

## STAFF WORK PRODUCT

Suggested edits to the Oregon State Board of Towing 2025 Proposed Administrative Rules  
(Edits suggested for grammar corrections, clarity, and consistency with current text in statutes)

Filed: 10/01/2025

Scheduled proposed rules hearings:

- 10/28/2025 10:00 – 10:30 a.m.
- 11/18/2025: 1:00 p.m. – 1:30 p.m.

Proposed Effective Date: 01/01/2026

Legal Authority:

- ORS 822.265 Rulemaking Authority
- ORS 822.275 Administration of oaths
- ORS 822.280 Denial, suspension, revocation or refusal of towing business certificate
- ORS 822.285 Additional powers of board
- ORS 822.290 Denial of participation on Department of State Police tow rotation
- ORS 822.995 Civil penalties for violations related to towing

Black text, no underline: Current OAR.

Black text, with underline: Text of proposed OAR filed 10/01/2025.

Blue text, underlined: Suggested new language to add to the proposed OAR.

Red text, strike-out: Suggested removal of text from the proposed OAR.

### SUGGESTED EDITS OR CHANGES FOR BOARD DISCUSSION:

OAR 750-010-001 Definitions.

As used in OAR Chapter 750:

(1) "Administrator" means the Board Administrative Officer appointed under ORS 822.260.

(2) "Agent" or "Owner's agent" means:

(a) A person authorized by the property owner to lawfully act as the property owner's agent in identifying or authorizing a vehicle to be towed in ORS 98.853 (Conditions allowing towing) to 98.854 (Prohibitions placed on tower).

(b) A tower, its employee, sub-contractor, representative or delegate cannot act as a property owner's agent for the purposes of identifying or authorizing a vehicle to be towed without the consent of the vehicle owner or operator.

(3) "As soon as practicable" means:

(a) At the time the vehicle is recovered by the tower.

(b) No later than the end of the business day following recovery of the vehicle, if vehicle is recovered outside of business hours.

(4) "Board", "SBOT", "Tow Board", or "Towing Board" means the State Board of Towing.

- (5) "Compensation" means: Something of value received for providing towing services including, but not limited to direct payment, commissions, tips, donations, discounts, barter, trade, and any other economic or non-economic benefit or any other consideration in exchange for towing services.
- (6) "DMV" means the Oregon Department of Transportation, Driver and Motor Vehicle Services.
- (7) "Employee" means: any party compensated, directly or indirectly, by the tower.
- (8) "Industry" means the collective tow operators, tow businesses, and other entities working in the tow and recovery professions.
- (9) "Law" means a written statute passed by the Oregon Legislature.
- (10) "Non Preference Towing" means the rotational list of towing businesses established by Oregon State Police under ORS 181A.350 or another other law enforcement or government agency.
- (11) "OAR" means an Oregon Administrative Rule adopted by the Board or other state agency or board and filed with the Oregon Secretary of State.
- (12) "ODOT" means Oregon Dept. of Transportation.
- (13) "Operator of the vehicle" means a person who demonstrates physical control of a vehicle.
- (14) "ORS" means Oregon Revised Statute, written laws passed by the Oregon Legislature.
- (15) "OSP" means Oregon State Police.
- (16) "Owner of a motor vehicle" means the owner as defined in ORS 801.375.
- (17) "Owner of a parking facility" or "owner of the parking facility" means the owner of a parking facility as defined in ORS 98.805 (1).
- (18) "Person in lawful possession," "person with right to possession of the vehicle," and "person entitled to possession" means a person identified in ORS 802.240.
- (19) As used in ORS 822.200(1)(c), "purports to be engaged in" means to solicit or advertise towing services through the telephone book, business directory, newspaper, radio, television, posting on vehicles, signs, business, billboards or by any other means as defined in OAR 735-154-0000.
- (20) "Respondent" means the person or entity to whom a formal enforcement action is issued.
- (21) "Special Committee" or "Subcommittee" means a standing, special, ad hoc, or other committee comprised of no more than three Board Members created to assist with the work of the Board as assigned.
- (22) "Tower" or "Tow Operator" means an individual who operates a tow or recovery vehicle for compensation, which may include, but is not limited to, the impounding, transporting, or storage of unauthorized vehicles, or the disposal of abandoned vehicles.
- (23) "Towing Business" means an individual, partnership, corporation, or other business entity that owns or operates a tow or recovery vehicle for commercial purposes.
- (24) "Tow Certificate" or "Towing Business Certificate" means a towing or recovery vehicle business certificate issued by DMV under ORS 822.205.
- (25) "Tow Truck" means a motor vehicle operated for compensation equipped with equipment designed and intended for towing or the recovery of wrecked, disabled, or abandoned vehicles or other objects creating a hazard on the public roadways. If a tow operator, or tow truck owner business, profits, benefits, or is compensated for operation of the vehicle in towing or recovery, the vehicle must be considered a tow truck under OAR Chapter 750.
- (26) "Upon request" means:

- (a) On the date and at the time the request is received by the tower.
- (b) If the request is outside of business hours, the document is to be provided no later than the end of the business day.

OAR 750-040-005 Administration and Implementation of ORS 98.853

(1) The photograph(s) required in ORS 98.853 ~~(2)~~ (1) will sufficiently show:

- (a) The vehicle as parked prior to the tow ~~and~~
- (b) The vehicle parked in violation, including photographs demonstrating:
  - (A) When required or present, the notice affixed to the vehicle OR
  - (B) The ~~parked vehicle in relation to the~~ nearest sign ~~showing-~~ disclosing the parking facility's prohibitions or restrictions ~~of the parking facility showing the vehicle parked in relation to the sign disclosing the parking regulations for the parking facility.~~
  - (C) If not legible in the photograph, additional photograph(s) of the sign ~~posted closest to the vehicle~~ showing the prohibitions or restrictions.

(2) A tower will provide the photograph(s) at the time of the request, but no later than the end of the next business day following the request.

(3) A tower may require a request for the photographs under ORS 98.853 (2) be submitted electronically, including by completion of a form on the tower's website, by email, or through a portal only when:

- (a) The time and date of the request is documented in the tower's records.
- (b) A receipt ~~for the request~~ is sent upon submission of the request.

(4) If a tower is unable to provide documents upon request in compliance with ORS 98.853 (2) the tower will provide the requester with:

- (a) A written acknowledgment of the request;
- (b) The expected date the information will be provided by the tower; ~~and~~
- (c) The reason for the delay in providing the information.
- (d) If the vehicle has not been released at the time of the request, a tower will not charge additional fees, including daily storage fees, from the date of request until the requested information is provided to the vehicle owner or operator.
  - (A) Beginning on the same day if the request is received prior to 3:00 p.m. on a business day.
  - (B) Beginning the next business day if requested after 3:00 p.m. on a business day.

OAR 750-040-0006 Administration and Implementation of ORS 98.854:

(1) Signs posted prohibiting or restricting public parking in a parking facility required by ORS 98.854 (1) will:

- (a) Clearly ~~explain~~ disclose the parking prohibitions or restrictions using plain words or easy-to-understand graphics.
- (b) Be easily read by a driver of a vehicle from within 20 feet of the sign.
- (c) Be prominently displayed inside the parking facility.
- (d) At least one sign must be posted at each entrance to the parking facility.

(e) Additional signs will be prominently posted in the parking facility as needed to communicate parking restrictions or prohibitions to vehicle owners or operators:

(A) When the parking facility consists of 20 or more parking spaces in a common area.

(B) When parking areas within a parking facility may be perceived as separate parking facilities or businesses.

(f) At least one sign prohibiting or restricting public parking will disclose contact information, including, but not limited to:

(A) The name and phone number of the tower authorized by the property owner to remove vehicles from the parking facility or

(B) The 24-hour phone number or contact information [vehicle owners or operators may call if their vehicle is towed when](#) no tow company is disclosed on the signs posted in the parking facility.

(2) Signs prohibiting or restricting ~~public~~ parking are prominently displayed inside the parking facility.

(a) At least one sign must be posted at each entrance to the parking lot.

(b) Additional signs will be prominently posted in the parking facility as needed to communicate parking restrictions to vehicle owner or operators when:

~~(e)~~ (A) Parking facilities consisting of 20 or more parking spaces.

~~(d)~~ (B) Parking areas within a parking facility ~~are~~ used by different businesses or may appear to be separate parking facilities.

(3) A notice, ~~posted~~ [affixed to a motor vehicle](#) a minimum of 72 hours prior to the tow of a vehicle from private property, is required when:

(a) The vehicle is towed without the vehicle owner or operator's consent **AND**

(b) No signs prohibiting or restricting public parking are posted OR

(c) The tow is conducted by a tower other than the tower disclosed on posted signs.

