



**STATE BOARD OF TOWING**

**January 11, 2024**

**Work Session**

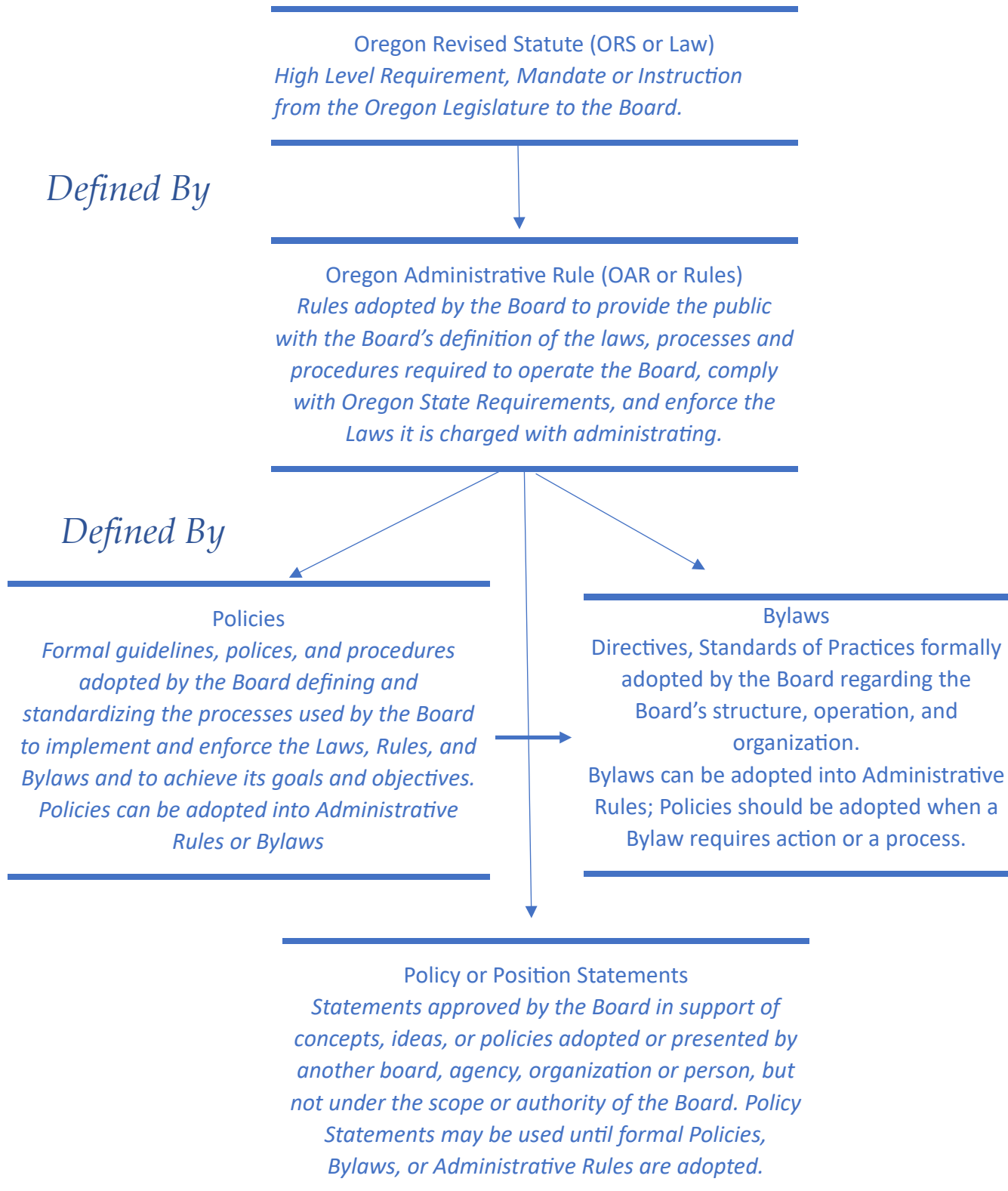
**Laws and Rules**

The following laws and rules provide an overview of the laws and rules regulating complaint process for the tow and recovery industry at an entry level.

Current and complete versions of the Oregon Revised Statutes are located at [https://www.oregonlegislature.gov/bills\\_laws](https://www.oregonlegislature.gov/bills_laws)

Current and complete versions of the Oregon Administrative Rules Chapter 750 are located at [Oregon Secretary of State Administrative Rules](#)

# Differences and Relationships between Laws, Rules, Policies, Bylaws, and Policy Statements



## ORSs and OARs for Work Session - Table of Contents

ORSs Related to Complaints, Authority, and Jurisdiction .....	1
ORS 822.265 Rulemaking Authority.....	1
ORS 822.995 Civil Penalties for Violations Related to Towing .....	1
ORS Assigned to the Board for Implementation or Administration.....	1
ORS 98.853 Conditions Allowing Towing.....	1
ORS 98.854 Prohibitions Placed on Tower .....	2
ORS 98.856 Tower Responsibility of Disclosure to Owner or Operator of Vehicle .....	3
ORS 98.857 Recovery of Stolen Vehicle .....	4
ORS 98.858 Right of Owner or Person in Lawful Possession of Vehicle to Redeem or Inspect Vehicle, Contact Tower and Obtain Property of Emergency Nature .....	4
ORS 98.859 Maximum Rates for Towing.....	4
ORS 98.860 Conditions for Release of Vehicle to Insurance Company Undertaking to Adjust Claim .....	5
ORS 98.861 Licenses for Towing .....	5
ORS 98.862 Exceptions to requirements of ORS 98.856 .....	6
Violations and Civil Penalties .....	6
ORS 822.200 Operating Illegal Towing Business .....	6
ORS 822.215 Grounds for Denial, Suspension, Revocation or Refusal of Certificate Disciplinary Action.....	7
ORS 822.225 Failure to Remove Injurious Substance .....	7
ORS 822.230 City or County Regulation of Towing Businesses.....	7
ORS 822.235 Recovery after Theft .....	8
ORS 822.605 False Swearing Relating to Regulation of Vehicle Related Businesses .....	8
Oregon Revised Statutes Related to the Tow and Recovery Industry .....	8
ORS 98.810 Unauthorized Parking of Vehicle on Proscribed Property Prohibited.....	8
ORS 98.812 Towing of unlawfully parked vehicle .....	9
ORS 181A.350 Eligibility of Towing Business to be Placed on Department List Rules.....	9
ORS 819.100 Abandoning a Vehicle .....	9
ORS 819.110 Custody, Towing and Sale or Disposal of Abandoned Vehicle .....	10
ORS 819.120 Immediate Custody and Towing of Vehicle Constituting Hazard or Obstruction .....	10
ORS 819.150 Rights and Liabilities of Owner.....	11
ORS 819.160 Lien for Towing .....	12
ORS 819.170 Notice Prior to Taking Vehicle into Custody and Towing.....	12
ORS 819.180 Notice After Taking into Custody and Towing .....	13
ORS 819.185 Procedure for Vehicles that have no Identification Markings .....	13
ORS 819.190 Hearing to Contest Validity of Custody and Towing.....	14
ORS 819.200 Exemption from Notice and Hearing Requirements for Vehicle held in Criminal Investigation.....	15
ORS 819.210 Sale or Disposal of Vehicle not Reclaimed.....	15
ORS 819.215 Disposal of Vehicle Appraised at \$500 or Less.....	15
ORS 819.480 Vehicle Appraiser Certificate .....	16
ORS 819.482 Acting as Vehicle Appraiser without Certificate .....	16
ORS 822.205 Certificate Qualifications .....	17
ORS 822.215 Grounds for Denial, Suspension, Revocation or Refusal of Certificate Disciplinary Action.....	17
Oregon Administrative Rules – Chapter 750 .....	18
OAR 750-040-0001 - Violations of Oregon Laws .....	18
OAR 750-040-0020 - Separate Violations.....	18
OAR 750-060-0001 - Consumer Protection.....	18
OAR 750-060-0020 - Complaints.....	19

## ORSs Related to Complaints, Authority, and Jurisdiction

### ORS 822.265 Rulemaking Authority

- (1) In accordance with applicable provisions of ORS chapter 183, the State Board of Towing may adopt rules:
- (a) Necessary for the administration of the laws that the board is charged with administering.
  - (b) To implement ORS 98.853 (Conditions allowing towing) to 98.862 (Exceptions to requirements of ORS 98.856).

### ORS 822.995 Civil Penalties for Violations Related to Towing

- (1) In addition to any other penalty provided by law, any person who violates any provision of ORS 98.853 (Conditions allowing towing), 98.854 (Prohibitions placed on tower), 98.856 (Tower responsibility of disclosure to owner or operator of vehicle), 98.858 (Right of owner or person in lawful possession of vehicle to redeem or inspect vehicle, contact tower and obtain property of emergency nature), 181A.350 (Eligibility of towing business to be placed on department list), 822.200 (Operating illegal towing business), 822.215 (Grounds for denial, suspension, revocation or refusal of certificate), 822.225 (Failure to remove injurious substance), 822.230 (City or county regulation of towing businesses), 822.235 (Recovery after theft) or 822.605 (False swearing relating to regulation of vehicle related businesses) or any rule adopted by the State Board of Towing is subject to payment of a civil penalty to the board.
- (2) The board may adopt rules establishing a schedule of civil penalties that may be imposed under this section. Civil penalties imposed under this section may not exceed \$25,000 for each violation.
- (3) Civil penalties under this section shall be imposed as provided in ORS 183.745 (Civil penalty procedures).
- (4) In imposing a penalty pursuant to the schedule adopted under subsection (2) of this section, the board shall consider the following factors:
- (a) The past history of the person incurring a penalty in taking all feasible steps or procedures necessary or appropriate to correct any violation.
  - (b) Any prior violations by the person incurring the penalty of statutes, rules or orders pertaining to facilities.
  - (c) The economic and financial conditions of the person incurring the penalty.
  - (d) The immediacy and extent to which a violation threatens the public health or safety. [2021 c.578 §11]

\*\*\*

## ORS Assigned to the Board for Implementation or Administration

### ORS 98.853 Conditions Allowing Towing

- (1) A tower may tow a motor vehicle if the motor vehicle:
- (a) Blocks or prevents access by emergency vehicles;
  - (b) Blocks or prevents entry to the premises;
  - (c) Blocks a parked motor vehicle; or
  - (d) Parks without permission in a parking facility used for residents of an apartment and:
    - (A) There are more residential units than there are parking spaces;
    - (B) The landlord has issued parking tags or other devices that identify vehicles that are authorized to be parked on the premises; and

(C) There are signs posted that are clearly readable by an operator of a motor vehicle in each parking stall or at each entrance to the parking facility prohibiting or restricting public parking on the parking facility.

(2) Prior to towing a motor vehicle pursuant to ORS 98.812 (Towing of unlawfully parked vehicle), a tower shall take at least one photograph of the motor vehicle and record the time and date of the photograph. The photograph must show the motor vehicle as it was left or parked at the time the tower arrived to conduct the tow. The tower shall maintain for at least two years, in electronic or printed form, each photograph taken along with the date and time of the photograph. Upon request, the tower shall provide a copy of any photographs to the owner or operator of the motor vehicle at no additional charge. [2017 c.480 §9]

## ORS 98.854 Prohibitions Placed on Tower

A tower may not:

1 (a) Tow a motor vehicle from a parking facility unless there is a sign displayed in plain view at the parking facility that, using clear and conspicuous language, prohibits or restricts public parking at the parking facility.

(b) Notwithstanding paragraph (a) of this subsection, a tower may tow a motor vehicle from a parking facility with the prior consent of the owner or operator of the motor vehicle.

(2) Except as provided in ORS 98.853 (Conditions allowing towing), tow a motor vehicle from a parking facility without first contacting the owner of the parking facility or the owner's agent at the time of the tow and receiving signed authorization from the owner of the parking facility or the owner's agent that the tower should tow the motor vehicle. The tower shall maintain for at least two years, in electronic or printed form, each signed authorization received under this subsection. Upon request, the tower shall provide a copy of the signed authorization to the owner or operator of the motor vehicle at no additional charge.

(3) Serve as an agent of an owner of a parking facility for the purpose of signing an authorization required by subsection (2) of this section.

(4) Tow a motor vehicle from a parking facility if the owner of the parking facility or the owner's agent is an employee of a tower.

(5) Charge more than a price disclosed under ORS 98.856 (Tower responsibility of disclosure to owner or operator of vehicle) when towing a motor vehicle without the prior consent or authorization of the owner or operator of the motor vehicle.

(6) Charge more than an amount set under ORS 98.859 (Maximum rates for towing) when towing a motor vehicle without the prior consent or authorization of the owner or operator of the motor vehicle.

(7) Solicit towing business at, or within 1,000 feet of, the site of a motor vehicle accident, unless the tower tows the motor vehicle pursuant to a prenegotiated payment agreement between the tower and a motor vehicle road service company.

(8) Park a tow vehicle within 1,000 feet of a parking facility for the purpose of monitoring the parking facility for towing business.

(9) Provide consideration to obtain the privilege of towing motor vehicles from a parking facility. For the purposes of this paragraph, the provision of:

(a) Signs by a tower under ORS 98.862 (Exceptions to requirements of ORS 98.856) does not constitute consideration.

