
State Board of Towing



Compliance Report

To: Oregon State Board of Towing Board Members

From: Torey McCullough, Board Administrator

Date: June 12, 2025

The Board has been reviewing complaints and compliance issues for over 18 months, focusing on outreach and education of the public and towing industry.

The Board's Case Management System is now functional, allowing board members to review investigation reports securely and confidentially.

As the Board reviews complaints additional need for clarification of current statutes, requirements for administrative rules, and needs of collaborative partnership to address better public protection are becoming apparent. Most of today's work session addresses several questions or clarification concerns found in complaint review.

As the Board discusses complaints in public session, partners, towers, respondents, complainants, and the public should be mindful of the following:

- The Board is not a hearing board. The Board does not take testimony or public comment during complaint discussions, and does not discuss individual complaints with the public at board meetings.
- The Board's authority lies in assessing disciplinary actions against a tower for violation of the laws assigned to the Board to administer.
- The Board does not monitor, manage, or supervise other government agencies, law enforcement, or their towing programs. The Board does not regulate property managers, landlords, property owners or their agents. The Board does not dispute the validity of a tow when an authorized individual legally authorizes the tow.
- The Board reviews complaints and investigation materials for violations of Oregon laws (assigned to the Board) by a person or company providing tow or recovery

The Oregon State Board of Towing is responsible for protection of the safety and well-being of the public through the regulation of the towing industry by administering and enforcing the laws and rules of the State of Oregon, setting professional standards and expectations of the towing industry, and ensuring fairness and continuity of towing services provided by Oregon's towing industry

services. If concerns or violations are found, the Board, at its discretion, determines appropriate Board action. Not all violations are under the jurisdiction of the Board, and not all violations are subject to formal disciplinary action.

- If formal disciplinary action is found to be warranted, the Respondent has a right to due process. The Board's objective is education, outreach, and compliance whenever possible.
- The Board does not represent the interests of an individual vehicle owner. Under current laws, the Board cannot order, require or compel a tower to pay a vehicle owner damages, reimburse fees or costs, or pay restitution. Vehicle owners may wish to consult a legal professional for legal or civil options.
- The Board considers a large number of mitigating facts and circumstances when determining appropriate board action.

Case Management System:

- The Case Management System is still at approximately 80% implementation.
- Reports, templates and certain AI functions are being worked on.

Complaints and Investigations:

Staff is processing approximately 4000 complaints and complaint inquiries received by the Board since January 1, 2024.

The majority of the complaints do not demonstrate a willful or deliberate violation of the towing laws. A significant number of complaints demonstrate willful or reckless violation of Oregon's laws by the vehicle owner, or the complainant's misunderstanding of Oregon's laws. For these reasons, the Board's investigation reports and complaints are not available to the public unless required by law.

However, there are a number of complaints violating the plain language of the PPI laws, the tow business certificate requirement, and the rate and fees requirement. Industry self-regulation is imperative. The expectations of professional towers is to know and comply with the laws. Plain language of the law, and a tower's

responsibility and accountability are mitigating factors considered as the Board reviews complaints.

Final reminder: failure to respond to a request for documents or materials is a response. Failure to provide information relevant to a board investigation may be considered an acceptance of the allegations, a no-contest response, or a waiver of the right to participate in the investigation, and the Board will make decisions based on the information provided. Failure by a complainant or a tower to provide information does not delay a Board investigation, but is a mitigating factor considered by the Board during complaint discussions.

Settlement Negotiations:

- 2025-01-006 (*Violation of ORS 822.200*)
- 2025-03-017 (*Violation of PPI signature, release, and other statute requirements*)

Complaints and Investigation ready for Board Review:

- 11 Complaints ready for Board Review at today's meeting

Violation of ORS 98.853 and 98.854 (PPI requirements):

- 83 open investigations with probable violations
- 12 without probable violations

Violation of ORS 822.200 outreach project:

Total Potential Violators:	314	
Total in compliance:	148	47.13%
Total monitored:	74	23.57%
Total potential cases for first outreach effort:	82	26.11%

<i>Current Status</i>		
Letters sent - informational purposes only	4	4%
Not Towing	17	16%
In Compliance	15	14%
Compliance Met	13	12%
Active Investigations	26	24%
Pending Investigations	20	19%
Hold for More Info	12	11%

(82 from outreach project, 25 from other reports)	107	
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Other complaints:

- 22 open tow and rate investigations (not included with PPI complaints)
- 7 miscellaneous complaints (signage, equipment and safety)

Independent Contract Investigators:

- Contracts are being processed. Each contract will allow an IC to investigate 25-50 investigations per biennium.
- The independent contractors will be licensed and trained investigators.
- Towers will not be investigating towers legally operating under a tow business certificate.