(4) A 72-hour notice [affixed to the motor vehicle](#) is not required when:

(a) Signs posted in the parking facility prohibit or restrict parking in clear language or using graphics clearly disclosing no parking, tow zones, or other parking restrictions.

(b) The tow is authorized or requested by law enforcement or other government agencies.

(c) The tow [is authorized by a landlord in compliance with the prohibitions, requirements and conditions of ORS 90.485.](#)

(d) The tow [is authorized by the property owner or their agent and the vehicle:](#)

(A) [Blocks or prevents access by emergency vehicles or](#)

(B) [Blocks or prevents entry to the premises or](#)

(C) [Blocks a parked motor vehicle.](#)

(e) The tow is conducted at the request of the vehicle owner or operator.

(5) A vehicle may be towed prior to the time disclosed on a 72-hour notice when:

(a) Signs are posted in the parking facility in compliance with ORS 98.854 (1) and

(b) The tow is authorized by the property owner or their agent.

(c) The tow is conducted at the request of the vehicle owner or operator.

(6) As a parking sign disclosing the name and contact information of a tow company is considered an advertisement for towing services as defined in ORS 822.200 and OAR 735-154-0000, it is a violation of ORS 822.200 to:

(a) Post a sign for a tow company without a valid business certificate; or

(b) Continue to display a tower's name on parking signs in a parking facility after the tower's tow business certificate becomes expired, or is surrendered, suspended, or revoked.

(7) A tower will post signs at a parking facility only with the express permission of the property owner or their agent.

(a) A signed agreement may be entered into between the property owner and the tower at the discretion of the parties but is not required for compliance with ORS 98.854.

(b) A signed agreement between a tower and a property owner or its agent will not:

(A) Appoint or designate the tower or its employee(s) to act as a property owner's agent for the purposes of identifying or authorizing vehicles to be towed.

(B) Allow a tower to tow or tow a vehicle without a signed authorization from the owner or owner's agent of the parking facility.

(C) Allow consideration or compensation to be provided from the tower to the property owner or its agents for the privilege of posting signs in the parking facility including, but not limited to:

(i) Offering Free parking enforcement or parking patrol services either by the tower, a tower employee, or a contractor of the tower.

(ii) Commission or fee paid by the tower to the property owner or their agent for vehicles towed from the private parking facility.

(D) Allow vehicles to be towed in violation of landlord-tenant laws.

(8) The signed authorization required under ORS 98.854 (2) will include the following information:

(a) The date and time of the initial tow request and authorization was received by the tower;

(b) A description of the vehicle to be towed;

(c) The street address and location of the property from which the vehicle will be towed;

(d) The reason for the tow;

(e) A statement that the person signing the authorization has the authority to do so; and

(f) The legible, dated signature of the person authorizing the tow.

(g) The tower will keep the following information on file with the signed authorization:¶

(A) The date, time and manner in which the tow request was received¶

(B) The date and time the tow vehicle arrived at the private parking facility.¶

(C) The date and time the tow vehicle arrived at the tow lot.¶

(9) The tower will have in their possession the signed authorization required in ORS 98.854 (2) prior to initiating hook up and towing of a vehicle. The following are acceptable forms of a signed authorization for the purposes of ORS 98.854 (2):

(a) A "wet signature" signed at the origin site of the tow.

(b) An electronic signature, signed at the time of the request or at the origin site of the tow.

(c) An email documenting the time, date and sender email requesting and authorizing the tow, or

(d) A request and authorization submitted by the property owner or their agent through a secure portal requiring a login and password.

(e) A tower, or its employee or designee, cannot act as the property owner's agent for the purpose of authorizing a tow.

~~(f) A signed authorization will not be signed prior to the request and authorization of the tow, or after completion of the tow.~~

(10) A tower may require a request for the signed authorization under ORS 98.854 (2) be submitted electronically, including by completion of a form on the tower's website, by email, or through a portal only when:

(a) The time and date of the request is documented in the tower's records.

(b) A receipt ~~for the request~~ is sent upon submission of the request.

(c) If a tower is unable to provide documents upon request in compliance with ORS 98.854 (2) the tower will provide the requester with:

(A) A written acknowledgment of the request;

(B) The expected date the information will be provided by the tower;

(C) The reason for the delay in providing the information.

(d) If the vehicle has not been released at the time of the request, a tower will not charge additional fees, including daily storage fees, from the date of request until the requested information is provided to the vehicle owner or operator.