(b) Goods or services by a tower below fair market value constitutes consideration.

(10) Require, as a condition of towing a motor vehicle or releasing a motor vehicle or personal property in the motor vehicle, that the owner or operator of the motor vehicle agree not to dispute:

- (a) The reason for the tow;
- (b) The validity or amount of charges; or
- (c) The responsibility of the tower for the condition of the motor vehicle or personal property in the motor vehicle.

(11) Hold a towed motor vehicle for more than 24 hours without:

- (a) Taking an inventory of all personal property in the motor vehicle that is visible from the exterior of the motor vehicle; and
- (b) Holding the personal property in the motor vehicle in a secure manner.

(12) Accept cash as a method of payment for towing services unless the tower provides exact change not later than the end of the business day following receipt of payment.

(13) Operate in a city or county without a license issued by the city or county if required by ORS 98.861 (Licenses for towing).

(14) Charge for the hookup and release of a motor vehicle except as provided in ORS 98.853 (Conditions allowing towing). [2007 c.538 §3; 2009 c.622 §2; 2013 c.135 §1; 2013 c.691 §1; 2017 c.480 §7]

### ORS 98.856 Tower Responsibility of Disclosure to Owner or Operator of Vehicle

(1) A tower shall disclose to the owner or operator of a motor vehicle in a conspicuous written statement of at least 10-point boldfaced type:

- (a) The prices the tower charges for all the goods and services that the tower offers;
- (b) The location where the tower will:
  - (A) Store the motor vehicle and personal property in the motor vehicle; or
  - (B) Tow the motor vehicle, if the tower is towing the motor vehicle to a location other than a location under the control of the tower;
- (c) The telephone number and any other means of contacting the tower, and the hours of availability at that telephone number and at the other means of contacting the tower;
- (d) The methods of payment that the tower accepts; and
- (e) That, if the owner or operator of the motor vehicle pays for the tow with cash, the tower will provide, in person or by mail, exact change not later than the end of the business day following receipt of payment.

(2) If the owner or operator is present at the time of the tow, the tower shall provide the information required under this section to the owner or operator of the motor vehicle before towing the motor vehicle.

(3) If the owner or operator of the motor vehicle is not present at the time of the tow, the tower shall provide the information required under this section to the owner or person in lawful possession of the motor vehicle prior to the time the owner or person in lawful possession of the motor vehicle redeems the motor vehicle.

(4) If the owner or operator of the motor vehicle is not present at the time of the tow:

- (a) Within five business days from the date of the tow, the tower shall request the name and address of the owner of the motor vehicle from the records of the state motor vehicle agency for the state in which the motor vehicle is registered.
- (b) The tower shall provide the information required under this section to the owner of the motor vehicle by mail by the end of the first business day following receipt of the information contained in the records of the state motor vehicle agency.
- (c) If the owner of the motor vehicle or a person in lawful possession of the motor vehicle redeems the motor vehicle or contacts the tower prior to five business days after the tow, the tower is not required to contact the state motor vehicle agency.

(5) If the owner or operator of the motor vehicle is not present at the time of the tow but the owner or operator of the motor vehicle requested the tow and arranged to pay the tower directly, the tower may obtain the name and address of the owner of the motor vehicle from the owner or operator of the motor vehicle and may provide the information required under this section:

(a) Within five business days after the tow; or

(b) With a copy of the invoice for the tow or upon receipt of payment, whichever first occurs. [2007 c.538 §4; 2009 c.622 §3; 2017 c.480 §10]

### ORS 98.857 Recovery of Stolen Vehicle

(1) After a motor vehicle reported as stolen is recovered by a law enforcement agency, the agency shall share the owner's contact information, including home address and telephone number, from either the Law Enforcement Data System or the stolen vehicle police report, with any tower that assumes control of the vehicle. The contact information may be used only for the purposes described in subsection (2) of this section.

(2) As soon as is practicable after recovering the motor vehicle, the tower shall attempt to provide notice to the owner of the stolen motor vehicle:

(a) That the motor vehicle has been recovered; and

(b) Of the current location of the vehicle.

(3) Fees charged by the tower for storage of a stolen motor vehicle may not begin to accrue until the date that the tower first attempts to notify the owner of the stolen motor vehicle under subsection (2) of this section. [2017 c.523 §3]

### ORS 98.858 Right of Owner or Person in Lawful Possession of Vehicle to Redeem or Inspect Vehicle, Contact Tower and Obtain Property of Emergency Nature

(1) A tower in physical possession of a motor vehicle shall permit the owner or person in lawful possession of a motor vehicle the tower has towed to:

(a) Redeem or inspect the motor vehicle:

(A) Between 8 a.m. and 6 p.m. on business days;

(B) At all other hours, within 60 minutes after asking the tower to release or allow for the inspection of the motor vehicle; and

(C) Within 30 minutes of a time mutually agreed upon between the tower and the owner or person in lawful possession of the motor vehicle;

(b) Contact the tower at any time to receive information about the location of the motor vehicle and instructions for obtaining release of the motor vehicle; and

(c) Obtain all personal property of an emergency nature in the motor vehicle and the motor vehicle's registration plates within the time allowed under paragraph (a) of this subsection.

(2) A tower may not charge the owner or person in lawful possession of the motor vehicle a fee in any amount to obtain personal property of an emergency nature or registration plates except for a gate fee between the hours of 6 p.m. and 8 a.m. on business days, or on a Saturday, a Sunday or a legal holiday. [2007 c.538 §5; 2017 c.480 §11; 2017 c.523 §8; 2019 c.13 §25; 2019 c.17 §1]

### ORS 98.859 Maximum Rates for Towing

(1) Each city or county may establish the maximum rates that a tower may charge for towing a motor vehicle, and for all related services for towing a motor vehicle, in response to a request for towing of a vehicle parked within the city or county that is made by a person other than the owner or operator of the motor vehicle. The rates for related services include charges for hookup, storage, gas mileage, pictures, unlocking the motor vehicle and any other services reasonably related to towing as determined by the city or county. Rates established by a city or county under this subsection apply in all portions of the city or county.



(2) When establishing the maximum rates under this section, the city or county shall take into consideration the size of the motor vehicle towed and the distance traveled by the tower from the location of the motor vehicle to a storage facility.

(3) Each city or county that establishes maximum rates under this section shall also establish a process by which the city or county will receive and respond to complaints relating to violations of this section.

(4) If a city establishes the maximum rates under this section, the county rates do not apply to towing a vehicle that is parked within the boundaries of that city and the tower is required to comply with only the city's established maximum rates. [2013 c.691 §3]

### ORS 98.860 Conditions for Release of Vehicle to Insurance Company Undertaking to Adjust Claim

(1) For purposes of this section, an insurance company undertaking to adjust a claim involving a towed motor vehicle is a person in lawful possession and entitled to release of the motor vehicle if:

(a) The insurance company has obtained permission from the owner or another person in lawful possession of the motor vehicle to secure release of the motor vehicle; and

(b) The insurance company transmits to the tower by facsimile or electronic mail a document that reasonably identifies the insurance company as a person in lawful possession and directs the tower to release the motor vehicle to a person designated by the insurance company.

(2) A tower who, in good faith, releases a motor vehicle under subsection (1) of this section is not liable for damages for releasing the motor vehicle to a person designated by the insurance company or for damages that arise after release of the motor vehicle.

(3) This section does not prohibit a tower from releasing a motor vehicle to an insurance company in a manner other than that provided for in subsection (1) of this section. [2007 c.538 §6]

### ORS 98.861 Licenses for Towing

(1) Subject to subsection (5) of this section:

(a) A tower may not tow vehicles parked within the boundaries of a city without a license issued by the city, if the city has established the maximum rates that a tower may charge under ORS 98.859 (Maximum rates for towing).

(b) A tower may not tow vehicles parked within the boundaries of a county without a license issued by the county, if the county has established the maximum rates that a tower may charge under ORS 98.859 (Maximum rates for towing). The tower is not required to obtain a license from a county when the tower tows a vehicle that is parked within the boundaries of a city located within the county and the tower is licensed by that city.

(2) Application for a license under this section must be made in writing in the form prescribed by the city or county, and must contain the name and address of the applicant and any other information that the city or county may require.

(3) The fee for issuing a license under this section shall be established by the city or county, but may not exceed the cost of administering the licensing program and administering ORS 98.859 (Maximum rates for towing).

(4) A license issued under this section expires annually on December 31 or on a date that may be specified by the city or county by ordinance.

(5) The requirement to get a license under this section applies only to towers that tow a motor vehicle without the prior consent or authorization of the owner or operator of the motor vehicle.

(6) A city or county may suspend or revoke a license issued under this section for violation of ORS 98.853 (Conditions allowing towing), 98.854 (Prohibitions placed on tower), 98.856 (Tower responsibility of disclosure to owner or operator of vehicle) or 98.859 (Maximum rates for towing). [2013 c.691 §4; 2017 c.480 §12]

### ORS 98.862 Exceptions to requirements of ORS 98.856

A tower need not provide the written information required under ORS 98.856 (Tower responsibility of disclosure to owner or operator of vehicle) if:

(1) The motor vehicle is towed from a parking facility where the tower has provided the information on signs that are clearly readable by an operator of a motor vehicle in each parking stall or at each entrance to the parking facility.

(2) 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).

(3) 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.

(4) 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. [2007 c.538 §7]

\*\*\*

## Violations and Civil Penalties

Under ORS 822.995 Civil Penalties may be imposed for violations of the following statutes:

### ORS 822.200 Operating Illegal Towing Business

(1) A person commits the offense of operating an illegal towing business if the person does not hold a certificate issued under ORS 822.205 (Certificate) and the person does any of the following:

(a) Engages in the towing or recovering of vehicles by any means for any direct or indirect compensation when the vehicle being towed or recovered is owned by a person other than the person performing the towing or recovery activity.

(b) Engages in towing or recovering by any means, as part of any business operation of the person, vehicles that are wrecked, damaged, disabled or abandoned or replacement vehicles.

(c) Purports in any way to be engaged in the business of performing activities described in this subsection.

(2) This section does not apply to any of the following:

(a) Persons operating under and within the scope of a vehicle transporter certificate issued under ORS 822.310 (Privileges granted by certificate).

(b) A person who provides assistance to another motorist, whether or not compensation is received, if the assistance is not provided as part of the business operation of the person providing the assistance.

(c) A person engaging in any activity relating to a vehicle in which that person holds a security interest.

(d) An employee of a person issued a towing business certificate under ORS 822.205 (Certificate) while that employee is performing official duties as an employee.

(e) A person who holds a valid dismantler certificate under ORS 822.110 (Dismantler certificate) who tows a vehicle described under ORS 819.280 (Disposal of vehicle at request of person in lawful possession).

(3) The offense described in this section, operating an illegal towing business, is a Class A misdemeanor. [1983 c.338 §811; 1985 c.16 §410; 2005 c.738 §§6,6a]

## ORS 822.215 Grounds for Denial, Suspension, Revocation or Refusal of Certificate Disciplinary Action

(1) The Department of Transportation may deny or refuse to issue any towing business certificate under ORS 822.205 (Certificate) or may suspend, revoke or refuse to renew any towing business certificate issued upon proof that the applicant for or holder of the certificate has done any of the following:

- (a) Used fraud or deception in securing the certificate.
- (b) Received in any manner or by any device any rebate or other additional fee for towing or recovery from a person who performs repairs on a vehicle who does not also own the vehicle. This paragraph does not prohibit the payment of the towing fee by a person who performs repairs on a vehicle if the fee is included in the charges by that person for repairs on the vehicle.
- (c) Used vehicles for the purposes of towing or recovering services that did not meet the minimum safety standards established by the department.
- (d) Failed to display special towing business registration plates, stickers or indicia or identification devices for proportionally registered tow vehicles authorized under ORS 805.200 (Plates and other devices with special designs) on each vehicle used to tow or recover vehicles.
- (e) Failed to maintain the amounts and types of insurance required to qualify for issuance of a towing business certificate under ORS 822.205 (Certificate).
- (f) Failed to obtain any permits or authority required under any provision of ORS chapter 825 or rules adopted thereunder.
- (g) Violated any provision of ORS 98.853 (Conditions allowing towing), 98.854 (Prohibitions placed on tower), 98.856 (Tower responsibility of disclosure to owner or operator of vehicle) or 98.858 (Right of owner or person in lawful possession of vehicle to redeem or inspect vehicle, contact tower and obtain property of emergency nature) or a rule adopted under ORS 822.265 (Rulemaking authority).

(2) After receiving an order from the State Board of Towing under ORS 822.280 (Denial, suspension, revocation or refusal of towing business certificate), the department shall impose the disciplinary action requested by the board. *[1983 c.338 §814; 1991 c.284 §30; 1993 c.741 §145; 2007 c.538 §17; 2017 c.480 §19; 2021 c.578 §13]*

## ORS 822.225 Failure to Remove Injurious Substance

(1) A person commits the offense of tow vehicle operator failure to remove injurious substance if the person is operating a tow vehicle that is removing a wrecked or damaged vehicle from a highway and the person fails to remove any glass or other injurious substance dropped upon the highway from such vehicle.

