



Oregon

Tina Kotek, Governor

State Board of Towing
DMV HQ - 1905 Lana Ave, NE
Salem, OR 97314

Email Address: info@towboard.oregon.gov
Web Site: www.oregon.gov/sbot

OREGON STATE BOARD OF TOWING Annual Board Meeting Minutes October 29, 2024

Work Session Location:

Oregon DMV HQ
1905 Lana Avenue
Salem, OR 97314

Attending Board Member:

Bruce Anderson
Kevin Baker
Chris Coughlin
Trent Hanson, Vice Chair
Lt. Jason Lindland
Gary McClellan
Chuck Riley, Chair
Jason Shaner

Board Staff:

Torey McCullough, Board Administrator

Absent:

Chief Michael Iwai

Guests:

Linda Beukens, Dave Adams, Byron Gross - DMV; Chelsie Kemp, Tom Holt - Oregon Tow Truck Association (OTTA); Tony Green, City of Portland Ombudsman; Donny Callahan, Gerlock Towing; George; North Valley Scrap and Towing; Tyler, Advanced Recovery & Towing; Charles Richmond, S.W.A.T. Towing, Brenna Stevens.

Meeting Called to Order:

Chair Riley called the meeting to order at 10:00 a.m.
Self-introductions were made.

Meeting Agenda:

Agenda approved by consensus.

Executive Session:

Mr. Riley adjourned the meeting to Executive Session pursuant to ORS 192.660, including the annual performance evaluation of the Board Administrative and confidential personnel matters; discussion of confidential information pertaining to litigation; and discussion of documents not subject to public disclosure.

The Board returned from Executive to Public Session at 12:00 p.m.

Working Lunch:

The Board discussed escalation of the complaints towards disciplinary actions.

Step 1:

The Board will mail a newsletter to all tow companies registered with DMV and to entities identified as providing tow services without a tow business certificate or active TW plates.

Step 2:

Beginning in November, the Board will mail individual letters addressed to entities and individuals identified as providing tow services and who have not submitted tow business certificate applications to DMV and companies that may be conducting unlawful PPIs.

Step 3:

For tow business certificate violations:

If the person or entity does not submit a DMV tow business certificate application within 30 days of the Notice letter, the Board will send a Warning of Violation letter, with information pertaining to investigations and civil penalties for failure to comply with the TW plate and tow business certificate requirements.

An overview of the Board's complaint and disciplinary action process, with samples of Notices and Final Orders, was presented. The information will be posted on the Board's website.

Strategic Planning Session:

Collaborative Partner Comments

The floor was opened to collaborative partners for input prior to the Board's strategic planning discussions.

Tom Holt of OTTA, who suggested that the Board begin processing complaints, report their progress, and keep track of the legislative fixes in terms of what the Board will look for in the 2027 legislative session.

Lt. Lindland noted that OSP is seeing an increase in billing and tow fee issues; OSP is seeing fees and rates not previously included on tow bills and an uptick in OSP's SB780 tows for DUIIs.

Dave Adams, DMV Vehicle Programs thanked the Board for allowing him to attend meetings. Since DMV is an administrative agency and not a regulatory agency, DMV has not been able to address some of their customer complaints, but are now able to bring those complaints to the Tow Board, which is appreciated.

Survey Reviews

The Board conducted three surveys; one to the towing industry and general public, one to Law Enforcement, and one to other collaborative partners. Results were reviewed, and the need to increase engagement discussed.

2024 Accomplishments

The Board discussed some of its accomplishments:

- Identifying the signature requirement for Private Property Impounds
- Shifting the choice of the tower (who makes the dollars for the tow) to the property owner.
- Adoption of Bylaws.
- The Board members were able to move rules through fairly efficiently and get the word out there.
- The Board has moved from being stuck in the yard to on the road and moving forward.
- The Board members have diverse opinions, are able to respect each other's opinions and discussions are not divisive. The members are well respected, and everyone is valued for their part in the group. The Board members do a really good job of communication amongst the group, and there aren't any adversarial relationships.

The Board's achievements and accomplishments will be detailed in the Board's 2024 Annual Report.

2025 Strategic Planning Session:

Board Meetings:

The Board will continue to meet once a month for work sessions and to conduct board business. Board members discussed scheduling board meetings on a specific day and time of each month.

Consensus: Board members will check calendars to determine which Tuesday or Thursday afternoons of the month (i.e., 1st, 2nd, or 3rd) generally works the best. The Board members agreed to having the flexibility to reschedule meeting dates when needed to accommodate schedules, holidays, and other events.

Priority No. 1: Tow Rates and Fees.

The Board will:

- Review Oregon rates and fees statutes, statutes from other states and from jurisdictions within Oregon, and other resources to determine the Board's role in protecting the public and setting billing and invoicing standards for the towing industry.
- Assist in moving towards a level playing field that is fair to the towing industry, vehicle owners, and industry partners.

- Engage towing industry members and Board partners in discussions and options.

Priority No. 2: Signage

The Board will review and discuss ORS 98.854, other laws, and requirements for signage and truck badging to determine:

- Sign posting requirements in parking facilities, empty lots, etc.
- Badging and required info on the tow vehicles.
- It was noted that federal laws restricts badging on repo trucks.

Priority No. 3: Tow Company Registration

- The current DMV Tow Business Certificate is issued for each individual tow vehicle, it is not a registration or license for the actual towing business as an entity. The Board's focus is to identify how and where tow businesses should register in order to capture information about the actual businesses, not only the vehicles.
- There is no official state contact list for the Oregon towing industry. The information collected on the tow business certificate application does not include business email addresses.
- Research business registration for better processes for the consumers and towing industry, assist Board partners and public in the ability to identify "legitimate" tow businesses efficiently.

Continuing work:

Public policies: Continue forward with PPI and Tow Business Certificate education and enforcement.

ORS review: Continue the review, interpretation, and enforcement of the ORSs assigned to the Board to administer.

Outreach:

- Continue outreach, communication, and education efforts.
- Continue to identify partners and outreach efforts, improve partner engagement.

OARs:

- Target date for next OARs: July 1, 2025.
- Review and update existing OARs.
- Update civil penalty schedule and adopt OARs to clarify ORSs as needed.

Best Practices:

- Provide best practice examples, templates, etc. for the towers.
- Update website with tools and resources.

Board staff will draft an Annual Report and Strategic Plan for Board review.

Next Board meeting:

The next Board meeting will be November 19th

1 – 1:30 p.m.

- Board meeting to select monthly day for Board meetings
- Approve 2025 Strategic Plan.

1:30 p.m. until ?:

- Mandatory Board member training available online or in person

Public Comment:

The floor was open to public comments; there were no public comments offered.

Adjourned:

There being no further business before the Board, Chair Riley adjourned the meeting at 2:37 p.m.

Documents Considered by the Board

- Agenda
- Work Session Packets
- Surveys

Minutes prepared by Torey McCullough

Minutes APPROVED by Board vote: November 19, 2024