



# California Tow Truck Association's Towing Regulatory Oversight Council

www.TowingCouncil.com

## T-ROC MEETING MINUTES

10:00—6:00 p.m. February 5<sup>th</sup> & 8:00—1:00 February 6<sup>th</sup>, 2015  
Citizen Hotel, Sacramento, CA

### CO-CHAIRS

Tracy Koehler, *San Francisco*  
Casey Horvath, *Corona*

### MOTOR CLUB

Quinn Piening, *Fremont*  
Jim Kruger, *Long Beach*

### PRIVATE PROPERTY

Burt Dean, *San Jose*  
Steve Hendrickson, *San Diego*

### LAW ENFORCEMENT

Jody Campbell, *Santa Ana*

### HEAVY DUTY

Dino Tomassi, *Santa Clara*  
Greg Baker, *Northridge*

### LARGE FLEET

Dave McDanell, *Bakersfield*

### SMALL FLEET

Earl Peterson, *Corning*  
Arlan White, *Colton*

### RURAL

Rick Stewart, *Willow Creek*  
John Coulter, *San Louis Obispo*

### ALLIED ASSOCIATIONS

Dan Charlebois, *U.C.M.C.S.*  
Jon Nissley, *O.P.G. (Los Angeles)*

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3050 Beacon Blvd. Ste. #100

West Sacramento, CA 95691

1. Call to Order--Roll Call of Council Members
  - A. Dino Tomassi and Jody Campbell (2/5) absent
  - B. Introduction of new Co-Chair, Tracy Koehler
  - C. Notice to T-ROC of the resignation of Steve Sgarlato from the T-ROC
  - D. Approval of agenda
2. **Guest Speaker – CTTA President Terry Warford**
  - A. Executive Director/Office Report
3. Co-Chair Report
  - A. Discussion on issues raised at the T-ROC intake session
    - i. Lack of uniformity with Live Scan
    - ii. Rear-facing amber lights should be able to be used on the road
    - iii. Franchise Fees
  - B. Board Update
    - i. Technology Summit
    - ii. Vote Threshold Request
    - iii. Education Committee Representative
    - iv. T-ROC Application Period
4. Discussion: BIT Regulations
  - A. **Guest Speaker: Joe Rajkovacz, Director of Governmental Affairs & Communications – California Construction Trucking Association**
    - i. Discussed FMCSA crash safety measurement system
5. Discussion: CHP Tow Service Agreement
  - A. Brief Review of Outstanding Requests to CHP – 234B
  - B. Report from TSAAC Representatives
  - C. Cross-utilization Update
    - i. **Guest: CTTA Past President, Perry Shusta**

**MOTION:** Tracy Koehler shall replace Steve Sgarlato as a member of the Cross-utilization Subcommittee. As such, the Cross-utilization Subcommittee shall consist of Jon Nissley (OPGLA), Tracy Koehler (Co-Chair), Arlan White (Small Fleet-South), Earl Peterson (Small Fleet-North), and Quinn Piening (Big Fleet). Dino Tomassi and Jim Kruger shall serve as advisory members to the Subcommittee.

  - D. Update on Joint Subcommittee to provide tow training to CHP officers
  - E. 100-mile permit issue (Greg Baker)
6. Discussion: DMV Proposed Regulations re: "Serious" Offenses Warranting CDL Disqualification



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7. Discussion: Hours-of-Service

8. Discussion: Legislative Report

A. 2015-16 Legislative Session Overview

B. AB 198 (Frazier) – Tow Truck on Shoulder Legislation

**MOTION:** T-ROC adopts a position of support with the following amendments: 1) permitting a tow truck to turnaround across the center median under the same conditions; 2) modify paragraph (b) as follows: "A peace officer employed by the investigating law enforcement agency has determined that a tow truck can provide emergency roadside assistance by removing the ~~obstruction~~ *disabled vehicle* and gives explicit permission to the tow truck driver allowing the utilization of the center median or right shoulder of the roadway." (Passed unanimously)

C. Discussion: Stakeholder Working Group

**MOTION:** T-ROC directs staff to participate in a stakeholder working group with industry partners and pertinent governmental agencies to deal with current legislative issues, including any legislation related to bandit towing. (Passed unanimously)

D. Discussion: California Lien Agents Association Proposals

E. Discussion: Legislative concept – Ban freeway tire changes

**MOTION:** T-ROC shall request data from the CHP and other pertinent organizations regarding injuries to tow truck drivers occurring while in the course of his or her line of duty. All data shall be subsequently analyzed by the T-ROC in order to develop a comprehensive proposal to improve driver safety. (Passed unanimously)

**F. Guest Speakers: Bill Dohring and Larry Laskowski of the California Independent Automobile Dealers Association to discuss lien issues**

9. CHP Report & Discussion

A. CHP Representatives present from 9:00-9:45 on 2/6:

**Captain Kevin Davis**

**Special Liaison Rich Desmond**

**Sergeant Christopher Young**

**Officer Dennis Davidson**



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- B. Pursuant item 8E, the T-ROC submitted a request for data from the CHP regarding injuries to tow truck drivers occurring while in the course of his or her line of duty.
- C. CHP notified T-ROC that it accepted and utilized many of the T-ROC's 234B proposals.
- D. Pursuant to item 8A, the T-ROC submitted its position to the CHP regarding AB 198 (Frazier)

#### 10. Discussion: Tow Licensing Scheme

- A. Staff presentation of information regarding expansion of the Freeway Service Patrol program to the entirety of the tow industry

#### 11. Discussion: One-hour Private Property Issue

**MOTION:** Table this item until an undetermined future time. (Passed unanimously)

#### 12. Presentation: Training licensing and insurance requirements as it relates to transportation of hazardous materials (per 11/7 motion)

**MOTION:** Direct Greg Baker to bring this issue back to the Education Committee for its discussion

#### 13. Presentation of Individual Council Member Agenda Items

- A. Quinn Piening presented on a Tow License Plate concept (approved by the T-ROC for discussion at the next meeting)
- B. John Coulter presented on an Employer Pull Notice issue (no action taken)
- C. Rick Stewart presented on a lien sale issue (T-ROC requested we contact the DMV to appear at an upcoming T-ROC meeting to discuss the matter.)
- D. Dave McDanell presented on HOS issue re: "driver salesperson." (T-ROC directed staff to research legislative intent behind 49 CFR 395.1(c))

#### 14. Discussion: T-ROC Procedural Matters

- A. October T-ROC Meeting

#### 15. Approval of Minutes

**MOTION:** Accepted. (Passed unanimously)

#### 16. Adjournment of Meeting

**MOTION:** Adjourned. (Passed unanimously)

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