(2) The offense described in this section, tow vehicle operator failure to remove injurious substance, is a Class D traffic violation. *[1983 c.338 §816; 1985 c.71 §10; 1995 c.383 §115]*

## ORS 822.230 City or County Regulation of Towing Businesses

(1) Notwithstanding ORS 822.200 (Operating illegal towing business) to 822.225 (Failure to remove injurious substance), and except as provided in subsection (2) of this section, a city or county may, by charter or ordinance, regulate towing businesses if the city or county charter or ordinance provisions pertain only to towing authorized by ORS 98.812 (Towing of unlawfully parked vehicle) and the provisions:

- (a) Regulate an aspect of a towing business that is not regulated by ORS 822.200 (Operating illegal towing business) to 822.225 (Failure to remove injurious substance); or
- (b) Regulate an aspect of the towing business that is regulated by ORS 822.200 (Operating illegal towing business) to 822.225 (Failure to remove injurious substance) and the provisions of the charter or ordinance are more stringent than those of the statutes.

(2) This section does not authorize imposition of any license fee or tax on a towing business by a city or county.

(3) The governing body of a city or county may adopt ordinances that include, but are not limited to, the following requirements:

- (a) That towing businesses accept methods of payment other than and in addition to cash.
- (b) That towing businesses post fees in a conspicuous place at the location of the towed vehicles.
- (c) That any posted signs that warn of the possibility of towing or that give information about recovery of a towed vehicle be prominently displayed and show the fees charged to recover a towed vehicle.
- (d) That towing businesses offer transportation at a reasonable cost from within the immediate vicinity of the place from which the vehicle was towed to the towed vehicle.
- (e) That towing businesses establish locations for towed vehicles in such a way that no vehicle will be towed a greater distance than is necessary and reasonable.
- (f) That towed vehicles be stored in a public location that has at least one attendant on duty at all times. [1987 c.765 §2]

### ORS 822.235 Recovery after Theft

(1) If a tower recovers a vehicle after a theft, the vehicle is totaled and the vehicle has no applicable insurance coverage, the person who is the owner of the vehicle may transfer the person's interest in the vehicle to the tower in payment or partial payment of the tower's fees for recovery and storage of the vehicle.

(2) A tower that accepts a transfer of interest in a vehicle from a person under this section may not assess fees against the person for storage of the totaled vehicle that occurs on and after the date of the transfer of interest.

(3) Notwithstanding the provisions for liens under ORS 98.812 (Towing of unlawfully parked vehicle) and 98.830 (Towing abandoned vehicle from private property), if a person transfers their interest in a vehicle under this section to a tower within 14 days of the date the person receives notice under ORS 98.857 (Recovery of stolen vehicle), the tower may not bring an action against the person for, or otherwise take any affirmative steps to collect or permit an agency or assignee to collect, any amount as compensation for towing, caring for or storing the totaled vehicle.

(4) A tower that receives title under this section is responsible for any fees imposed by the Department of Transportation for transferring title. [2017 c.523 §5; 2019 c.13 §70]

### ORS 822.605 False Swearing Relating to Regulation of Vehicle Related Businesses

(1) A person commits the offense of false swearing relating to regulation of vehicle related businesses if the person knowingly makes any false affidavit or knowingly swears or affirms falsely to any matter or thing relating to the regulation of vehicle dealers, vehicle dismantlers, towing businesses, vehicle transporters, snowmobile dealers, Class I all-terrain vehicle dealers, commercial driver training schools or driver training instructors under the vehicle code.

(2) The offense described in this section, false swearing relating to regulation of vehicle related businesses, is a Class C felony. [1983 c.338 §836; 1987 c.217 §12; 2005 c.654 §39]

\*\*\*

## Oregon Revised Statutes Related to the Tow and Recovery Industry

### ORS 98.810 Unauthorized Parking of Vehicle on Proscribed Property Prohibited

A person may not, without the permission of:

(1) The owner of a parking facility, leave or park any vehicle on the parking facility if there is a sign displayed in plain view at the parking facility prohibiting or restricting public parking on the parking facility.

(2) The owner of proscribed property, leave or park any vehicle on the proscribed property whether or not there is a sign prohibiting or restricting parking on the proscribed property. [1953 c.575 §1; 1979 c.100 §3; 1981 c.861 §24; 1983 c.436 §3; 2007 c.538 §10]

## ORS 98.812 Towing of unlawfully parked vehicle

(1) If a vehicle has been left or parked in violation of ORS 98.810 (Unauthorized parking of vehicle on proscribed property prohibited), the owner of the parking facility or the owner of the proscribed property may have a tower tow the vehicle from the parking facility or the proscribed property and place the vehicle in storage at a secure location under the control of the tower.

(2) A tower is entitled to a lien on a towed vehicle and its contents for the tower's just and reasonable charges and may retain possession of the towed vehicle and its contents until the just and reasonable charges for the towage, care and storage, subject to subsection (3) of this section, of the towed vehicle have been paid if the tower notifies the local law enforcement agency of the location of the towed vehicle within one hour after the towed vehicle is placed in storage.

(3) A tower may not assess any storage charge against the towed vehicle under subsection (2) of this section that is incurred after:

(a) If the towed vehicle is registered in Oregon, three business days after the vehicle is placed in storage unless, within that time, the tower delivers notice by mail or gives actual notice to the owner of the towed vehicle and to each person with an interest in the vehicle as indicated by the certificate of title.

(b) If the towed vehicle is not registered in Oregon:

(A) Three business days after the vehicle is placed in storage unless, within that time, the tower notifies and requests the title information from the records of the motor vehicle agency for the state in which the towed vehicle is registered.

(B) Three business days from the date of receipt of the records requested under subparagraph (A) of this paragraph unless, within that time, the tower delivers notice by mail or gives actual notice to the owner of the towed vehicle and to each person with an interest in the vehicle as indicated by the requested records.

(4) The lien created by subsection (2) of this section may be foreclosed only in the manner provided by ORS 87.172 (Time period before foreclosure allowed) (3) and 87.176 (Fees for storage of chattel) to 87.206 (Disposition of proceeds of foreclosure sale) for foreclosure of liens arising or claimed under ORS 87.152 (Possessory lien for labor or material expended on chattel). *[1953 c.575 §2; 1977 c.634 §1; 1979 c.100 §4; 1981 c.861 §25; 1983 c.436 §4; 1993 c.385 §2; 2001 c.424 §1; 2007 c.538 §11; 2009 c.622 §1; 2017 c.480 §2; 2019 c.547 §1]*

## ORS 181A.350 Eligibility of Towing Business to be Placed on Department List Rules

The Superintendent of State Police may make rules governing the eligibility of towing businesses to be placed and remain on any list of such businesses used by the Department of State Police when it requests towing services on behalf of any person. *[Formerly 181.440]*

## ORS 819.100 Abandoning a Vehicle

(1) A person commits the offense of abandoning a vehicle if the person abandons a vehicle upon a highway or upon any public or private property.

(2) The owner of the vehicle as shown by the records of the Department of Transportation shall be considered responsible for the abandonment of a vehicle in the manner prohibited by this section and shall be liable for the cost of towing and disposition of the abandoned vehicle.

(3) A vehicle abandoned in violation of this section is subject to the provisions for towing and sale of abandoned vehicles under ORS 819.110 (Custody, towing and sale or disposal of abandoned vehicle) to 819.215 (Disposal of vehicle appraised at \$500 or less).

(4) The offense described in this section, abandoning a vehicle, is a Class B traffic violation. *[1983 c.338 §677; 1995 c.758 §7; 2009 c.371 §5]*

## ORS 819.110 Custody, Towing and Sale or Disposal of Abandoned Vehicle

(1) After providing notice required under ORS 819.170 (Notice prior to taking vehicle into custody and towing) and, if requested, a hearing under ORS 819.190 (Hearing to contest validity of custody and towing), an authority described under ORS 819.140 (Agencies having authority to take vehicle into custody) may take a vehicle into custody and tow the vehicle if:

- (a) The authority has reason to believe the vehicle is disabled or abandoned; and
- (b) The vehicle has been parked or left standing upon any public way for a period in excess of 24 hours without authorization by statute or local ordinance.

(2) The power to take vehicles into custody under this section is in addition to any power to take vehicles into custody under ORS 819.120 (Immediate custody and towing of vehicle constituting hazard or obstruction).

(3) Subject to ORS 819.150 (Rights and liabilities of owner), vehicles and the contents of vehicles taken into custody under this section are subject to a lien as provided under ORS 819.160 (Lien for towing).

(4) The person that tows a vehicle under this section shall have the vehicle appraised within a reasonable time by a person authorized to perform such appraisals under ORS 819.480 (Vehicle appraiser certificate).

(5) Vehicles taken into custody under this section are subject to sale or disposal under ORS 819.210 (Sale or disposal of vehicle not reclaimed) or 819.215 (Disposal of vehicle appraised at \$500 or less) if the vehicles are not reclaimed as provided under ORS 819.150 (Rights and liabilities of owner) or returned to the owner or person entitled to possession under ORS 819.190 (Hearing to contest validity of custody and towing). *[1983 c.338 §417; 1995 c.758 §8; 2009 c.371 §6]*

## ORS 819.120 Immediate Custody and Towing of Vehicle Constituting Hazard or Obstruction

(1) An authority described under ORS 819.140 (Agencies having authority to take vehicle into custody) may immediately take custody of and tow a vehicle that is disabled, abandoned, parked or left standing unattended on a road or highway right of way and that is in such a location as to constitute a hazard or obstruction to motor vehicle traffic using the road or highway.

(2) As used in this section, a “hazard or obstruction” includes, but is not necessarily limited to:

- (a) Any vehicle that is parked so that any part of the vehicle extends within the paved portion of the travel lane.
- (b) Any vehicle that is parked so that any part of the vehicle extends within the highway shoulder or bicycle lane:
  - (A) Of any freeway within the city limits of any city in this state at any time if the vehicle has a gross vehicle weight of 26,000 pounds or less;
  - (B) Of any freeway within the city limits of any city in this state during the hours of 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m. if the vehicle has a gross vehicle weight of more than 26,000 pounds;
  - (C) Of any freeway within 1,000 feet of the area where a freeway exit or entrance ramp meets the freeway; or
  - (D) Of any highway during or into the period between sunset and sunrise if the vehicle presents a clear danger.

(3) As used in this section, “hazard or obstruction” does not include parking in a designated parking area along any highway or, except as described in subsection (2) of this section, parking temporarily on the shoulder of the highway as indicated by a short passage of time and by the operation of the hazard lights of the vehicle, the raised hood of the vehicle, or advance warning with emergency flares or emergency signs.

(4) An authority taking custody of a vehicle under this section must give the notice described under ORS 819.180 (Notice after taking into custody and towing) and, if requested, a hearing described under ORS 819.190 (Hearing to contest validity of custody and towing).

(5) The power to take vehicles into custody under this section is in addition to any power to take vehicles into custody under ORS 819.110 (Custody, towing and sale or disposal of abandoned vehicle).

(6) Subject to ORS 819.150 (Rights and liabilities of owner), vehicles and the contents of vehicles taken into custody under this section are subject to a lien as provided under ORS 819.160 (Lien for towing).

(7) The person that tows a vehicle under this section shall have the vehicle appraised within a reasonable time by a person authorized to perform such appraisals under ORS 819.480 (Vehicle appraiser certificate).

(8) Vehicles taken into custody under this section are subject to sale or disposal under ORS 819.210 (Sale or disposal of vehicle not reclaimed) or 819.215 (Disposal of vehicle appraised at \$500 or less) if the vehicles are not reclaimed under ORS 819.150 (Rights and liabilities of owner) or returned to the owner or person entitled thereto under ORS 819.190 (Hearing to contest validity of custody and towing).

(9) The Oregon Transportation Commission, by rule, shall establish additional criteria for determining when vehicles on state highways, interstate highways and state property are subject to being taken into immediate custody under this section. *[1983 c.338 §418; 1985 c.77 §1; 1991 c.464 §1; 1995 c.758 §9; 2007 c.509 §1; 2009 c.371 §7]*

### ORS 819.150 Rights and Liabilities of Owner

The owner, a person entitled to possession or any person with an interest recorded on the title of a vehicle taken into custody under ORS 819.110 (Custody, towing and sale or disposal of abandoned vehicle) or 819.120 (Immediate custody and towing of vehicle constituting hazard or obstruction):

(1) Is liable for all costs and expenses incurred in the towing, preservation and custody of the vehicle and its contents except that:

(a) The owner, a person entitled to the vehicle or any person with an interest recorded on the title is not liable for nor shall be required to pay storage charges for a period in excess of 20 days unless the person has received a written notice under ORS 819.160 (Lien for towing). In no case shall a person be required to pay storage charges for a storage period in excess of 60 days.

(b) A security interest holder is not liable under this subsection unless the security interest holder reclaims the vehicle.

(2) May reclaim the vehicle at any time after it is taken into custody and before the vehicle is sold or disposed of under ORS 819.210 (Sale or disposal of vehicle not reclaimed) or 819.215 (Disposal of vehicle appraised at \$500 or less) upon presentation to the authority holding the vehicle of satisfactory proof of ownership or right to possession and upon payment of costs and expenses for which the person is liable under this section.