(A) Beginning on the same day if the request is received prior to 3:00 p.m. on a business day.¶

(B) Beginning the next business day if requested after 3:00 p.m. on a business day.

#### 750-040-0008 Administration and Implementation of ORS 98.856

(1) A tower will provide proof of payment for all payments or monies received.

(a) A receipt for payment received at the origin of the tow or drop off of a towed vehicle must be provided to the vehicle owner or operator and disclose:

(b) The tower's business name and contact information.

(c) The amount due.

(d) The amount paid and form of payment.

(e) A brief description of the service(s) provided in exchange for payment.

(f) Exact change due, if any.

(g) Date and time of the payment.

(h) The person accepting payment.



(i) A receipt does not need to be provided if the tower provides an itemized statement at the time of payment.

(j) The tower must provide an itemized statement in addition to the receipt when a receipt does not itemize the charges paid ~~by the vehicle owner or operator.~~

(2) Once the tower has custody or control of a vehicle, an itemized statement is required upon request or at the time of payment for all vehicles towed or impounded disclosing:

(a) The reason for the tow.

(b) Who authorized the tow.

(c) The ~~address or~~ location of the origin of the tow.

(d) The date of the tow.

(e) Itemization of the services provided or charges incurred as a result of the towing event.

(f) Exact change due, if any.

(g) Any discounts or other courtesies provided by the tower.

(h) Date and time of the payment.

(3) A tower will not charge a rate or fee not disclosed on the written statement required under ORS 98.856

(1) without the prior consent of the vehicle owner or operator.

(4) A tower will not charge for services not rendered or provided.

(5) All rates and fees on the written statement required under ORS 98.856 (1) or disclosed on an itemized statement and charged to a vehicle owner or other person in lawful possession will:

(a) Comply with ~~legal and consumer regulations~~ federal, state, and local regulations including, but not limited to, regulations related to credit card fees, collection fees, and interest.

(b) Comply with ~~the statutory~~ Oregon's legal requirements and processes.

(6) Nothing within these laws or rules prohibits a tower, at the tower's sole discretion, from offering discounts, payment plans, or reducing the amount owed ~~by the vehicle owner, operator, or person in lawful possession of the vehicle~~ to the tower in settlement of the outstanding balance.

(7) A tower will not charge a vehicle owner or operator additional services or fees for a roadside assistance, motor club, or other service provider dispatched call without:

(a) First ~~providing~~ offering the vehicle owner or operator the tower's written statement of fees required by ORS 98.856 AND

(b) Obtaining the reasonable informed consent of the vehicle owner or operator to the additional fees and services.

(10) A tower will provide the itemized statement disclosing all invoiced charges:

(a) Upon request of the vehicle owner or operator and

- (b) At the time of payment for release of the vehicle.
- (c) A tower will not delay release of the vehicle for the purposes of preparing an itemized statement or other requested documents.
- (d) If the tower is unable or unwilling to provide, [upon request](#), an itemized statement, a copy of the signed authorization, or copies of the required photographs upon request, the tower will not charge additional fees, including storage or notice of lien fees, from the date of request until the information is provided.
- (A) Beginning the same day if the request is received prior to 3:00 p.m. on a business day.
- (B) Beginning the next business day if requested after 3:00 p.m. on a business day.
- (e) A receipt showing payment is sufficient to comply with the requirement when payment is made:
- (A) For the hook up fee to release the vehicle at origin of the tow and no other fees or charges are paid [to the tower](#) or
- (B) For flat rate tow or [other services](#) upon release of the vehicle when no other fees or charges are paid [to the tower](#) or
- (C) At the tow yard or business when:
- (i) The impound occurs outside of business hours **AND**
- (ii) Payment is made [for release of the vehicle](#) prior to the [first business day after the impound of the vehicle](#) **AND**
- (ii) The itemized statement is provided to the payor by the next business day.
- (11) A vehicle owner or operator has the right to refuse a tower's services except when:
- (a) The impound is dispatched and authorized by a law enforcement or [a](#) agency under the agency's authority under ORS Chapter 819 or
- (b) After hookup of the vehicle is complete when the tow is conducted under the signed authorization of a property owner or their agent if the vehicle owner or operator is unable to pay the hook up fee.
- (c) [The vehicle is towed in compliance with, and under the direct authorization of, federal, state, or local laws allowing the impound of the vehicle without the owner's consent, as long as the tower is not independently identifying the vehicle to be towed.](#)
- (12) [A tower may retain possession of the towed vehicle and its contents until the charges for towing and recovery of the towed vehicle have been paid:](#)
- (a) [If the tower notifies local law enforcement of the location of the towed vehicle within one hour after the towed vehicle is placed in storage pursuant to ORS 98.812. \(last revised 2019\)](#)
- (b) [A tower need not notify local law enforcement under this section when the tower:](#)
- (A) [Tows the motor vehicle under the direction or permission of the vehicle owner or operator.](#)
- (B) [The tower is hired or otherwise engaged by an agency taking custody of a vehicle under ORS 819.140 \(Agencies having authority to take vehicle into custody\).](#)
- (C) [The tower tows the motor vehicle under a prenegotiated payment agreement between the tower and a motor vehicle road service company or an insurance company.](#)
- (D) [The tower is hired or otherwise engaged by a business entity at the request of the owner or operator of the motor vehicle to tow the motor vehicle.](#)



