On the other hand, if you do not claim your vehicle before your tow hearing, the hearing officer will be required to provide an immediate decision on the validity of the tow or parking citation, because your impound storage fees are accruing. In these cases, the hearing officer is limited to reviewing evidence available only on that day and provided by the time of the hearing. This may disadvantage you if important evidence (e.g., photos of signage obstructions) may be unavailable at the time of the hearing.

UNACCEPTABLE GROUNDS FOR TOW REFUNDS OR WAIVERS

Financial hardships or personal circumstances do NOT exempt you from paying tow and storage fees if an SFMTA hearing officer determines there were reasonable grounds to tow your vehicle. Medical emergencies or mechanical breakdowns of your vehicle are also not legal grounds for a refund (or waiver) of the tow and storage fees. Your unfamiliarity with state and local parking ordinances, or the failure to understand the parking regulations that may apply in San Francisco, do not provide a legal basis for a refund or waiver of tow and storage fees.

SFMTA hearing officers do not have the legal authority to reduce the tow fees or storage fees, or to reduce the amount of the associated parking citation. If the hearing officer finds in your favor, the hearing officer is only able to refund or waive the tow and storage fees and dismiss the associated parking citation, which would include a refund if you have already paid the citation.

LOW INCOME? FIRST TOW?

If you participate in a qualifying low-income program, you may be eligible to receive a waiver of the administrative tow fee and certain other tow-related and storage fees. For more information visit: www.sfmta.com/FirstTow.

If this is the first time the SFMTA or SFPD tows a vehicle that is registered or rented in your name, you may be eligible for a reduction in the administrative tow fee. For more information visit: www.sfmta.com/FirstTow.

RESCHEDULING THE HEARING

If you cannot attend a tow hearing that was scheduled for you, you must cancel the hearing prior to the scheduled date and time by calling (415) 701-5400. If you do not call ahead of time to reschedule, you may forfeit your right to the hearing. You may reschedule one time only.
APPEALS OF THE HEARING OFFICER’S DECISION

If the SFMTA hearing officer determines the towing of your vehicle was valid, the letter from the SFMTA that documents this decision will include instructions on how to proceed with any appeals you are entitled to under the law. In general, you may file a formal claim against the SFMTA within one year of the date of tow. And, only if your claim is denied, you may then file a case against the SFMTA with the San Francisco Superior Court within six months of the date your claim was denied.