(3) If the vehicle is taken into custody under ORS 819.110 (Custody, towing and sale or disposal of abandoned vehicle) or 819.120 (Immediate custody and towing of vehicle constituting hazard or obstruction), has a right to request and have a hearing under ORS 819.190 (Hearing to contest validity of custody and towing) or under procedures established under ORS 801.040 (Authority to adopt special provisions), as appropriate.

(4) If the vehicle is sold or disposed of under ORS 819.210 (Sale or disposal of vehicle not reclaimed) or 819.215 (Disposal of vehicle appraised at \$500 or less), has no further right, title or claim to or interest in the vehicle or the contents of the vehicle.

(5) If the vehicle is sold or disposed of under ORS 819.210 (Sale or disposal of vehicle not reclaimed), has a right to claim the balance of the proceeds from the sale or disposition as provided under ORS 87.206 (Disposition of proceeds of foreclosure sale).

(6) Has no right to a hearing if the vehicle is disposed of under ORS 819.215 (Disposal of vehicle appraised at \$500 or less). [1983 c.338 §421; 1985 c.316 §2; 1993 c.233 §64; 1993 c.385 §§5,5a; 1995 c.79 §378; 1995 c.758 §11; 2005 c.738 §4; 2009 c.371 §9]

### ORS 819.160 Lien for Towing

(1) Except as otherwise provided by this section, a person shall have a lien on the vehicle and its contents if the person, at the request of an authority described under ORS 819.140 (Agencies having authority to take vehicle into custody), tows any of the following vehicles:

(a) An abandoned vehicle appraised at a value of more than \$500 by a person who holds a certificate issued under ORS 819.480 (Vehicle appraiser certificate).

(b) A vehicle taken into custody under ORS 819.110 (Custody, towing and sale or disposal of abandoned vehicle) or 819.120 (Immediate custody and towing of vehicle constituting hazard or obstruction), unless it is an abandoned vehicle appraised at a value of \$500 or less by a person who holds a certificate issued under ORS 819.480 (Vehicle appraiser certificate).

(c) A vehicle left parked or standing in violation of ORS 811.555 (Illegal stopping, standing or parking) or 811.570 (Improperly positioning parallel parked vehicle).

(2) A lien established under this section shall be on the vehicle and its contents for the just and reasonable charges for the towing service performed and any storage provided. However, the storage charge is limited subject to ORS 98.812 (Towing of unlawfully parked vehicle) (3). A lien described under this section does not attach:

(a) To the contents of any vehicle taken from public property until 15 days after taking the vehicle into custody.

(b) To the contents of any vehicle that is taken into custody for violation of ORS 811.555 (Illegal stopping, standing or parking) or 811.570 (Improperly positioning parallel parked vehicle).

(3) A person that tows any vehicle at the request of an authority under ORS 819.110 (Custody, towing and sale or disposal of abandoned vehicle) or 819.120 (Immediate custody and towing of vehicle constituting hazard or obstruction) shall transmit by first class mail with a certificate of mailing, no later than the third business day after the vehicle and its contents are placed in storage, written notice, approved by the authority, containing information on the procedures necessary to obtain a hearing under ORS 819.190 (Hearing to contest validity of custody and towing). The notice shall be provided to the owner, a person entitled to possession or any person with an interest recorded on the title to the vehicle. This subsection does not apply to a person that tows an abandoned vehicle that is appraised at a value of \$500 or less by a person who holds a certificate issued under ORS 819.480 (Vehicle appraiser certificate). [1983 c.338 §422; 1985 c.16 §223; 1993 c.326 §5; 1993 c.385 §6; 1995 c.79 §379; 1995 c.758 §12; 2007 c.538 §15; 2009 c.11 §99; 2009 c.371 §10; 2019 c.547 §4]

### ORS 819.170 Notice Prior to Taking Vehicle into Custody and Towing

If an authority proposes to take custody of a vehicle under ORS 819.110 (Custody, towing and sale or disposal of abandoned vehicle), the authority shall provide notice and shall provide an explanation of procedures available for obtaining a hearing under ORS 819.190 (Hearing to contest validity of custody and towing). Except as otherwise provided under ORS 801.040 (Authority to adopt special provisions), notice required under this section shall comply with all of the following:

(1) Notice shall be given by affixing a notice to the vehicle with the required information. The notice shall be affixed to the vehicle at least 24 hours before taking the vehicle into custody. The 24-hour period under this subsection includes holidays, Saturdays and Sundays.

(2) Notice shall state all of the following:

(a) That the vehicle will be subject to being taken into custody and towed by the appropriate authority if the vehicle is not removed before the time set by the appropriate authority.

(b) The statute, ordinance or rule violated by the vehicle and under which the vehicle will be towed.



- (c) The place where the vehicle will be held in custody or the telephone number and address of the appropriate authority that will provide the information.
- (d) That the vehicle, if taken into custody and towed by the appropriate authority, will be subject to towing and storage charges and that a lien will attach to the vehicle and its contents.
- (e) That the vehicle will be sold to satisfy the costs of towing and storage if the charges are not paid.
- (f) That the owner, possessor or person having an interest in the vehicle is entitled to a hearing, before the vehicle is impounded, to contest the proposed custody and towing if a hearing is timely requested.
- (g) That the owner, possessor or person having an interest in the vehicle may also challenge the reasonableness of any towing and storage charges at the hearing.
- (h) The time within which a hearing must be requested and the method for requesting a hearing. *[1983 c.338 §423; 1985 c.316 §3; 1993 c.385 §§7,7a; 1995 c.758 §13; 2009 c.371 §11]*

### ORS 819.180 Notice After Taking into Custody and Towing

(1) If an authority takes custody of a vehicle under ORS 819.120 (Immediate custody and towing of vehicle constituting hazard or obstruction), the authority shall provide, by certified mail within 48 hours of the towing, written notice with an explanation of procedures available for obtaining a hearing under ORS 819.190 (Hearing to contest validity of custody and towing) to the owners of the vehicle and any lessors or security interest holders as shown in the records of the Department of Transportation. The notice shall state that the vehicle has been taken into custody and shall give the location of the vehicle and describe procedures for the release of the vehicle and for obtaining a hearing under ORS 819.190 (Hearing to contest validity of custody and towing). The 48-hour period under this subsection does not include holidays, Saturdays or Sundays.

(2) Any notice given under this section after a vehicle is taken into custody and towed shall state all of the following:

- (a) That the vehicle has been taken into custody and towed, the identity of the appropriate authority that took the vehicle into custody and towed the vehicle and the statute, ordinance or rule under which the vehicle has been taken into custody and towed.
- (b) The location of the vehicle or the telephone number and address of the appropriate authority that will provide the information.
- (c) That the vehicle is subject to towing and storage charges, the amount of charges that have accrued to the date of the notice and the daily storage charges.
- (d) That the vehicle and its contents are subject to a lien for payment of the towing and storage charges and that the vehicle and its contents will be sold to cover the charges if the charges are not paid by a date specified by the appropriate authority.
- (e) That the owner, possessor or person having an interest in the vehicle and its contents is entitled to a prompt hearing to contest the validity of taking the vehicle into custody and towing it and to contest the reasonableness of the charges for towing and storage if a hearing is timely requested.
- (f) The time within which a hearing must be requested and the method for requesting a hearing.
- (g) That the vehicle and its contents may be immediately reclaimed by presentation to the appropriate authority of satisfactory proof of ownership or right to possession and either payment of the towing and storage charges or the deposit of cash security or a bond equal to the charges with the appropriate authority. *[1983 c.338 §424; 1985 c.316 §4; 1993 c.385 §8; 1995 c.758 §14; 2009 c.371 §12]*

### ORS 819.185 Procedure for Vehicles that have no Identification Markings

If there is no vehicle identification number on a vehicle and there are no registration plates and no other markings through which the Department of Transportation could identify the owner of the vehicle, then an authority otherwise required to provide notice under ORS 819.170 (Notice prior to taking vehicle into custody and towing) or 819.180 (Notice after taking into custody and towing) is not required to provide such notice and the vehicle may be towed and disposed of as though notice and an opportunity for a hearing had been given. *[1995 c.758 §22; 2009 c.371 §13]*

## ORS 819.190 Hearing to Contest Validity of Custody and Towing

A person provided notice under ORS 819.170 (Notice prior to taking vehicle into custody and towing) or 819.180 (Notice after taking into custody and towing) or any other person who reasonably appears to have an interest in the vehicle may request a hearing under this section to contest the validity of the towing and custody under ORS 819.120 (Immediate custody and towing of vehicle constituting hazard or obstruction) or proposed towing and custody of a vehicle under ORS 819.110 (Custody, towing and sale or disposal of abandoned vehicle) by submitting a request for hearing with the appropriate authority not more than five days from the mailing date of the notice. The five-day period in this section does not include holidays, Saturdays or Sundays. Except as otherwise provided under ORS 801.040 (Authority to adopt special provisions), a hearing under this section shall comply with all of the following:

(1) If the authority proposing to tow a vehicle under ORS 819.110 (Custody, towing and sale or disposal of abandoned vehicle) receives a request for hearing before the vehicle is taken into custody and towed, the vehicle may not be towed unless the vehicle constitutes a hazard.

(2) A request for hearing shall be in writing and shall state grounds upon which the person requesting the hearing believes that the custody and towing of the vehicle is not justified.

(3) Upon receipt of a request for a hearing under this section, the appropriate authority shall set a time for the hearing within 72 hours of the receipt of the request and shall provide notice of the hearing to the person requesting the hearing and to the owners of the vehicle and any lessors or security interest holders shown in the records of the Department of Transportation, if not the same as the person requesting the hearing. The 72-hour period in this subsection does not include holidays, Saturdays or Sundays.

(4) If the appropriate authority finds, after hearing and by substantial evidence on the record, that the custody and towing of a vehicle was:

(a) Invalid, the appropriate authority shall order the immediate release of the vehicle to the owner or person with right of possession. If the vehicle is released under this paragraph, the person to whom the vehicle is released is not liable for any towing or storage charges. If the person has already paid the towing and storage charges on the vehicle, the authority responsible for taking the vehicle into custody and towing the vehicle shall reimburse the person for the charges. New storage costs on the vehicle will not start to accrue, however, until more than 24 hours after the time the vehicle is officially released to the person under this paragraph.

(b) Valid, the appropriate authority shall order the vehicle to be held in custody until the costs of the hearing and all towing and storage costs are paid by the party claiming the vehicle. If the vehicle has not yet been towed, the appropriate authority shall order that the vehicle be towed.

(5) A person who fails to appear at a hearing under this section is not entitled to another hearing unless the person provides reasons satisfactory to the appropriate authority for the person's failure to appear.

(6) An appropriate authority is only required to provide one hearing under this section for each time the appropriate authority takes a vehicle into custody and tows the vehicle or proposes to do so.

(7) A hearing under this section may be used to determine the reasonableness of the charge for towing and storage of the vehicle. Towing and storage charges set by law, ordinance or rule or that comply with law, ordinance or rule are reasonable for purposes of this subsection.

(8) An authority shall provide a written statement of the results of a hearing held under this section to the person requesting the hearing.

(9) Hearings held under this section may be informal in nature, but the presentation of evidence in a hearing shall be consistent with the presentation of evidence required for contested cases under ORS 183.450 (Evidence in contested cases).

(10) The hearings officer at a hearing under this section may be an officer, official or employee of the appropriate authority but shall not have participated in any determination or investigation related to taking into custody and towing the vehicle that is the subject of the hearing.

(11) The determination of a hearings officer at a hearing under this section is final and is not subject to appeal. [1983 c.338 §425; 1985 c.16 §224; 1985 c.316 §5; 2009 c.371 §14]

### ORS 819.200 Exemption from Notice and Hearing Requirements for Vehicle held in Criminal Investigation

A vehicle that is being held as part of any criminal investigation is not subject to any requirements under ORS 819.170 (Notice prior to taking vehicle into custody and towing) to 819.190 (Hearing to contest validity of custody and towing) unless the criminal investigation relates to the theft of the vehicle. [1983 c.338 §426; 1993 c.385 §9]

### ORS 819.210 Sale or Disposal of Vehicle not Reclaimed

(1) If a vehicle taken into custody under ORS 819.110 (Custody, towing and sale or disposal of abandoned vehicle) or 819.120 (Immediate custody and towing of vehicle constituting hazard or obstruction) is not reclaimed within 30 days after it is taken into custody, the person that towed the vehicle shall either:

- (a) Sell the vehicle and its contents at public auction in the manner provided in ORS 87.192 (Notice of foreclosure sale to lien debtor) and 87.196 (Notice of foreclosure sale to secured parties); or
- (b) Dispose of the vehicle in a manner provided by local ordinance.

