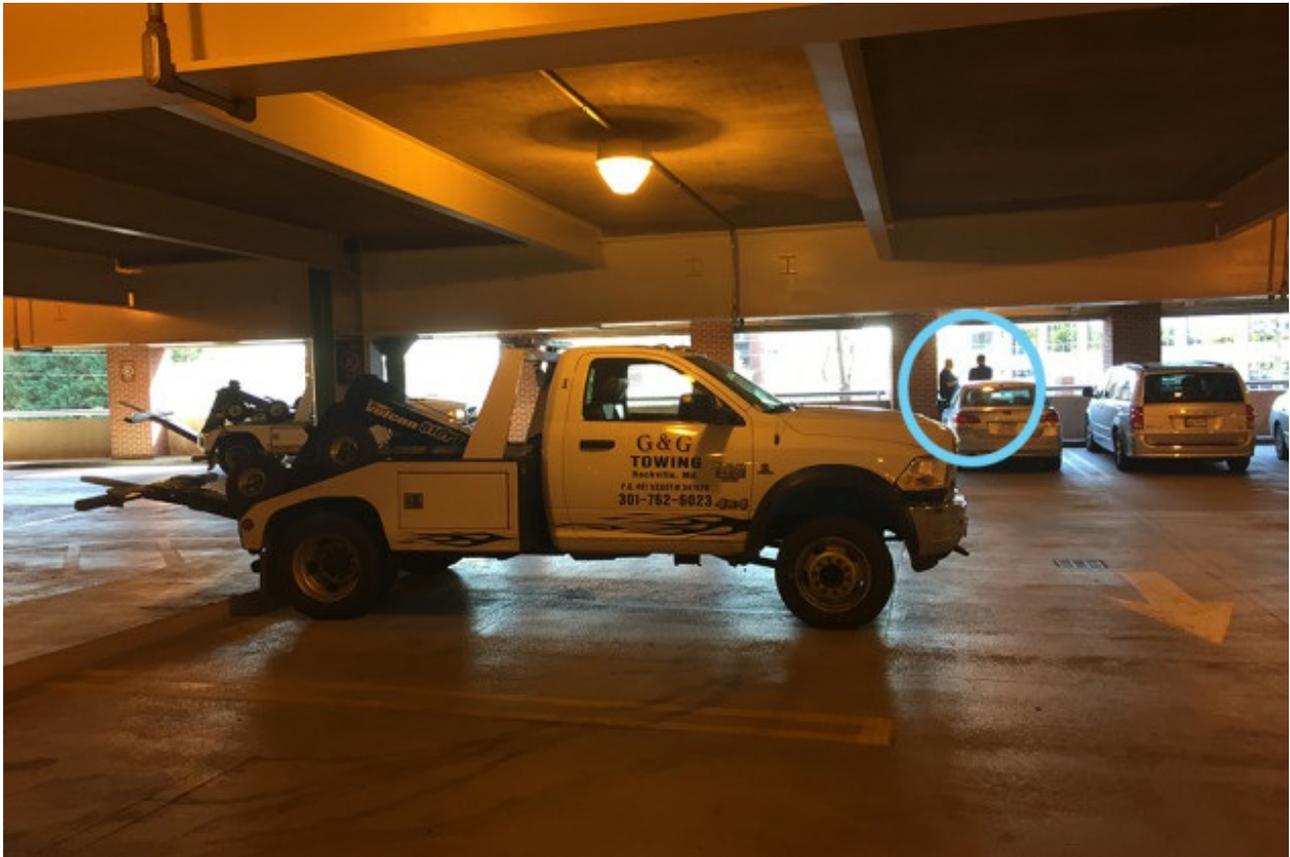
