

# COMMERCIAL VEHICLE ENFORCEMENT: PARKING & TOWING

By: Lieutenant Craig Kivela



# COMMON TRUCK ENFORCEMENT PARKING COMPLAINTS

- 18-wheelers
  - Truck-tractors
  - Large vehicles (box trucks)
  - Semi-trailers
  - Bumper pull trailers
  - Gooseneck trailers (car haulers)
- 



# C.O.H. DEFINITIONS

- **Commercial Vehicle** means a truck or other vehicle that displays one or more commercial vehicle signs, but does not include a taxi, limousine, or bus. (different than the Texas Transportation Code definition = 26,001 +)
- **Commercial Vehicle Signage** means one or more magnetic signs or painted letters or decals on the **front door** on each side of the commercial vehicle stating, in letters at least two inches in height, the name, logo, or other designation of the person owning or operating the vehicle.



# PARKING COMMERCIAL VEHICLES DURING PROHIBITED HOURS (Municipal ordinance)

- It shall be unlawful for any person to park or stand any commercial vehicle on or upon the streets between the hours of **2:00 a.m. and 6:00 a.m.** except during the act of loading or unloading.

02:00 → 06:00

- It is a defense to prosecution under this section that the commercial vehicle is actually in the process of being loaded or unloaded.



# COMMERCIAL VEHICLE PARKING (HPD General order)

Commercial vehicles shall not be parked on the city streets between **0200 and 0600** hours. The exception to this is if the vehicle is in the process of being loaded or unloaded. These tows shall be considered non-consent tows.



# Commercial Vehicles?



According to Code of Ordinances: Chapter 26 – Parking, Article I these vehicles do not meet the definition of a commercial vehicle.

Code of Ordinances: Chapter 26 – Parking, Article I



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Code of Ordinances: Chapter 26 – Parking, Article I



# Commercial Vehicles?



Code of Ordinances: Chapter 26 – Parking, Article I, identifies these vehicles as a “commercial vehicle”

Code of Ordinances: Chapter 26 – Parking, Article I





# TIME LIMIT FOR TRAILER PARKING (Municipal ordinance)

- It shall be unlawful for any person to leave, stand or park a trailer, semi-trailer, pole trailer or house trailer, either attached or unattached to a motor vehicle, on the public streets of the city for a period of time in excess of **two hours**.





# TIME LIMIT FOR TRAILER PARKING (HPD General order)

**2 HOURS**

Trailers of any kind (e.g., semi, pole, or house), **either attached or unattached to a motor vehicle**, may be towed if left on a public street of the city for a period of time in excess of **2** hours.

The exception to this is if the trailer is in the process of being loaded or unloaded. These tows shall be considered non-consent tows.

# TRAILER PARKING COMPLAINTS



# PRIVATE PROPERTY

This street has no name or address and is part of private property according to HCAD. However, this street was designed to be an emergency egress for HFD.

DRT came out for this issue.





# COH DEFINITIONS

- **Large vehicle** means a "motor vehicle" or a "trailer," as defined herein, that is in excess of **8 feet in height** at the highest point on the vehicle or trailer or in excess of **22 feet in length**. To the extent that any motor vehicle is coupled or otherwise attached to a trailer, then the motor **vehicle and trailer shall together** be deemed as constituting a single large vehicle if the combined length of the motor vehicle and trailer exceeds 30 feet.





# LARGE VEHICLE RESTRICTIONS (Municipal ordinance)

- No person shall park or cause to be parked or permit to remain parked any large vehicle upon any street or highway in any **residential district**. It is a defense to prosecution under this section that the large vehicle is:

- 1) Actually in the process of being loaded or unloaded;
- 2) Parked while the driver or operator is performing a service visit; or
- 3) **Leased or borrowed** and parked for a period of not more than 72 hours.

"**Residential district**" means the territory, other than a business district, adjacent to and including a highway, if at least 300 feet of the highway frontage is primarily improved with:

- (A) residences; or
- (B) buildings used for business purposes and residences.



# LARGE VEHICLE RESTRICTIONS (HPD General order)

Large vehicles are not allowed to park on any street or highway in any residential district and shall be towed as non-consent tows.

Exceptions to the above include any situation in which the vehicle is:

- 1) In the process of being loaded or unloaded.
- 2) Performing a service visit.
- 3) **Leased or borrowed** and parked for a period of not more than 72 hours.



# LARGE VEHICLE PARKING COMPLAINTS







# TIME LIMITATIONS

- Heavy-duty wreckers take an average of 1.5 hours to arrive because HPD must follow a heavy-duty rotation schedule. Sometimes a heavy-duty wrecker is available close by, however HPD shall use the wrecker on rotation which is often on the other side of the city.
- A wrecker driver takes an average of 1 hour to fully hookup an 18-wheeler. Towing an 18-wheeler involves gaining entry into the vehicle, connecting air breaks & lights, disconnecting the drive shaft under the vehicle, and pulling out the drive axle shaft.
- 2 hour ordinance + 1.5 hour arrival time + 1 hour hookup =

**4.5 hours per tow**

# TOWING STATISTICS

In 6 months, Truck Enforcement officers have cited & towed 55 vehicles related to parking complaints involving commercial vehicles.