(2) The contents of any vehicle sold under this section are subject to the same conditions of sale as the vehicle in which they are found. [1983 c.338 §427; 1995 c.758 §15; 2009 c.371 §15]

### ORS 819.215 Disposal of Vehicle Appraised at \$500 or Less

(1) If an abandoned vehicle is appraised at a value of \$500 or less by a person who holds a certificate issued under ORS 819.480 (Vehicle appraiser certificate), the person that towed the vehicle shall:

- (a) Notify the registered owner and secured parties as provided in subsection (3) of this section;
- (b) Photograph the vehicle;
- (c) Notify the Department of Transportation that the vehicle will be disposed of; and
- (d) Unless the vehicle is claimed by a person entitled to possession of it within 15 days of the date of notice under subsection (3) of this section, dispose of the vehicle and its contents to a person who holds a valid dismantler certificate issued under ORS 822.110 (Dismantler certificate).

(2) The authority that requests towing of an abandoned vehicle shall provide to the person that tows the vehicle, at the time of the tow or as soon as possible thereafter, a written statement that contains the name and address of the registered owner of the vehicle, as shown by records of the department, and the names and addresses of any persons claiming interests in the vehicle, as shown by records of the department.

(3) Within 48 hours after the written statement is provided under subsection (2) of this section to a person that tows a vehicle, the person must give written notice to the persons whose names are furnished in the statement. The 48-hour period does not include Saturdays, Sundays or holidays. The notice shall state that a person that is entitled to possession of the vehicle has 15 days from the date the notice was mailed to claim the vehicle and that if the vehicle is not claimed, it will be disposed of as provided in this section.

(4) If the authority that requests towing of an abandoned vehicle does not provide to the person that tows the vehicle the written statement within 48 hours after the vehicle is towed, the person may dispose of the vehicle as provided in ORS 819.210 (Sale or disposal of vehicle not reclaimed).

(5) Disposal of a vehicle to a dismantler as provided in this section extinguishes all prior ownership and possessory rights.

(6) The department shall adopt rules specifying the form in which notification to the department required by subsection (1) of this section shall be submitted and what information shall be conveyed to the department. The person that tows the vehicle may submit to the dismantler a copy of any notification submitted to the department under this section instead of submitting to the dismantler ownership or other title documents for the vehicle. [1993 c.326 §2; 1995 c.758 §16; 2005 c.654 §29; 2009 c.371 §16]

### ORS 819.480 Vehicle Appraiser Certificate

(1) A person who is issued a vehicle appraiser certificate by the Department of Transportation under this section is qualified to appraise any vehicle, including vehicles for sale under ORS 819.210 (Sale or disposal of vehicle not reclaimed) and 819.215 (Disposal of vehicle appraised at \$500 or less).

(2) The department shall establish rules to provide for issuance of vehicle appraiser certificates under this section. Rules adopted by the department under this section shall provide for all of the following:

- (a) A method of ascertaining the qualifications and competence of individuals to conduct vehicle appraisals in accordance with the rules of the department and generally accepted methods of appraisal.
- (b) A system for issuance of vehicle appraiser certificates to persons who qualify under the rules of the department.
- (c) Procedures and grounds for revocation or suspension of vehicle appraiser certificates issued under this section if the department determines the person holding the certificate has violated the rules adopted by the department.
- (d) A procedure for renewal of vehicle appraiser certificates issued under this section.

(3) The department may establish rules to adopt educational requirements for issuance or renewal of vehicle appraiser certificates.

(4) Vehicle appraiser certificates issued under this section are subject to the following:

- (a) A certificate shall expire three years from the date of issuance unless renewed according to the rules of the department.
- (b) The department shall not issue a vehicle appraiser certificate to a person until the person has paid the fee for issuance of a vehicle appraiser certificate under ORS 822.700 (Certification fees).
- (c) The department shall not renew a vehicle appraiser certificate issued under this section until the holder has paid the fee for renewal of a vehicle appraiser certificate under ORS 822.700 (Certification fees). [Formerly 819.230; 2009 c.371 §17]

### ORS 819.482 Acting as Vehicle Appraiser without Certificate

(1) A person commits the offense of acting as a vehicle appraiser without a certificate if the person does not hold a vehicle appraiser certificate issued under ORS 819.480 (Vehicle appraiser certificate) and the person, for consideration, issues an opinion as to the value of a vehicle.

(2) This section does not apply to:

- (a) A person who holds a vehicle dealer certificate issued or renewed under ORS 822.020 (Issuance of certificate) or 822.040 (Privileges granted by certificate) and who appraises vehicles in the operation of the vehicle dealer's business;
- (b) A person from another jurisdiction who holds a vehicle appraiser certificate requiring qualifications substantially similar to qualifications required for the certification of a vehicle appraiser in this state;
- (c) An insurance adjuster authorized to do business under ORS 744.515 (Exemptions from adjuster licensing requirement) or 744.521 (Powers of director to issue, renew, amend, suspend and reinstate licenses); or
- (d) A person licensed or certified to appraise real estate under ORS 674.310 (Duties and powers of board) and who appraises the value of manufactured structures.

(3) The offense described in this section, acting as a vehicle appraiser without a certificate, is a Class A violation. [2007 c.630 §2; 2019 c.151 §42]

### ORS 822.205 Certificate Qualifications

The Department of Transportation shall issue a towing business certificate to any person if the person meets all of the following requirements to the satisfaction of the department:

(1) The person must complete an application in a form and in the manner established by the department by rule.

(2) The person must maintain insurance in amounts and providing coverage of the type required for motor carriers under ORS chapter 825 and deliver a certificate of insurance to the department.

(3) The certificate of insurance required under subsection (2) of this section must:

(a) Be issued by an insurance company licensed to do business in this state;

(b) Show that the person is insured by a policy that provides the minimum amount and limits of coverage required under ORS chapter 825;

(c) Contain the policy number; and

(d) Require the insurance company to give the department written notice of cancellation of the policy and to continue to be liable under the policy until the department receives the written notice or until the cancellation date specified in the written notice, whichever is later.

(4) The person must maintain insurance providing \$50,000 coverage for cargo transported by the person and deliver a certificate of insurance to the department. An applicant is not required to comply with this subsection if the applicant tows or recovers only vehicles that are owned by the applicant.

(5) The person must maintain vehicles used by the person for the purposes of towing or recovering services so that they meet minimum safety standards established by the department by rule. The department may accept the certification of the person as evidence of compliance with this subsection or may require other evidence, as the department determines appropriate.

(6) The certificate of insurance required under subsection (4) of this section must:

(a) Be issued by an insurance company licensed to do business in this state;

(b) Show that the person is insured by a policy that provides the minimum amount and limits of coverage required under ORS chapter 825;

(c) Contain the policy number; and

(d) Require the insurance company to give the department written notice of cancellation of the policy and to continue to be liable under the policy until the department receives the written notice or until the cancellation date specified in the written notice, whichever is later.

(7) The person must pay the fee required under ORS 822.700 (Certification fees) for issuance of a towing business certificate. [1983 c.338 §813; 1985 c.16 §412; 1985 c.400 §7; 1993 c.751 §86; 2007 c.538 §16]

### ORS 822.215 Grounds for Denial, Suspension, Revocation or Refusal of Certificate Disciplinary Action

(1) The Department of Transportation may deny or refuse to issue any towing business certificate under ORS 822.205 (Certificate) or may suspend, revoke or refuse to renew any towing business certificate issued upon proof that the applicant for or holder of the certificate has done any of the following:

(a) Used fraud or deception in securing the certificate.

(b) Received in any manner or by any device any rebate or other additional fee for towing or recovery from a person who performs repairs on a vehicle who does not also own the vehicle. This paragraph does not prohibit the payment

of the towing fee by a person who performs repairs on a vehicle if the fee is included in the charges by that person for repairs on the vehicle.

(c) Used vehicles for the purposes of towing or recovering services that did not meet the minimum safety standards established by the department.

(d) Failed to display special towing business registration plates, stickers or indicia or identification devices for proportionally registered tow vehicles authorized under ORS 805.200 (Plates and other devices with special designs) on each vehicle used to tow or recover vehicles.

(e) Failed to maintain the amounts and types of insurance required to qualify for issuance of a towing business certificate under ORS 822.205 (Certificate).

(f) Failed to obtain any permits or authority required under any provision of ORS chapter 825 or rules adopted thereunder.

(g) Violated any provision of ORS 98.853 (Conditions allowing towing), 98.854 (Prohibitions placed on tower), 98.856 (Tower responsibility of disclosure to owner or operator of vehicle) or 98.858 (Right of owner or person in lawful possession of vehicle to redeem or inspect vehicle, contact tower and obtain property of emergency nature) or a rule adopted under ORS 822.265 (Rulemaking authority).

(2) After receiving an order from the State Board of Towing under ORS 822.280 (Denial, suspension, revocation or refusal of towing business certificate), the department shall impose the disciplinary action requested by the board. [1983 c.338 §814; 1991 c.284 §30; 1993 c.741 §145; 2007 c.538 §17; 2017 c.480 §19; 2021 c.578 §13]

\*\*\*

## Oregon Administrative Rules – Chapter 750

### OAR 750-040-0001 - Violations of Oregon Laws.

The State Board of Towing may impose a civil penalty or take other disciplinary action under ORS 822.265: for violation of ORS 98.853, 98.854, 98.856, 98.858, 181A.350, 822.200, 822.215, 822.225, 822.230, 822.235 or 822.605 and other law assigned to the Board for administration. .

### OAR 750-040-0020 - Separate Violations.

Each violation of a law assigned to the Board for administration, an administrative rule adopted by the Board, or an Order issued by the Board is a separate violation subject to separate Board disciplinary actions, including civil penalties assessed by the Board.

### OAR 750-060-0001 - Consumer Protection.

(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.

### OAR 750-060-0020 - Complaints.

- (1) Any person, business, agency, or other entity may file a complaint with the State Board of Towing regarding the conduct of a tow business certificate holder, its employer or representative, an individual tow operator, or any person or business representing themselves as a tow business, a tow operator, or engaging in the practice of towing in the State of Oregon.
- (2) Complaints made to the Board must include a detailed explanation of:
  - (a) The approximate date, time, and location of the adverse event or subject of the complaint.
  - (b) A description of the conduct or events that occurred.
  - (c) A description of damage or loss suffered by Complainant.
  - (d) Copies, if available, of any pictures, receipts, correspondence, or other documentation supporting the allegations of the Complaint.
- (3) Complainants will not be considered a party to a Board compliance case or disciplinary action.
- (4) Complaints will be initially reviewed by the Board Administrator to:
  - (a) Assess Board jurisdiction and authority to address the issue(s) raised; and
  - (b) To assure there is sufficient evidence to justify proceeding to investigate and to determine if the allegations against the Respondent are such that, if proven, could result in disciplinary action being imposed by the Board.
- (5) Written acknowledgement of a complaint and the result of the initial review will be sent to the Complainant within thirty (30) calendar days from the receipt of the complaint.
- (6) Every complaint and initial response will be presented during Executive Session of the next regularly scheduled meeting of the Board.
- (7) Any Board member or Board staff who has a conflict of interest to a complaint will declare the conflict and will not participate in the investigation, disposition, or other activity concerning the complaint.



Oregon State Board of Towing  
ICO DMV HQ - Program  
Services  
1905 Lana Ave., NE  
Salem, OR 97304

01/11/2024 – Work Session Agenda 1 (b)  
*Complaint Examples*

Please Note:

The following “Complaints” were selected at random for discussion purposes and examples for the January 11, 2024, work session, and are not to be construed as violations of Oregon’s laws and rules or complaints under the Board’s scope and jurisdiction.

What’s in the Packet:

*At this time, the Board does not have a database to track complaints. An Excel Spreadsheet will be used to determine what complaint information should be incorporated into the database, and to identify relevant information and data to track.*

The first three pages of the Complaint Examples are:

1. Complainant and Consumer Information
2. Respondent/Towing Company Information
3. Summary of Complaint Issues

The remainder of the packet are 21 examples of “Narrative Complaints”, randomly selected, demonstrating the type of complaints previously submitted for discussion purposes.

The Board may use the information provided under the Complaint Examples to develop the criteria for Board complaints and create the Board’s Complaint process.