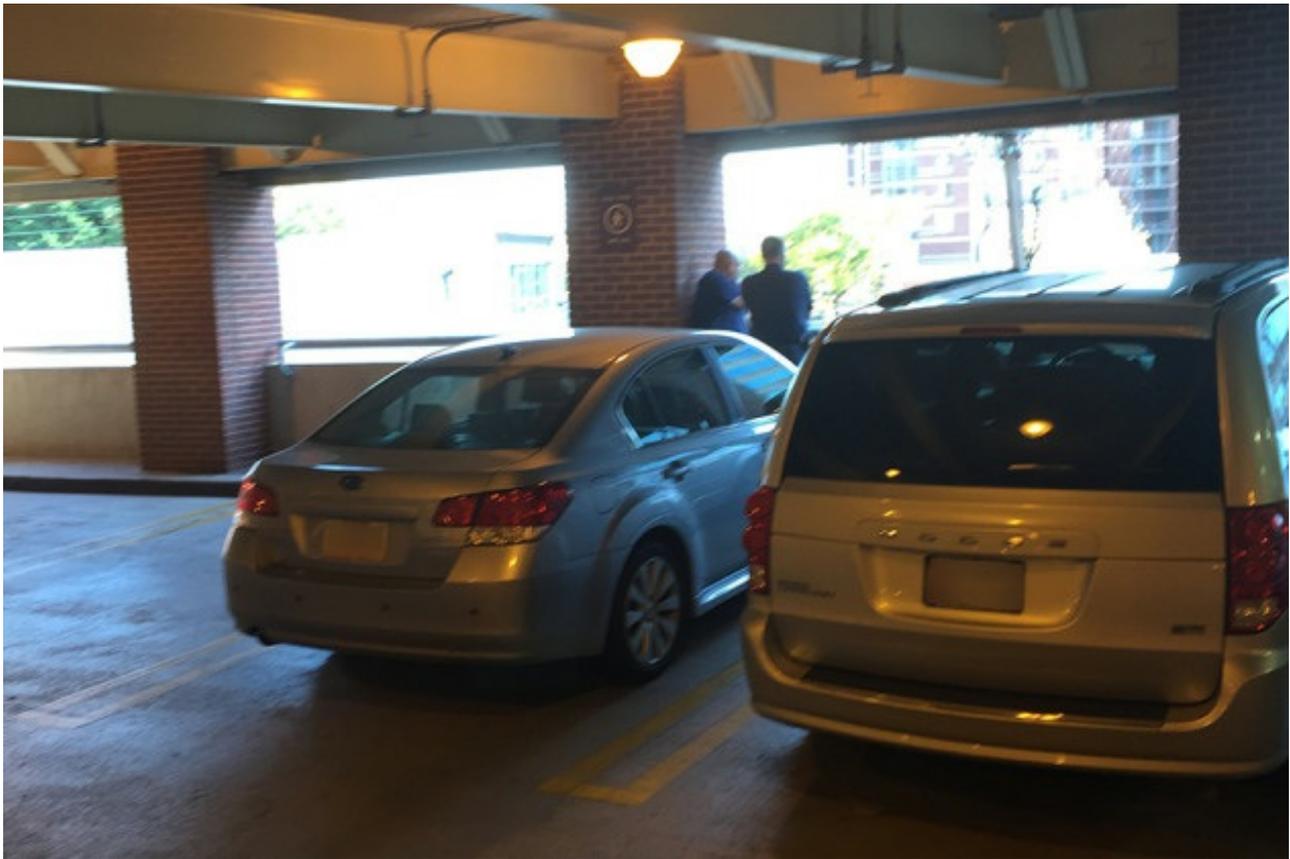


