

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>.

Tow hearings are conducted by email, phone, mail-in, online submittal, or by video conference on request. In-person hearings are not offered at the present time in response to COVID-19. In your tow hearing, an SFMTA hearing officer will consider the testimony you provide, review evidence you submit, and make a decision whether justifiable grounds to tow your vehicle existed at the time. Paying the towing and storage fees is not an admission of fault, and the hearing officer will not hold this payment against you in any way.

RETRIVE YOUR VEHICLE TO STOP THE ACCRUAL OF STORAGE FEES

Even if you believe your vehicle was towed in error, retrieve your vehicle from Impound immediately to stop the accrual of storage fees. Storage fees accrue daily, and you are responsible for payment of all towing and storage fees unless you prevail in your tow hearing. Vehicles not removed from impound will undergo the legal lien process for collection of towing and storage fees if you do not prevail at your hearing. This means that your vehicle may undergo auction to satisfy unpaid towing and storage fees.

JUSTIFIABLE GROUNDS FOR TOWING

SFMTA hearing officers will consider whether there were justifiable grounds to tow your vehicle. For example, justifiable 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 (yellow) loading zones, red zones, certain white zones with tow away hours, and regular parking zones that become tow-away zones during morning and evening commuter rush hours.
2. Your vehicle was parked in a manner that constituted a hazard to traffic or pedestrians, or was parked unlawfully in the same space over 72 hours (i.e., in violation of San Francisco 72-hour parking prohibition, see S.F. Transportation. 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 (expired over 6 months), or was illegally parked (e.g. without required meter payment) while displaying an expired, cancelled or unauthorized disabled parking placard.

In making these determinations, SFMTA hearing officers may review official records, citation histories, photographs and 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, parking officer 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 IN 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. Such documentation may include: photographs, video recordings, applicable parking permits, your own testimony, or the testimony of an eyewitness to the corresponding parking infraction, or any other documentation that you believe may support mitigating circumstances affecting the validity of the tow.

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 justifiable grounds to tow your vehicle at the time. 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.

EXPERIENCING HOMELESSNESS? LOW-INCOME? FIRST-TIME TOW?

If you are experiencing homelessness, you may be eligible for a one-time waiver of your towing fees or booting fees. Visit an Access Point or call 415-487-3300 x7000.

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/LowIncomeTow.

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 be available for the tow hearing that was scheduled for you, you must cancel the hearing prior to the scheduled date and time by calling (415) 646-2020 for tows, or (415) 646-2016 for citations. 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. Claims for death or injury to persons or damage to personal property must be filed within six months after the incident giving rise to the claim..