Case No.	Complainant	Address	City	State	Zip	Phone	Email	Consumer   Contact Info	Submitted	Ref No.	Investigated? Y/N
2023-12-001	Jack Doe							Same	DOJ	FF6183-23	N
2023-12-002	James Doe							Same	DOJ	FF6185-23	N
2023-12-003	Jane Doe							Same	DOJ	FF6225-23	N
2023-12-004	Jackie Doe							Same	DOJ	FF6260-23	N
2023-12-005	Jenny Doe							Same	DOJ	FF6266-23	N
2023-12-006	Janice Doe							Same	DOJ	FF6599-23	N
2023-12-007	Josie Doe							Same	DOJ	FF6624-23	N
2023-12-008	John Doe							Same	DOJ	FF6654-23	N
2023-12-009	Jason Doe							Same	DOJ	FF6914-23	N
2023-12-010	Jasper Doe							Same	DOJ	FF7021-23	N
2023-12-011	Julia Doe							Same	DOJ	FF7048-23	N
2023-12-012	Jacob Doe							Same	DOJ	FF7111-23	N
2023-12-013	Jeffery Doe							Same	DOJ	FF7162-23	N
2023-12-014	Joe Doe							Same	DOJ	Mailed	N
2023-12-015	Josie Doe							Jane Smith	DOJ	FF7210-23	N
2023-12-016	Jackson Doe							Same	DOJ	FF7276-23	N
2023-12-017	Jenna Doe							Same	DOJ	FF7360-23	N
2023-12-018	Jeanette Doe							Same	DOJ	FF7382-23	N
2023-12-019	Jeanie Doe							Same	DOJ	FF7892-23	N
2023-12-020	Justine Doe							Same	DOJ	FF7932-23	N
2023-12-020	Jeremiah Doe							Same	Email		N

Case No.	Respondent	R-Address	R-City	R-State	R-Zip Code	R-Phone	R-Email	TW Plate No.	Driver	Previous History	Status
2023-12-001	1A Towing*	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given	N	
2023-12-002	2B Towing	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given	N	
2023-12-003	3C Towing*	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given	N	
2023-12-004	4D Towing	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given	N	
2023-12-005	5E Towing	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given	N	
2023-12-006	1A Towing*	Street	City	State	Zip	Phone	Email	Not Given	Not Given	2023-12-001	Pending
2023-12-007	7G Towing	Not Given	Not Given	Not Given	Not Given	Not Given	Not Given	Not Given	Not Given		
2023-12-008	8H Towing*	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given		
2023-12-009	9I Towing*	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given		
2023-12-010	8H Towing*	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given	2023-12-008	Pending
2023-12-011	11K Towing	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given		
2023-12-012	12L Towing	Street	City	State	Zip	Phone	Email	Not Given	Not Given		
2023-12-013	13M Towing	Street	City	State	Zip	Not Given	Email	Not Given	Not Given		
2023-12-014	14N Towing*	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given		
2023-12-015	7G Towing	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given	2023-12-007	
2023-12-016	16P Towing	Street	City	State	Zip	Not Given	Email	Not Given	Not Given		
2023-12-017	17Q Towing	Street	City	State	Zip	Not Given	Not Given	Not Given	Name		
2023-12-018	18R Towing	Street	City	State	Zip	Not Given	Not Given	Not Given	Name		
2023-12-019	19S Towing	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given		
2023-12-020	20T Towing	Street	City	State	Zip	Phone	Email	Not Given	Not Given		
2023-12-021	8H Towing*	Street	City	State	Zip	Phone	Not Given	Not Given	Not Given	2023-12-008, 202	Pending

Case Information is from a random sampling of complaints provided by DOJ during a three month time period. DOJ estimates it receives 20-30 calls a month reporting issues with tow companies or towing services.

\*Companies known to the Board to have repetitive complaint or disciplinary history with other state agencies.

42.86% Of randomed complaints involve tow companies with known compliance and violation issues.

Case No.	Rec'd Date	Incident Date	Rev'd Date	Complaint Text	Type of Tow	Documentation	Financial Loss/Damage/Other's Contacted?	Police Report No.	Request for More Information
2023-12-001	12/4/2023	9/3/2023	12/11/2023	See Attached Complaint	Recovery - Stolen		550.00 BBB DOJ	Not provided. LEA unknown	(date)
2023-12-002	12/4/2023	8/25/2023	12/11/2023	See Attached Complaint	Tow - Disabled		575.00 Tow Company		(date)
2023-12-003	12/4/2023	Unknown	12/11/2023	See Attached Complaint	Police Impound - no other		350.00 Tow Company	Not provided.	(date)
2023-12-004	12/4/2023	8/5/2023	12/11/2023	See Attached Complaint	information		125.00 Tow Company	LEA unknown	(date)
2023-12-005	12/4/2023	9/3/2023	12/11/2023	See Attached Complaint	Tow - Involuntary		300.00 Tow Company		
2023-12-006	12/4/2023	2/11/2021	12/11/2023	See Attached Complaint	Tow - Involuntary		1,156.00 Tow Company		
2023-12-007	12/4/2023	8/19/2023	12/11/2023	See Attached Complaint	Tow - Involuntary		1,450.00 Tow Company		
2023-12-008	12/4/2023	Not Given	12/11/2023	See Attached Complaint	Tow - Disabled/Owner Initiated		10,133.85 Insurance		
2023-12-009	12/4/2023	Not Given	12/11/2023	See Attached Complaint	Tow - Impound				
2023-12-010	12/4/2023	8/30/2023	12/11/2023	See Attached	"Registered Owner" sold car 10 years ago.		BBB 1,504.09 Towing Company		
2023-12-011	12/4/2023	5/18/2023	12/11/2023	See Attached	Tow - Non Preference(?)		627.00 Towing Company	Clackamas Co.	
2023-12-012	12/4/2023	9/29/2023	12/11/2023	See Attached	Tow - Non Preference(?)		400.00		
2023-12-013	12/4/2023	9/18/2023	12/11/2023	See Attached	Tow - Involuntary (?)		5,000.00		
2023-12-014	12/4/2023	10/19/2023	12/11/2023	See Attached	Tow - Police Impound (?)		601.00	PDX City Enforcement	
2023-12-015	12/4/2023	10/9/2023	12/11/2023	See Attached	Tow - Involuntary				
2023-12-016	12/4/2023	8/15/2023	12/11/2023	See Attached	Tow - Involuntary		53,359.13 Security Interest		
2023-12-017	12/4/2023	Not Entered	12/11/2023	See Attached	Tow - Nonpreference Tow			Josphine Co.	
2023-12-018	12/4/2023	Not Entered	12/11/2023	See Attached	Tow - Nonpreference Tow				
2023-12-019	12/4/2023	10/4/2023	12/11/2023	See Attached	Recovery (?)		8,373.71		
2023-12-020	12/4/2023		12/11/2023	See Attached	Registered Owner Previously Sold vehicle				
2023-12-021	12/6/2023	10/1/2021	12/11/2023	See Attached - Intake Form	Tow - 3rd Party	Vehicle Title, Bill of Sale,	4500-6500	Tow Company, Dealerships, DOJ	

1. My vehicle was stolen in the morning at my brother's house.
2. My vehicle was parked in front of his apt and it was also in his apt # lane too.
3. Woke up to seeing that my vehicle was gone.
4. Got a called later at night and deputies mentioned that 1A Towing has my vehicle.
5. Called the towing and they mentioned that I'll need to make an appt to get my vehicle.
6. Didn't tell me anything about what I needed to bring.
7. Got to the place and wasn't able to get my vehicle out because they needed either my title or registration which they took my registration already.
8. They also increase the price of my towing.
9. I asked if they could provide proof of pictures and location of where they found my vehicle.
10. They were not able to provide pictures but claimed that it was parked in the non-permit location.
11. The address came up to be around the corner of my brother's apt.
12. Why would someone just steal a car to just park around the corner?
13. It's in possible that a theft would just drive around the corner and leave it there.
14. The deputies also told me that everything is still in place but when I got there, my battery was gone.
15. The towing company also left my window opened and it's raining.
16. Everything about his solution is so odd.
17. All the things the towing company is telling me doesn't line up at all. This company are theft!

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

9/3/2023  
Date

Over 65?

1. On 8/23 my truck broke down.
2. It was picked up by **2B Towing Company**.
3. He told me he had a mechanic that could get right to it.
4. A couple days later I was told it was done.
5. When I got there I found out it was not a mechanic or a shop like he spoke of.
6. It was him and his friend in his driveway.
7. This is not the type of shop I would ever use.
8. At best it was a lie of omission.
9. They'd dented my fender, stained my interior with oil and bent my front bumper support.
10. He told me that he could fix it, I reluctantly let him try.
11. He made it worse all the while telling me that I should be happy with what he did and that it wasn't worth fixing.
12. Finally he agreed to cover repairs at a shop.
13. When I got it back from the shop he covered repairs at it still wasn't fixed right and I was told that was as Good as it would get.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

9/1/2023  
Date

Over 65?

1. My truck was parked in the parking lot of my apartment complex.
2. I have been parking there since I moved in.
3. Then one night a security guard called to have it towed because they didn't see a parking permit in the window.
4. The tow truck driver took a pic of the truck but didn't get a signed release.
5. I notified the manager and he contacted them and sent over the pic they took off my truck windshield.
6. There was a parking permit taped inside the window.
7. I asked for my truck to be returned and it's been over a week and nothing has been done.
8. I can't afford to get my truck from the tow company.
9. After they towed it .07 miles, and they had it for not even 10 hours, they said I had to pay \$350 to get it.
10. That was over a week ago.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

9/5/2023  
Date

Over 65?

1. My vehicle was impounded by the police at 1030pm on 08/05/2023
2. when I went to get the car (it had a 12 hrs hold on it) it was 08/06/2023
3. the tow company not only charged me with a lein fee of 125.00 (they didn't have my car for even 24hrs yet)
4. they also charge me for 2 days of storage when it wasn't even there for 24 hours, and had a 12 hrs hold on it.
5. They also got my Vin number, yr of car and also my license plate number wrong on the receipt.
6. How can I be charged a 2 day fee for not even 24hrs there and how is it they charged me a line fee when they didn't even have it 24 hrs.
7. I was told these are regular charges from this company however when I spoke to other towing agencies they said they can't charge a lein fee for under 24hrs.
8. I was also in contact with this company the whole time.  
Please help me

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

9/6/2023  
Date

Over 65?

1. During my visit of my brother's apartment complex in Beaverton I mistakenly parked in Reserve parking spot.
2. Towing car came and begin to hookup my car, but I came immediately and ask him that I'm here and I can repark my car right now.
3. He told me very aggressively that he needs to feed his kids and I have to pay \$300 fee .
4. The hookup was not complete and I said I don't have money with me.
5. He said, in that case he will finish the hookup process and tow my car and I will pay \$500 fir it.
6. In panic I asked my brother to borrow money and paid him \$300 to release my car.
7. I think it was inappropriate and against the law.  
I was scared and in panic and couldn't confront him, but I know now it was illegal.  
Please help me to get my money back. Thank you.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

9/6/2023  
Date

Over 65?



1. I sold a vehicle to **someone (redacted)** on 05/25/2020.
2. I confirmed this sale with the DMV by providing them with a Notice of Vehicle Sale as required for all sellers.
3. Unfortunately, I received an invoice for a towing fee (\$1,156.00) from 1A Towing that states I need to pay this bill within 30 days or they will process it with a collection agency.
4. This is a direct result of the current state law that places a seller at risk for maintaining ownership of vehicles when the new owner fails to register the vehicle within 30 days of them taking ownership.
5. I've since spoken with the DMV and they told me that based on what they had, they no longer attributed ownership of this vehicle to me.
6. So, my complaint is that there is a loophole in the law that places risk on tax paying, law abiding citizens of Oregon that sell a vehicle, notify the DMV of the sale and allows those off the hook for not registering a purchased vehicle.
7. Another complaint is that **1A Towing** doesn't seem to care that I have provided them with the documentation I received from the DMV of the proof of sale.
8. I understand they have a right to seek compensation but not when it punishes someone who has done all that is required to document proof of sale with the DMV.
9. Any help with this issue would be greatly appreciated. Thank you

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

9/19/2023  
Date

Over 65?

1. My car was illegally towed upon an illegitimate request by my old landlord.
2. Car was not I'll parked nor did it make any other infraction.
3. The vehicle was never green tagged .
4. I was present at the time of the tow and was not given any allowance to have my vehicle moved.
5. This was in conjunction with a retaliatory eviction and it was completely unlawfully done and the twos company was aware and still failed to uphold my rights.
6. They more than knew better.
7. One of the drivers called to the dispatch to get instructed on how to proceed.
8. Thanks with this matter.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

9/20/2023  
Date

Over 65?

1. At 12:15 am on August 30, 2023 (a night of a super blue moon...) An out of control SUV, left the street at a Police estimated speed of 70 mph (in a 25mph zone), and crashed onto our property, including the offender's. This wreck was a series of rapid sequential impacts that likely saved the life of the driver, who left the scene before Police arrived.
2. Police towed the offending vehicle at 1:30 am.
3. Our three totaled and immovable vehicles were left behind. First struck was our child's vehicle. It was left stuck on top of the neighbor's retaining wall straddling the sidewalk, 75 ft from where it had been parked, with police tape all over it. After plowing through our roses, our first vehicle was next. It was spun 90 degrees and forced up into the truck. Before coming to rest it had slammed sideways against the front of my truck, and was left with its back half across the driveway. The first vehicle's front half went through a 2 foot concrete retaining wall and tore up the neighbor's yard. The front end of my pickup was hit by its rear quarter panel and thrown backward into a stack of concrete blocks by the impact, denting the back bumper, too. After 5 hours of work on its hood and front bumper, I was able to make the truck somewhat drivable. It is still a total loss, but thankfully, it didn't require towing
4. On 9/1/2023, the other two car were finally extracted from their locations in my neighbors yard and towed to a storage yard in Clackamas. For the previous 2 days, while drivers were stopping to take videos and selfies with the wreck, and pedestrians were having to walk out in the street to get around it, I was calling city departments and tow companies trying to find a way to get the wreck taken care of. The parking patrol and tow oversight departments failed to return my calls. In a while, we figured out that no one was going to come. We soaked up fluids and swept up the debris between calls.
5. Finally, we talked to **8H Towing** and he said he could deal with **Complainant's insurance company** directly and dispose of the totaled vehicles "at no cost to you". We provided the insurance information the police had given us and the dispatcher sent the trucks, again saying there would be no charge to us for the service.
6. The two tow trucks came, loaded up and left, nothing was signed by us and no documents were left by the drivers.
7. We were very relieved to finally have a little resolution, until 3 days later when a "Claim of Possessory Lien Notice of Foreclosure Sale" and Impound Notice arrived in the morning mail on 9/7/2023.
8. Our child received one in her mail, too.
9. Itemized tow fees on this totaled \$1808.20 and the lien for the truck Forester listed a total of tow and storage fees due at auction on 10/2/2023 of \$5,172.95. Our similar invoice for the first vehicle listed a total of \$1,594.94 due for the tow and the total due at auction of \$4,960.90. Needless to say, we are all shocked and dismayed.
10. I called the claim adjuster at the insurance company and asked what had happened. They responded with a letter stating that they were never contacted by **8H Towing Company** and had no such agreement.