# Tipster Catches Alleged Tow Truck Drivers “Spotting” In Downtown Bethesda

**b** [bethesdanow.com/2014/11/24/tipster-catches-alleged-tow-truck-drivers-spotting-in-downtown-bethesda/](http://bethesdanow.com/2014/11/24/tipster-catches-alleged-tow-truck-drivers-spotting-in-downtown-bethesda/)





A tow truck company may be using illegal means to find illegally parked cars in an infamous downtown Bethesda parking lot.

A tipster sent in the images shown here of what appear to be two tow truck drivers from Rockville-based

G&G Towing perched on the third floor of the county's Woodmont Corner Garage.

The drivers appear to be watching the lot across the street at the Connor Building (7720 Woodmont Ave.), a place [well-known for its high frequency of vehicle tows](#). In one of the photos, the men can be seen looking at the lot while their tow trucks are parked in spots nearby.



It turns out Montgomery County is well aware of the problem.

Eric Friedman, the director of the county's Office of Consumer Protection and its point man on aggressive towing issues, said the Department of Transportation sent G&G [a letter](#) in 2009 ago advising the company to stop using its parking garage to watch the lot.

"DOT basically told them the garage can't be used for their business purposes," Friedman said. "We got them out of there once. It's inappropriate."

In April, the company successfully challenged parts of a 2012 state law that outlawed the use of "spotters" to watch for drivers who walk-off of private properties on which they've parked. (See the PDF of court decision below.)

Friedman, who has [appeared on ABC News' 20/20 program](#) to talk about the predatory towing issue, said the state law outlawed employees who were "primarily" used as spotters, meaning tow truck drivers who also watch parking lots may be allowed.

"G&G gets upset when you call it predatory. They prefer aggressive. We call it overly-aggressive," Friedman said. "But when they're up high in a parking garage with cameras, that's exactly what they are. Clearly the intent was they shouldn't lie in wait and swoop in like hawks."

Friedman said it appears the state will appeal the Anne Arundel Circuit Court judge's opinion in the case to the state's Court of Special Appeals.

G&G Towing, which often refuses requests for comment from the media, has yet to respond to a request for comment related specifically to the photos.

In June, Friedman told a group of Bethesda residents and business owners that the "predatory towing" situation in downtown Bethesda is as concerning as ever.

On Monday, he told BethesdaNow.com that the Connor Building lot is "ground zero" for towing in Bethesda.

Friedman said it's highly unlikely all property owners are calling their contracted tow truck company to report a walk-off or illegally parked driver — as is legally required.

"You have to have authorization from the property owner before the tow. But in practice, one or two firms get aggressive and work the system," Friedman said. "One or two companies have spotters and they'll hide and wait and call the owner instead and say, 'Give me authorization.'"

Friedman estimated there are between 30,000 and 40,000 trespass tows a year in Montgomery County and downtown Bethesda is among the more popular spots to find one. Friedman said trespass towing is a roughly \$5 million a year industry in the county.

The average cost to reclaim a towed vehicle is \$168, not counting the time and effort it takes to get to the

impound lot, which must be in Montgomery County no farther than 12 miles from the spot of the tow.

As NBC4 [reported earlier this year](#), G&G was found to be using spotters — including the owner of the company — to make trespass tows at the Blairs Shopping Center on East-West Highway in Silver Spring.

In January 2013, G&G sued the state over the 2012 law, claiming that requiring tow truck drivers to take photos of walk-off customers before towing while also banning spotters was unreasonable and a violation of the 14th Amendment:

*To require “photographic evidence” while at the same time prohibiting — and making it a crime — “to employ or otherwise compensate individuals” who gather and “report” the required “photographic evidence” is an arbitrary, oppressive and unreasonable exercise of the State’s police power, a violation of Article 24 of the Maryland Declaration of Rights, a violation of the due process clause of the 14th Amendment to the United States Constitution, are void for vagueness, and are unconstitutional.*

An example of the type of frustration generated by towing at the Connor Building lot came from BethesdaNow.com reader Bob Silverberg [earlier this year](#).

Silverberg admitted to walking off the Connor Building property — to pick up a sandwich order two blocks away. He claimed he was gone for five minutes and a tow truck driver from G&G had already hooked up his vehicle to the truck.

Silverberg paid a \$50 “drop fee” so that the vehicle would not be impounded, and said he’ll make sure never to go back to the Connor Building.

“I can’t say I frequent any of the shops in the Connor Building, but now I will not do so for reasons of their parking lot policy,” Silverberg said of the April incident. “Whatever financial penalty the building’s tenants may suffer, I suspect that the revenue loss is more than made up in fees split with the towing company. Why else would they have contracted to have a towing firm literally standing by within a block or two of the lot?”

Friedman did point out that there is more than enough signage warning drivers of what happens if they walk off the Connor Building property.

He encouraged drivers who aren’t shopping at the Connor Building to simply park across the street in the Woodmont Corner Garage — the exact place where the apparent tow truck drivers are shown spotting.

“The consumer should be parking in the garage and not parking at the Connor Building, unless they’re doing business at the Connor Building,” Friedman said. “Again, with all this towing it becomes a matter of mindset. Consumers don’t realize what a financial incentive it is for these towing companies to find them. It’s hard to stop these two or three towing firms from doing what we think is at least overly aggressive.”

Friedman said the county is in the process of informing G&G that the message in the 2009 letter is still in effect.

PDF: [G&G Towing Circuit Court Decision](#)