(13) A tower may assess storage charges ~~or~~ and fees against a towed vehicle when a notice is required and the tower can demonstrate compliance with the notice of lien requirements of ORS 98.812, 819.160, and other laws or regulations.

(14) When required, a tower will not issue a notice of lien until the tower can demonstrate notification of the local law enforcement agency in compliance with ORS 98.812 (2), ~~or~~ and other local laws, ordinances, or regulations.

(15) Storage fees for recovered stolen vehicles will not begin to accrue until the date the tower first attempts to notify the owner of the stolen vehicle in compliance with ORS 98.857.

(16) A notice or other lien document is a transactional document demonstrating compliance with Oregon's laws and rules. If a notice of lien fee is itemized on the invoice or statement, and invoiced for payment to the vehicle operator or owner or their representative, upon request, the tower will provide:

(a) A copy of the notice of lien and proof of mailing unless previously mailed to the vehicle owner's current mailing address.

(b) A copy of the assignment of the account to a lien service, showing the date the lien was assigned, is sufficient if a copy of the lien has not been provided to the tower.

(17) Providing inaccurate, false, or misleading information on a notice of lien or possessory lien form, or making a false affirmation on a form, ~~is~~ may be a violation of ORS 822.605, subject to investigation and disciplinary action by the Board.

(18) A tower will provide a copy of the appraisal form of a vehicle when:

(a) The value of the vehicle is under \$1000 and an appraisal is required by ORS 819.160, 819.215, or other laws or regulations.

(b) When the appraisal is documented as an itemized cost on the invoice statement.

750-040-0015 Implementation and Administration of ORS 822.200

(1) A tower may not lease, rent, loan, or sell a tow business certificate or TW plates.

(2) The ~~name of the~~ company operating the tow vehicle is restricted to the name of the business or entity ~~listed on~~ issued the tow business certificate.

(3) ~~It is a violation of ORS 822.605 to~~ knowingly or recklessly submitting a tow business certificate application with false, misleading, or inaccurate information ~~is a violation of ORS 822.605~~ including, but not limited to:

(a) Disclosing the name of the tower on the application with the intent of leasing, loaning, ~~loaning~~, selling, or otherwise allowing the use of the tow vehicle for compensation by an entity or person not named on the tow business certificate.

(b) ~~Disclosing~~ Submitting on the application an invalid, outdated, or erroneous information, including, but not limited to, the tower's contact information and mailing address, or the weight of the vehicle.

(4) As the tow business certificate is the instrument demonstrating legal operation of a tow vehicle, the tow business certificate is to be provided upon request to verify legal operation of a towing business when:

(a) The tow business certificate is requested by a vehicle owner or operator prior to hook up.

(b) The tow business certificate is requested by a vehicle owner or operator at the tow yard or storage facility ~~or other physical location by the vehicle owner or person in lawful possession, prior to, or at the time payment is made to release the vehicle.~~

(c) Upon request when the tow vehicle is conducting towing business.

#### 750-060-0001 Consumer Protection and Complaints.

(1) The objective of the State Board of Towing is to safeguard the health, safety, and public welfare of the people of Oregon by:

(a) Providing education to the public and the towing industry;

(b) Establishing professional industry standards;

(c) Investigating complaints and concerns of the public regarding the towing industry; and

(d) Enforcing the laws and administrative rules regulating the towing industry in Oregon.

(2) Considerations for the protection of the safety and wellbeing of the public include:

(a) Standards and classifications for professional tow trucks and equipment used for commercial towing and recovery operations is essential.