*Continued on 2nd Page*

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

9/21/2023  
Date

Over 65?

11. The charges for service by the tow company likely exceed the pre-crash value of these cars. \$250 per day for storage of the wrecks is absurdly ludicrous. There are many more ridiculous fees and charges listed that would be laughable, if not attached to a lien.

12. Please help us fend off this attack, that tarted with a blatant lie at the initial contact, and continuing with the further exploitation by these businesses, of victims of a hit and run by ruthless, predatory and opportunistic business practices. The vehicles involved in this complaint are:

1. I received certified mail dated 09/19/23 written in a format that had the appearance of a civil suit.
2. Having retired as a criminal justice professional I could tell it was not official but fear other senior citizens would not.
3. **9I Towing** is demanding I pay 3880 minus whatever the car is auction off for on October 9,2023.
4. I provided proof that I traded this car in at a dealership in 2010.in Boise ,Idaho
5. The email with attached documents sent by the dealership includes the details of the same including the trade in value of the 2000 Vehicle, listing the same VIN number and value of the car I purchased.
6. The Owner of **9I Towing** is demanding the signed documents which cannot be provided as the dealership only retains them for 10 years.
7. I've also explained to **9I Towing**, verified by the Oregon DMV that the DMV report he accessed that states my name also stated, title cancelled, look up".
8. This was listed because after purchasing the vehicle in Albany I moved to Boise where I subsequently traded it in.
9. **9I Towing** refuses to relieve me of this debt thereby acting unethical.
10. At one point he stated I could keep the car for 1600 dollars, the price of towing and storage to that date, advising me that DMV authorized the last registered owner to become the owner.
11. I responded that I considered it to be a theft since we both have knowledge it was last titled in Idaho in 2017. Oregon DMV confirmed they have no such authority and the owner is the person who holds title.
12. I submit in addition to being unethical Mr, Price has conspired to commit theft.
13. My contact with Dallas Police who I understand impounded the vehicle has not been fruitful.
14. The Officer's response was that **9I Towing** demand for me to provide signed documentation is reasonable.
15. As stated, it is impossible for me to do. The Officer was not interested in reviewing the documents I've already sent proving the vehicle was traded in.
16. The Sheriff's Department advised the incident occurred in the city so they could not help and advised I contact the Attorney General.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

10/2/2023  
Date

Over 65?

1. I was hit by an uninsured driver on 08/30/23.
2. The police called **8H Towing** to tow my vehicle from the crash scene. My car was totaled.
3. I received a bill from **8H Towing** on 09/1/2023 showing there was a balance of \$1,504.09.
4. I later received a Claim of Possessory Lien dated 09/05/2023 from them saying my car would be auctioned on 09/29/23.
5. My personal injury attorney called them on 10/5/2023 and they informed her that they possess the vehicle and never auctioned it, and are now billing me \$1390.59 giving me a discount due to my situation.
6. I do not understand why they get to keep my car, they did not auction it, and continue to bill me the original bill. They refused to provide me with a current bill or accounting.
7. They say the bill has been turned over to collection.
8. My personal injury attorney is not representing me on the property damage matter from my 08/30/23 claim. She also is not a consumer law attorney so she cannot assist me with this matter.
9. I feel like I am being taken advantage of. Can someone please help me.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

10/5/2023  
Date

Over 65?

*Complaint filed attached a letter to the tow company as the written narrative statement.*

1. On May 15, 2023, my vehicle was towed by **11K Towing** to their storage facility.
2. The driver of my vehicle had parked off the road and to one side of the driveway, off the public roadway, on private property, and after speaking to the property owner at approximately 12pm that afternoon.
3. The tow occurred at approximately 5pm that same day, the same time as the driver returned for the vehicle.
4. At this point, the vehicle is hooked to the tow truck and the tow driver has removed items (tools, air soft pistol, clothing, etc.) from the vehicle and is loading them into the tow truck .
5. The returning driver is visibly upset at this situation so the tow driver returns the items to the vehicle and makes a phone call to the (tow company) office.
6. As a result of the phone call the tow driver offers to unhook the vehicle for \$200 cash.
7. The driver does not have \$200 and is irate. Someone nearby wisely called the Clackamas County Sheriff at this point.
8. They arrived and according to CCSD there is a record of the dispatch but, no notes or report of an incident.
9. Earlier that afternoon, I had driven by and seen a (car similar to Complainant's) parked at approximately the same address and noted it looked like mine.
10. Shortly after 5pm, I received a call from my daughter, she said her boyfriend had driven the vehicle, ran it out of gas and it had been towed.
11. She had called (the towing company) and they required a drivers license, vehicle title, and \$600 cash to release my vehicle. The \$600 included a 'gate fee' for releasing a vehicle after normal business hours.
12. Luckily, I had the title with me, normally it would be safely at home 4 hours away.
13. Arrangements were made to meet someone at the tow yard to release the vehicle.
14. My daughter drove me to the bank for an ATM withdrawal and to purchase one gallon of gas before arriving at tow yard.
15. After some time, a female from the office came, copied documents, tendered cash and obtained my signature as vehicle owner.
16. I received a copy of the invoice listing the amount of each charge including \$100/day storage (non-prorated), miles towed (3 \$12), \$46 gate fee, \$50 dispatch fee, \$275 hook-up fee, and \$120 flat bed fee. Total invoice charges \$627.
17. Also noted were. Date of tow, where towed, Towed from address and tow driver's signature. I thought it was odd there was no mention of who initiated the request for a tow so, I asked. She didn't know.
18. She got the keys to the gate of the storage area and we went to retrieve my vehicle.
19. As soon as we came through the gate, I noticed the front wheels were not pointing in the same direction. I took photos with my phone I told the office person 'that doesn't look right', and it wasn't. It wouldn't drive and I couldn't get it off of the lot. The office person isn't helpful, she doesn't know anything about this except she is sure the driver didn't do it when it was towed( ).
20. Facing additional storage charges if the vehicle doesn't leave the storage lot, I ask if I can leave it on the lot pending an estimate for repair as **Auto Mechnic** is associated with the towing company. The office person checks with a mechanic at Auto Repair Shop and I'm able to leave it there for an estimate. HHe will call me Friday afternoon with an estimate

Continued on Page 2

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

10/6/2023  
Date

Over 65?

1. After I left the tow company, I had a lengthy discussion with my daughter and her boyfriend, who gave a detailed account of the activity surrounding the vehicle and was adamant there was nothing amiss about the vehicle except it was out of gas.  
Boyfriend also said that there are two houses on the property where he parked it. One belongs to the owner, the other is rented by a family member with (supposed) ties to the towing company. The family member stated that the property owner has dementia and didn't recall giving permission to park in the driveway, although, the owner said that boyfriend 'looked familiar'.
2. The renters claimed that the vehicle was blocking the driveway when they came home. Boyfriend denies this and it wasn't apparent to me when I drove by earlier. Further, there were no cars parked in the renters driveway at 12pm but, at 5pm there were. Obviously, their route was not impeded.
3. Furthermore, he stated that property owners have to post a notice on the vehicle for a minimum of 72 hours before they can legally have it towed. He was referring to **Oregon Revised Statute 98.830: Towing abandoned vehicle from private property; civil immunity; lien.**
4. Given the fact that towing is the nature of the tow company's business, I am sure you are aware of the statute in this state governing towing companies and the expectation that they will be followed by law-abiding, legitimate business entities.  
As a courtesy, I have attached a copy of ORS 98.830 for your reference and for your comparison to
5. the towing procedure implemented by the tow company's employees. In this instance and likely others, there is a glaring disparity between the two.
6. I had not heard from the auto mechanic by 4pm on Friday so, I initiated the call. The mechanic had not had time to look at my vehicle but, would have time on Monday. I called again on Monday about noon and he told me I needed to replace a tie rod and that if I would buy the part, he wouldn't charge for labor. I agreed; although, I thought it was odd for them to do that if they didn't do the damage. He will call back with pricing for the tie rod.
7. He called back a short time later and said I wouldn't be charged for the tie rod or labor (I'm pleasantly surprised and glad I won't have to pay or involve my insurance company to recoup my money. I firmly believe now that the damage occurred during the tow. Why else would a tow company make free repairs? The tie rod would arrive on Wednesday and he would install it. I called Wednesday afternoon and my vehicle had been sent to an alignment shop and would be back late in the day or the following day. I was working all day on Thursday so, on Friday 5/26/23, before the Memorial Day weekend, I called and was told my vehicle was ready.
8. I had my daughter drive me to the towing company's lot on her lunch break and drop me off. I speak to the same office person as before and she asks if I have talked to the mechanic today. 'No, not today. I just came to pick up my vehicle. I was told, by someone in the shop, it was ready'.
9. The office person was insistent I speak with mechanic before I get my vehicle. I take a seat while she calls the mechanic. Apparently, he is out of the building right now so, I wait another 45 minutes only to find out mechanic has left for the weekend. I take the opportunity (again) to ask if they had the name of the person that initiated the request for the tow? No.

Continued on Page 3



1. I also asked why they didn't get a statement or a signature from the property owner for the tow. They had no idea what I was talking about.
2. I ask for copies of whatever documentation they have. The office person has what appears to be the original invoice with adding machine paper affixed to it in her hand but, will not let me see it or make a copy for me before she returns it to the file cabinet.
3. Then she grabs another paper and sets it down in front of me, it a release of liability waiver to sign. This is stating that they did not cause any damage by towing my vehicle and that I hold them harmless for the repairs made now and in the future. I wrote on the document that I did not agree with that statement and signed my name.
4. They wouldn't release my car without my agreement to the waiver\*. I left and walked to the S Police Department where I was told the towing company is outside the city limits, beyond their jurisdiction. I then called County Sheriff and was told that it was a civil matter. I cited the ORS but, they wouldn't provide assistance. However, they did provide confirmation that a deputy had been dispatched to the address when it was towed and there was no action taken and no note written. I also asked if it appeared the vehicle the had been wrecked of in an accident, would it be standard procedure to note damages ? Yes.
5. On Tuesday 05/31/23, at approximately 4:30 pm, I recorded (with date and time stamp) a video statement on my cell phone to the effect that 'I was going to retrieve my vehicle from the towing compant and that I would be signing the aforementioned waiver under duress'. Then, I went and did just that. The towing company was withholding my vehicle from me for no other reason than to force me to sign a document absolving them of any wrong doing in the tow of my vehicle when in fact, there was much done wrong. Had it been done correctly and within your authority, I would not be writing this letter.
6. By sending you this letter I have two objectives:
  1. To give the towing company the opportunity to refund the \$627.00 paid on invoice #-###. This tow should not have occurred as it did not meet the requirement(s) outlined in ORS 98.830. Your prompt remittance by cashier's check is anticipated by 10/20/23. I hope your company takes this opportunity to avoid civil process, and implement procedures to ensure compliance going forward from this point, as well.
  2. Based on my interactions with your staff and the slip-shod documentation I have seen, there is a genuine lack of professionalism and compliance with statutory mandates. It is obvious the towing company is operating with impunity. In light of this, I have filed a complaint accompanied by a copy of this letter to the Oregon Department of Justice, Civil Enforcement Division for consideration of the rule violations alluded to herein involving the towing company

There is no sign stating that vehicles will be towed and the tower did not have signed authorization to tow my vehicle

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

10/9/2023  
Date

Over 65?

- 1. My vehicle is towed
- 2. I contacted in the following day ask him about my personal property they told me I had to pay the tow bill in full before I could get any of my property
- 3. then they told me I wasn't registered owner so I couldn't get in my property but I am the registered owner I have proof of that and they still won't give me my property personal property I can't get my keys from other vehicle so I can go to work
- 4. I can't get anything she told me I get my glasses and my medication that was it when I went there and then she reserves refused me service and said she was calling the police because I tried to tell her the revised statue for Oregon says you can get your personal property out of

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed \_\_\_\_\_  
Signature

10/11/2023 \_\_\_\_\_  
Date

Over 65?

1. City of Portland had both my vehicles towed Sept. 26, 2023.
2. I told them not to tow 3-5 times
3. City of Portland had both my vehicles.
4. Two individuals call in to make trouble for me. Been a hate crime on me and property. I am the target because of Asian hate.
5. There are four to five other vehicles that had tags expired, not one got tow or impound. It wrong to target just me, vehicle were not abandoned it in front of my home.
6. I send photo to hearing board, I can view them. The neighbor target me over twenty some years. Yes I have property damage and vehcile that they threw acid on hood.
7. Towing Company had two thugs to do me bodily harm not to tow my car. The City Enforcement gave them the okay to take all. Unfair - it is wrong.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

10/10/2023  
Date

Over 65?