ORS 822.200 - Outreach and Education Campaign		
Zip	Status	
97402	Contacted for Outreach only	
97218	Contacted for Outreach only	
97071	Contacted for Outreach only	
75254	Contacted for Outreach only	
97005	Freight Carrier	
97006	Junk hauler - dump trailer only	
97103	Marine Towing	
92570	Reports not currently towing.	
97005	Reports not currently towing.	
97013	Reports not currently towing.	
97013	Reports not currently towing.	
97024	Reports not currently towing.	
97202	Reports not currently towing.	
97233	Reports not currently towing.	
97381	Reports not currently towing.	
97470	Reports not currently towing.	
97537	Reports not currently towing.	
97537	Reports not currently towing.	
97636	Reports not currently towing.	
97703	Reports not currently towing.	
97812	Reports not currently towing.	

Zip	Status	
97030	In Compliance	
97030	In Compliance.	
97128	In Compliance.	
97304	In compliance	
97404	In compliance.	
97477	In Compliance.	
97478	In Compliance.	
97501	In Compliance.	
97501	In compliance.	
97502	In compliance.	
97503	In Compliance	
97523	In Compliance	
97739	In Compliance	
97741	In compliance.	
97801	In Compliance.	

Zip	Status	
97005	Compliance met.	
97080	Compliance Met.	
97089	Compliance Met.	
97124	Compliance Met.	
97206	Compliance Met.	
97216	Compliance Met.	
97217	Compliance Met.	
97230	Compliance Met	
97402	Compliance Met	
97426	Compliance Met	
97501	Compliance Met	
97601	Compliance Met.	
97760	Compliance met.	

Zip	Status	
97089	Case Open: 2024-09-005	
97060	Case Open: 2025-01-016	
83719	Case Open: 2025-01-020	
97266	Case Open: 2025-03-005	
97266	Case Open: 2025-04-008	
97307	Case Open: 2025-04-023	
97206	Case Open: 2025-05-001	
97202	Case Open: 2025-05-003	
97230	Case Open: 2025-05-004	
97703	Case Open: 2025-05-005	
97211	Case Open: 2025-05-006	
97071	Case Open: 2025-05-007	
97301	Case Open: 2025-05-008	
97862	Case Open: 2025-05-009	
97030	Case Open: 2025-05-010	
97415	Case Open: 2025-05-011	
97123	Case Open: 2025-05-014	
97078	Case Open: 2025-05-015	
97022	Case Open: 2025-05-018	
97236	Case Open: 2025-05-023	
97203	Case Open: 2025-05-024	
97027	Case Open: 2025-05-025	
97365	Case Open: 2025-05-028	
97236	Case Open: 2025-05-029	
97527	Case Open: 2025-05-031	
97741	Case Open: 2025-05-2027	

Zip	Status	
97023	HOLD - SOS Registration Due	
97030	HOLD - SOS Registration Due	
97030	HOLD - SOS Registration Due	
97103	HOLD - SOS Registration Due	
97123	HOLD - SOS Registration Due	
97211	HOLD - SOS Registration Due	
97211	HOLD - SOS Registration Due	
97233	HOLD - SOS Registration Due	
97236	HOLD - SOS Registration Due	
97266	HOLD - SOS Registration Due	
97302	HOLD - SOS Registration Due	
97527	HOLD - SOS Registration Due	

Zip	Status	
97006	Investigation follow up needed	
97006	Investigation follow up needed	
97039	Investigation follow up needed	
97089	Investigation follow up needed	
97116	Investigation follow up needed	
97221	Investigation follow up needed	
97229	Investigation follow up needed	
97230	Investigation follow up needed	
97233	Investigation follow up needed	
97233	Investigation follow up needed	
97257	Investigation follow up needed	
97257	Investigation follow up needed	
97266	Investigation follow up needed	
97402	Investigation follow up needed	
97502	Investigation follow up needed	
97520	Investigation follow up needed	
97526	Investigation follow up needed	
97527	Investigation follow up needed	
97739	Investigation follow up needed	
97739	Investigation follow up needed	