A violator pays approximately \$1,200 to get an 18-wheeler out of a storage lot. In comparison, a violator pays approximately \$200 to get a passenger car out of a storage lot.



# TRAILER PARKING OBSTACLES & REVISION SUGGESTIONS

- 1) Modify the trailer parking time limit to 1-hour from the current 2 hour time limit.

Code of Ordinances: Chapter 26 – Parking, Article II, Section 26-94

*It shall be unlawful for any person to leave, stand or park a trailer, semi-trailer, pole trailer or house trailer, either attached or unattached to a motor vehicle, on the public streets of the city for a period of time in excess of ~~two hours~~ one hour.*

# LARGE VEHICLE OBSTACLES & REVISION SUGGESTIONS

- 2) The “Large Vehicle” ordinance could be extended to **ALL** streets and highways, not just residential.

Code of Ordinances: Chapter 26 – Parking, Article II, Section 26-96

*No person shall park or cause to be parked or permit to remain parked any large vehicle ~~upon any street or highway in any residential district.~~ on the public streets of the city.*

# LARGE VEHICLE OBSTACLES & REVISION SUGGESTIONS

- 3) The “Large Vehicle” ordinance could mirror the trailer ordinance which would allow HPD to tow a large vehicle if left on a public street over **1 hour**.

Code of Ordinances: Chapter 26 – Parking, Article II, Section 26-96

*No person shall park or cause to be parked or permit to remain parked any large vehicle ~~upon any street or highway in any residential district~~ on the public streets of the city for a period of time in excess of one hour.*



LEASED TO

LEASED TO

**ST**  
STATEWIDE TRANSPORT, LLC  
USDOT 333724  
EH84806

No markings on door

# COMMERCIAL VEHICLE OBSTACLES & REVISION SUGGESTIONS

## 5) Examine and revise the definition of **commercial vehicle signage** in 26-2 – Definitions

- **Commercial vehicle** means a truck or other vehicle that displays one or more commercial vehicle signs, but does not include a taxi, limousine, or bus.
  - **Commercial vehicle signage** means one or more magnetic signs or painted letters or decals on the **front door** on each side of the commercial vehicle stating, in letters at least two inches in height, the name, logo, or other designation of the person owning or operating the vehicle.
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**Code of Federal Regulations:** § 390.21T. Marking of self-propelled CMVs and intermodal equipment.

Every self-propelled CMV subject to this subchapter must be marked. The marking must:

- Appear on both sides of the self-propelled CMV
- Be readily legible, during daylight hours, from a distance of 50 feet while the CMV is stationary

**Texas Transportation Code:** 642.002. Identifying markings on commercial motor vehicles.

- unit identifying markings that comply with the identifying marking requirements specified by 49 C.F.R
- or have clearly legible letters and numbers of a height of at least two inches.

Texas Transportation Code: Sec. 642.002

Code of Federal Regulations: Title 49, Section 390.21

Code of Ordinances: Chapter 26 – Parking, Article I, Sec. 26-2 - Definitions

# OTHER OBSTACLES & REVISION SUGGESTIONS

- 6) Increase parking citation fines. Commercial drivers have stated they'd rather get a citation because it cost less than paying for parking at a truck yard.

CODE	CODE NAME	DESCRIPTION	FINE AMOUNT	DUE AFTER 30 DAYS
APK-26	Trailer/semi-trailer parked on street over 2 hours	Trailers and semi-trailers are limited to two hours on the public street.	\$60	\$80
APK-22	Commercial vehicle parked between 2 a.m. and 6 a.m.	<u>Commercial vehicles</u> cannot park on the public street from 2am-6am.	\$60	\$80
APK-23	Parking a large vehicle in residential district	<u>Large Vehicles</u> can park in residential areas for loading and unloading or for 72 hours if leased for moving.	\$60	\$80

- 7) Parking signage and education campaign: Make a concerted effort to place signs in problem locations and make it easier for HPD to have signs requested in the future.





## OTHER OBSTACLES & *REVISION SUGGESTIONS*

- 8) **Park Houston:** Assist in Commercial Vehicle / Large Vehicle / Trailer parking complaints. As of 2021, they now have the authority to tow.
- Occupations Code:, Title 14. Regulation of motor vehicles and transportation Sec. 2308.354. Authority for removal of vehicle from public roadway.
  - City of Houston, Texas, Ordinance No. 2021-837



# CONCLUSION

- Reactively responding to parking complaints challenges officers that have to tow multiple vehicles along the street.
- There is a limited amount of heavy duty wreckers available since they also respond to major accidents throughout the city.
- Small changes to the ordinances would lift restrictions and allow officers to address community nuisances.



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