(b) Encouragement of a competitive and trained professional towing industry by establishing a uniform and equitable system for the standardization and regulation of the tow industry.

(c) The use of nonqualified tow truck companies or private motor vehicles to tow or recover for hire or compensation.

(d) A private citizen, a tower, or tow truck company responding in good faith to life-threatening emergency situations.

(3) Every tow in Oregon is authorized

(a) With the informed consent of the vehicle owner, operator, or the person who has legal control and custody of the vehicle, OR

(b) Under the legal authorization of law enforcement, other agency, or property owner with the legal authority to have the vehicle impounded, OR

(c) Under the direction of the vehicle owner's service representative.

(4) Towers cannot independently identify vehicles to be towed for the purpose of creating their own towing business or ~~soliciting towing~~ business when prohibited by law.

(5) If the ~~impound/tow is dispatched under the legal authorization of law enforcement, government agency, or another authorized entity,~~ motor vehicle is impounded by an authority described in ORS 819.140, or the tower is dispatched to provide emergency or roadside services through the vehicle owner or operator's insurance, motor club, or other service provider, the tower will provide a written statement of fees to the owner or operator of the vehicle in compliance with ORS 98.856 and the reasonable consent of the owner must be obtained when:

(a) The authority described in ORS 819.140 releases the vehicle to the vehicle owner or operator prior to completion of the hook up of the vehicle by the tower.

(b) The required work to tow or recover a vehicle ~~is different from the~~ exceeds the coverage of the dispatched service for reasons including, but not limited to:

(A) Location of where the vehicle is to be towed from.

(B) Condition of the vehicle to be towed.

(C) Complexity of the work necessary to recover or tow the vehicle.

(D) When the dispatching service provider determines the scope of work required for the vehicle exceeds the contracted assistance of the provider.

#### 750-070-0020 Investigations of Violations or Complaints.

(1) The State Board of Towing may delegate its investigative powers and authority for purposes of initiating and carrying out investigations.

(2) In the conduct of investigations, the Board may:

(a) Take evidence.

(b) Take the depositions of witnesses.

(c) Compel the appearance of witnesses before the Board.

(d) Compel the production of documents or other information deemed necessary to carry out the investigation.

(3) In exercising its authority under ORS 822.275 and subsection (2) of this section, the Board may issue subpoenas over the signature of the board Chairperson, Vice Chairperson or to the Board Administrator as delegated by the Board.

(4) If a person or entity fails to comply with a subpoena issued by the Board or refuses to testify on matters on which the person lawfully may be interrogated, the procedure set out in ORS 183.440 will be followed.

#### OAR 750-070-0030 Cooperation in Board Investigations.

(1) Every tow operator, tow business, and their representatives and employees, regardless of tow business certificate status, having information regarding a possible violation of the administrative rules or laws

governing the towing industry in Oregon must cooperate with the State Board of Towing investigations in furnishing such information in order that appropriate investigative, corrective, or disciplinary action may be taken.

(2) Failure by a tow operator, a tow business, their representative or employee to cooperate with a Board investigation is grounds for disciplinary action.

(3) Cooperation in a Board investigation includes but is not limited to:

(a) Submitting client or business records relevant to the investigation, excepting confidential information protected by law;

(b) Being available for a personal interview in support of a Board investigation during reasonable hours;

(c) Responding and directly answering questions asked during an interview or investigation;

(d) Verbally providing information reasonably known at the time of the interview or investigation; and

(e) Allowing access, during business hours, of the business premises and equipment for inspection if required to conduct a Board investigation into the allegations of a complaint.

(4) Respondents named in a complaint, or their representatives, may be personally interviewed or may be given an opportunity to provide a written response to the complaint as part of a Board investigation.

(a) Written responses, records, and other information requested by or on behalf of the Board must be provided to the Board office within 21 calendar days after the Board request is personally served, mailed by USPS regular, or sent by electronic mail, unless an extension is authorized by the Board Administrator.

(b) Written responses, records, or other information requested but not received at the Board's office within 21 calendar days may not be considered in the Board's investigation.

(5) Failure of a respondent, tow operator, tow business, or their representative or employee to provide information or documentation requested by the Board:

(a) Will not delay or otherwise impede the Board's investigation or any related disciplinary proceedings.

(b) May be deemed as a waiver of objection or waiver to engage in an investigation, and may be treated as a no contest response for purposes of the Board's investigation and disciplinary proceedings.