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# Oregon State Board of Towing

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## Administrator's Report

To: Oregon State Board of Towing Board Members

From: Torey McCullough, Board Administrator

Date: June 12, 2025

### 1. Financial Report:

*Not yet received by DMV fiscal services.*

### 2. Tow Business Certificates by the numbers:

September 2025:

2088 TW Plates

798 Unique Names

748 Unique Addresses

815 Unique Names & Addresses

### 3. Summary of Board work completed since June 12, 2025

- July joint operation.
- Identifying administrative rule needs
- Initial response to legislative concept proposals

#### 1. Strategic Plan

1. **Towing rates and fees** – ORS 98.853, 98.854, ORS 98.856, ORS 98.859, ORS 98.862
  - The Board is reviewing rate and fee complaints over the next several months before adopting public policy or move towards proposed administrative rules.
2. **Signage** – ORS 98.854
  - The Board is reviewing complaints and determining the needs of the public for protection and informed consent before drafting proposed policy or guidelines.
3. **Compliance enforcement:** Refer to the Compliance Report for updates and status.

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*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.*

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#### 4. Draft and proposed Administrative rules.

- The Board has identified potential need for administrative rules for:
  - Clarity of the “lawful owner” definitions for the towing statutes.
  - Implementation of SB1036

## 2. Board member positions

- Three board member positions have been reappointed by Governor Tina Kotek for four year terms, with terms expiring June 30, 2029:
  - a. Bruce Anderson, Position 1: Tower representing Oregon communities over 100,000
  - b. Gary McClellan, Position 4: Tower representing specialized knowledge of tow vehicles under 26K lbs
  - c. Chris Coughlin, Position 9: Consumer Protection advocate
- City of McMinnville Chief of Police Cord Wood was appointed to Position 7, Chief of Police or County Sheriff. The term expires June 30, 2027.

### Ongoing projects:

- Website redesign in November/December.
- Review of the list of statutes assigned to the Board in preparation for the interim work group; preparing for 2027 legislative session.
- Complaint processing and investigations.
- Streamlining board processes by creating materials and forms for public comment, public recommendation, and replying to complaints and inquiries.

### Upcoming Events:

- Office Closures:  
The Board office will be closed Mondays, beginning October 13 through November 3<sup>rd</sup>, allowing staff to attend the Attorney General’s public law conference.
- OTTA: Quarterly meeting: October 4 in Eugene, Oregon
- Board Annual Meeting and Strategic Planning Session: October 14, 2025 (*to be confirmed*)
- Proposed administrative rules hearing: November 18, 2025 (*to be confirmed*)

## Oregon State Board of Towing Updates

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### Private Property Impounds: Senate Bill 1036

**Senate Bill 1036**, a collaborative effort between the Board, the **Oregon Tow Truck Association** and **legislators**, simplifies the wording of ORS 98.854 (2), clarifies the intent of the signed authorization, resolves contradictions in Oregon laws, and brings vehicles towed from residential complexes, businesses, and other private parking lots in alignment with Oregon's towing laws.

The change in the laws goes into effect January 1, 2026.

#### ***The key changes to the law are:***

- ***Tow companies are required*** to have either a request (with the signed authorization provided at the origination of the tow) OR a signed authorization to tow "the" identified vehicle prior to dispatch.
- ***The vehicle to be towed must be identified*** by the property manager, their agent, or a person authorized to have the vehicle towed and a signed authorization must be on file prior to hook up.
- ***Towers cannot independently identify a vehicle to be towed*** on behalf of the property manager.
- ***The exemptions under ORS 98.853 (1) – which allowed a tower to independently identify vehicles to be towed for specific violations – have been removed.***

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### Operating Without Tow Business Certification

- ORS 822.200 requires each vehicle advertising tow or recovery services (for direct or indirect compensation) in Oregon to have a DMV issued tow business certificate and tow plates issued to the VIN of the vehicle. Violation is a Class A misdemeanor and subject to disciplinary action by the Board.
- **Completing a tow business certificate application** with the intent of leasing, renting, or otherwise allowing the use of that tow business certificate by another company is a violation of **ORS 822.605**, a Class C Felony and subject to disciplinary action by the Board.
- **Compliance with the law:** The name on the tow business certificate must match the name of the company operating the tow vehicle.

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### Proposed Administrative Rules and Legislative Concept Processes


- The Board is in the has initiated the proposed Administrative Rules and Legislative Concept process.
- There are several opportunities to submit public comment and testimony, and a public hearing will be held November 2025 prior to adoption of the proposed rules.
- Towers, partners, and members of the public are encouraged to register for the Board's mailing list to be kept up to date on the proposed rules and legislative concepts.

### Contact Us

Oregon State Board of Towing

 [info@towboard.oregon.gov](mailto:info@towboard.oregon.gov)

 [www.oregon.gov/sbot](http://www.oregon.gov/sbot)

 (503) 871-5481