



Oregon

Tina Kotek, Governor

State Board of Towing
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OREGON STATE BOARD OF TOWING
Board Meeting Minutes
November 14, 2023

Meeting Location:

Oregon DMV HQ
1905 Lana Avenue, Rm 122
Salem, OR 97314

Attending Board Member:

Chuck Riley, Chair
Bruce Anderson, Tower
Kevin Baker, Tower
Chris Coughlin, Consumer Advocate (by phone)
Lt. Jason Lindland, OSP
Gary McClellan, Tower
Jason Shaner, Tower

Board and DMV Staff:

Torey McCullough, Board Administrator
Linda Beukens, DMV Program Services Mgr

Absent:

Trent Hanson, Vice Chair

Guests and members of the public:

In person: Mike Wagner, Santiam Towing & Recovery
Attending Remotely: Clint Smith; Bryan Husband; Taylor; Dallas Cole of Independence Police Dept.; Michael Iwai of Ontario Police Dept.

Chair Riley called the meeting to order at 9:05 a.m. Roll was called.

Agenda

Shaner moved to approve the Meeting Agenda. Anderson seconded. Agenda approved by Board consensus.

September 19, 2023, Board Minutes

Shaner moved to approve the September 19, 2023, board meeting minutes. Minutes approved with no objections.

October 25, 2023, Board Minutes

Shaner moved to approve the October 25, 2023, special board meeting minutes. Minutes approved with no objections.

Administrator Report

McCullough presented the attached Administrator Report, with the following additions:

- Financial Report: ODOT/DMV Financial Services did not provide a requested report showing Board expenditures to date. Hopefully, Financial Services will provide a list of expenditures for 2022 and 2023 prior to the next Board meeting.
- All requirements for the \$100 certificate fee are in place, and the Board will begin generating revenue January 1, 2024. DMV Financial Services have been requested to provide monthly expenditure and revenue reports starting January 2024.
- McCullough reported that a stack of postcards sent to the list of current tow certificate holders provided by DMV were returned as undeliverable. McCullough will see if any potential issues can be resolved through DMV.
- The Board's website went "live" on October 24, 2023. The Board will discuss additional content and website information during the work session.
- The Rules hearing was held on October 25, 2023. All Board members attended. There was no public comments or testimony. The final, adopted rules are filed with the Secretary of State's office and are effective January 1, 2024.
- The Board's recommendation of Chief Mike Iwai for the Position 7 board vacancy was forwarded to the Governor's Appointment Committee. The Committee will forward recommendations to the Governor, and the Governor should approve appointments by the end of the month.

Compliance Report

No complaints received.

McCullough reached out to the Dept. of Consumer Business Services (DCBS) regarding repossessions and regulation. DCBS responded that they did not regulate the repo businesses but would try and provide information to the Board of who might.

McCullough reached out to the State Dept. of Administrative Services, reporting that there is no Enterprise system available; each Board is expected to come up with their own solutions.

Riley and McCullough will work together to see if an Access database can be built to meet the Board's current needs, including being able to track complaints, have business emails in the database, etc.

Other Updates and Reports

McCullough reported the Board's request for an email address field be added to the tow certificate applications cannot be processed, as the computer program would need to be modified to accept the information.

The Tribes have been contacted through a liaison; the Board discussed the next step is to ask the Tribes if there is anything the Board can assist with regarding towing on tribal lands. McCullough will forward the question through the appropriate channels, and also ask if there is an interest for some of the tribal law enforcement agencies to meet with the Board to discuss processes, procedures, and collaborative efforts.

Public Comments

Public Attendees introduced themselves to the Board. There were no public comments or questions regarding Board business.

Work Session

Board Website

The following content will be added to the Board's website:

1. Calendar Entries:
 - Oregon Tow Truck Association (OTTA) Quarterly Meeting dates
 - Traffic Incident management (TIM) Trainings
 - I-TECC Trainings
 - Other industry-related events and trainings as they come up.
2. Links for Consumers
 - Consumer Advocacy Sites
 - DOJ Consumer Complaints
 - Social Media
3. Compliance
 - Metric Tracking (complaints, types and where from, valid vs. not-valid complaint numbers, disciplinary actions, etc.)
4. Best Practices – using simple and plain language.
 - For towers:
 - Articles
 - Forms
 - Checklists
 - Clear instructions (Lien documents, how to (responsibly) transfer ownership, collections, timelines, etc.)

- Appraiser processes, possible remedies when mistakes happen, Other Information
 - For consumers:
 - Selling a car – responsibilities, possible liabilities
 - Informed towing practices (What to expect/what to do)
 - Responsibilities of owners when car is towed
 - Legal expectation/responsibilities of towers
 - Other remedies (if there are no violations by tower)
 - Rights and options if your car is towed
5. Current laws and rules
6. Links
- Wreck Master
 - Trip Check
 - Towing and Recovery Association of America (TRAA)
 - National Towing Museum
 - Wall of the Fallen
 - DCBS
 - National Fire Association

Board Seal

- The Board Seal was approved by consensus.
- Consensus was reached that the Board was established July 19, 2021, the date Senate Bill 300 was signed by the Governor.

Trainings

The Board discussed mandatory trainings; McCullough will facilitate a hybrid training session on November 21, 2023, for board members unable to access the training materials within Workday.

Check in on current Process and Communications

The Board members are finding the current weekly reports and submitted staff work product sufficiently meets the needs of the Board at this time.

Partners

McCullough confirmed Dept. of Justice, Consumer Complaints have been recently contacted regarding the Board accepting complaints and asked how DOJ would like to forward complaints to the Board.

Lindland suggested contacting fire services as potential partners, possible Tualatin Valley Fire which may have a vested interest in towing operations.

Road Map

The Board discussed the next steps going forward for the Board, including a review of the current laws and rules for possible modifications or corrections.

McCullough forward a spreadsheet showing the current ORSs assigned to the Board. The spreadsheet includes additional laws or rules referred to in the Board's ORSs.

The Board discussed having public work sessions or retreats to focus on specific topics or tasks in the Board's work processes. By consensus, the Board will schedule work sessions using the current board meeting format.

The first work session is scheduled for January 11, 2024, and will focus on the Board's complaint process from beginning to end:

- Definition of Complaints
- Tracking how complaints are submitted and from whom or where
- Types of complaints, including levels of severity and public interest
- Work flows and work processes
- Correspondence, templates, and other documents
- How complaints are processed and how final results determined
- Metrics and tracking information

Next Meeting:

The next Board work session is scheduled for January 11, 2024 at 1:00 p.m., focusing on the Board's complaint definitions, templates, processes and procedures.

Adjourned:

Chair Riley adjourned the meeting at 10:20 a.m.

Documents Considered by the Board

- Agenda
- Administrator Report
- Proposed Rules Hearing Report
- Final Adopted Rules
- Compliance Report
- Board Seal options

Minutes prepared by Torey McCullough
Minutes APPROVED by the Board: 02/13/2024