1. I hope this email finds you well. I am writing to bring to your attention a distressing situation involving a predatory tow truck company that has engaged in illegal activities, causing significant inconvenience and financial burden to our company and customer.
2. On August 13, 2023, a customer's car was unlawfully towed from her apartment complex. The tow truck company claimed it was due to a lack of parking permits. However, the apartment complex confirmed that the customer had not parked her vehicle in a prohibited area. Unfortunately, our customer failed to notify us about the incident, and it was only discovered on September 30, 2023, that the vehicle had been towed.
3. Upon contacting **7GTowing** on October 2, 2023, we requested information regarding the sale of the vehicle in question. Shockingly, they refused to provide any details. Subsequent attempts to obtain information on October 7, 2023, proved unsuccessful as well. We also reached out to the lienholder, who confirmed they had not received any notification from **7GTowing** regarding the car being towed.
4. Desperately seeking resolution, our customer personally contacted the tow yard on October 8, 2023, and was told that the car had indeed been sold. However, the lien documents provided to the registered owner state that the vehicle cannot be sold until October 12, 2023, exposing the tow company's lies about the sale. We assert our legal ownership of the vehicle as (we) accepted it in a trade-in transaction, and we possess the title and all necessary documentation to support our claim.
5. In a shocking turn of events, on October 9, 2023, we went to the tow yard to retrieve the impounded vehicle, only to be charged an exorbitant \$5,300 fee. The tow company not only deceived us about the sale but also charged a daily storage fee of \$75.00, despite being the reason why the car remained in their possession.
6. Given the evident predatory and unlawful practices of **7G Towing**, we urgently request your intervention and investigation into this matter. The unconscionable actions of this company have caused emotional distress and financial loss to our customer, who was unfairly burdened with substantial fees resulting from their unethical conduct.
7. We kindly ask that you take immediate action to rectify this situation, hold **7G Towing** accountable for their illegal actions, and ensure we are properly compensated for the damages endured. Additionally, it is crucial that steps are taken to prevent such predatory practices from occurring in the future, safeguarding consumers against unscrupulous tow truck companies.
8. Thank you for your attention to this matter. We eagerly anticipate a swift and just resolution.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

10/13/2023  
Date

Over 65?

1. My vehicle was improperly and illegally towed. I state improperly because the tow company - **16P Towing** -stated to me on two occasions that their agreement with any private lot is for the owner of a lot to place two signs on the property. These signs are provided by the towing company. The one and only sign is a rather tiny 12"x18" for such a large parking structure.
2. There was ONLY 1 sign placed in the parking lot. The lot is vacant. he premises is up for sale. (There are 40 parking spaces in this lot; compared to a meager 12 parking spaces for **Local Retail Shop**).
3. The sign is DEFINITELY NOT clearly placed. The sign CANNOT BE SEEN when entering the lot (which is where most signs are placed for lots not designated for parking). The sign is directly behind the driver upon entering the lot. Nearly everyone entering the lot would not see the one and only sign. There are two entrances to this lot. Neither entrance has a sign posted on it. [I have many photos which demonstrate the veracity of this, and all my other statements].
4. The parking lot is adjacent to the local retail shop. For all intents and purposes, the lot appears as part of shop's business. That retail shop has a very small parking lot. After pulling into the retail shop, their driveway leads right to the bigger lot, which is where i parked.
5. Not only did I park there, but rather dozens of vehicles park in that large lot and enter the retail shop. I have many photos to document this. These drivers clearly did not see the sign, as many are tourists. (it would be only locals who have parked their multiple times would know the sign is there). On two occasions on different days, there was a delivery van parked inside this lot and COMPLETELY BLOCKED the sign.
6. The retail shop management recognizes the parking problem. They have attempted to secure that parking lot - in whole or part - for their customers.
7. Parking lots should be required to clearly place signs upon entering a parking lot if they do not want the public parking in them. Additionally, there should more than one or two obscure signs posted inside the parking lots. I have often observed signs in front of individual parking spaces alerting the public. Also, signs at the entrance to parking lots is almost a given; especially if there are restrictions.
8. I was vacationing for three days. I was also working on my laptop inside the retail shop I cannot adequately state the 'horror' I felt when I went outside to find my vehicle was not there. I could only imagine that it had been stolen. My anxiety and stress went thru the roof. I called the police immediately, expecting some assistance in locating it. It was only when they had informed me it was towed that I came to that realization.

Continued on Page 2

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

10/16/2023  
Date

Over 65?

9. The tow company dispatcher informed me that they had a right to tow vehicles from any lot when their own two signs are placed (this is apparently a regulation from, or agreement with, the city). I informed the dispatcher there was only one sign. (At first glance, I did not see any signs and told her "there are no signs in here" before noticing the small sign.

10. At the tow company premises, I asked if the man at the desk seated was the owner. He verified that he was. I stated to him what the dispatcher has said regarding the necessity for two signs. He acknowledged and stated that is their policy. I informed the owner that only one sign was inside the parking lot. When it came to my turn in line, I was still required to pay the tow bill. No apology. No grace. No understanding. No admittance of wrongdoing or error.

11. There must be more regulations to thwart this type of fraud and abuse perpetuated upon innocent people and the public. Additionally, I emailed the police corporal on duty to explain the situation and to ask for a police report be filed. I Did NOT get a response. Why would the city ignore this? When I contacted City Hall they told me I must address the police on this matter and it is out of their hands.

12. How many other unsuspecting tourists have fallen prey to this type of improper or illegal towing? I can say that in my monitoring of the parking lot for the next two mornings, not one vehicle was towed. There were dozens of vehicles parked in there. I have the photos. I had decided to do all my laptop work inside my vehicle that day and the next two mornings (which is when the retail shop is at its busiest). Again, not one vehicle towed. I also observed a few patrons exiting their vehicles and heading toward the (*other attractions*), not inside the retail shop. I am quite sure that the vast majority of them did not see the small sign.

1. On Saturday 9/23/23, my truck was out of gas on the side of the road This area is rural and this particular road does not have a shoulder and so it was parked about directly over the fog line so half of the truck was in the ditch and the other half was in the road.
2. I was in the process of getting gas so the truck could be moved.
3. I was gone about 30-45 minutes.
4. When i got back to my truck, there was a County Sherrifs car there with his lights on and the truck was being towed by **17Q Towing Company**. I explained to the officer that the truck was out of gas and had only been there for about half an hour and if i could please have it back. I was pretty upset by then so i dont remember what he said verbatim, but it was something like "it is up to the tow truck driver."  
At this time the truck was not fully hooked up and ready to be towed yet. I asked The tow truck driver if i could have my truck back and he said "Do you have proof of ownership?" I said "No but i have the key and everything in the truck that has my name on it."
5. He then told me that that is not good enough and continued hooking my truck up. So i asked him how much it was going to be to get it out he said "If i followed him back to his yard, I could have it for \$900.00" I did not have \$900.00 so then i asked him if i could get my stuff out of it, and he said only if i could show him proof of ownership, which i could not.
6. I then went back to talk to the officer and asked him if there was anything i could do to stop it from being towed and he said "Are you **Name Redacted**" and I replied with "How did you know my name?" He did not answer me. By that time i was upset so I left.
7. I called the towing company on Mon. Sep.25th and asked how much it was to get my truck out and was told "it was Well over \$1100.00." At this point i still had not recieved any paperwork from him stating his tow rates or policies. So I asked him why is it so much? He didnt really give me a straight answer, all i heard was it was a "police matter".
8. On Thursday September 28th I physically went to the towing company with what money I had, and proof of ownership,my truck had been there 5 days at this time and he quoted over \$1900.00. I have two witnesses that were with me and heard him say it. He quoted this number but still didnt give me any paperwork, or even show me any paperwork, or refer me to any signs posted that had his rates plainly stated. He doesnt even have an office we, we just stood outside.
9. According to rates on the vehicle tow report, the cost to get my truck out that day would have been \$1305. not \$1900. I obviously could not afford \$1900.00 so i said "Can i just get my belongings out of the truck then, because I cant afford \$1900". And he siad he will not give me my stuff out of the truck unless i pay him \$250. So i offered the key in exchange for my stuff out of the truck, to which he agreed.
10. So my daughter and I started to get our stuff out of the truck which i when I found the vehicle tow report that should have been placed in my hands because the officer and the tow truck driver clearly knew who i was and that i owned the truck. Instead they just put it in the side door of the truck knowing that on that form it clearly states that i only have 48 hours to request a hearing to challenge the validity of the tow.
11. As we are getting the last of our stuff out of the truck, the owner tells me that he is going to cut me a break and drop the price from \$1900 to \$1200. So I told him i will see what i can come up with because the next day was my payday.

Continued on Page 2

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed \_\_\_\_\_ 10/18/2023 \_\_\_\_\_  Over 65?  
 Signature \_\_\_\_\_ Date



1. The next day was Fri. Sep.29th, so i went back to the towing company with the money i had which was only \$600, and proof of ownership.
2. I told the company that \$600.00 was all i could afford and he asked me how long will it take to come up with the rest of the \$1200, and i said i guess till next friday which is payday, and he said hell give me till next friday to get the other half.
3. That payday fell on October 6th. Unfortunately i knew that it was just too much and there was no way i could afford it, especially since not having my vehicle has basically caused my boss to stop dispatching me to jobs because i have no transportation.
4. I went to the tow company a final time on Thursday, Oct. 12 with my friend as a witness. i have attached a video to show that the towing company does not have an office and nothing is posted anywhere with the daily rates or policies. Also in this video the owner cannot give me a straight answer about if he took pics of my vehicle before and after he towed it, and that he makes up whatever tow rates he feels like.

Valid Complaint  
Issue for Discussion

1. On the evening October 9,2023 around 6pm I was involved in a motor vehicle accident.
2. **18R Towing** as tow company that showed up to tow my vehicle away from the scene of the accident .
3. **Operator - Name Redacted** was the driver of the tow truck. With a witness present I asked him what I would need to do to get my vehicle picked up. He asked me if I had full coverage insurance I informed him that I only had liability coverage .
4. He proceeded to tell me that liability coverage didn't cover the cost of the tow and that I would need to have \$461.00 plus a storage fee of \$75 a day.
5. I was rushed at the scene to gather all my belongings from my vehicle I left debit cards in the vehicle and a few other things I couldn't find.
6. **18R Towing** has business hours listed on there own website as 8am-5 pm . So on October 10th I had my friend take me down to the tow company at 4:25pm to speak with an employee about getting my vehicle out of the tow yard.
7. They were already closed. So I called there business call log is stamped for 10/10/23 @4:34pm nobody answered the phone.
8. I immediately recieved a call back from a different number which happen to be an employee from towing company. I explained to him that I was here to talk to someone about picking up my car and he informed me that they were already closed when I asked him what time they closed at he said between 4pm and 4:30pm and that I would need to call back tomorrow.
9. So on October 11, 2023 I went down to the towing company with 2 friends with me. when I walked into the business there was one older gentleman i asked to speak with the owner . The employee said that he was the owner of tow company when I asked him how much the car would cost to get it the guy proceeded to tell me that it was 871 plus 75\$ per day.
10. When I asked him why the bill was twice the original amount he scorn me about how I should have had full coverage and maybe next time I'll get full coverage insurance. He also stated I needed to think about being in a better financial situation and that I needed to be doing better in life so that I can afford full coverage insurance. I found out by looking up a picture of the owner and seeing that the guy I spoke with was not the owner. I also told the employee that my debit cards were inside my car and asked if I could go get them from my car in which he told me I could not get them unless I paid him the entire tow bill. He was extremely rude and downgraded me the entire time I was speaking with him.
11. The fact that the business was closed before the time is unfair in my opinion now my bill is over 2000\$ they have broken several rules in regards to a towing company rules and regulations.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

10/20/2023  
Date

Over 65?

1. My car was involved in a roll over accident resulting in a total loss. The car was on its top on the left side of the road well off the shoulder of the highway and to be clear was not down any type of embankment or sloped area.
2. The tow company showed up and in the course of flipping the car back over broke the transmission line. Once the car was flipped over the tow company put the car on a flat bed and took the car to the impound lot.
3. When the guy found out that the insurance company covering the loss was **Insurance Company** he admittedly changed the pricing structure of the bill.
4. When we saw the invoice amount and questioned why it was so much he said that "because the police had been called there was a 4 hour minimum charge."
5. After further discussion with other towing companies and the Oregon State Police we determined that the minimum charge comment was false. He simply increased the price because "he knew **Insurance Company** would pay whatever he billed." Once the claim had been established and the damage adjuster contacted the tow company to discuss the ridiculously high invoice he told the adjuster he "charges that all the time to insurance company claims" and referenced other claims covered by the insurance company totaling over \$10000.
6. He admitted out loud that his pricing structure was much higher for specific insurance company than any other insurance company. The itemized charges are so outlandish that it is almost unbelievable. One of the charges was for using a credit card when insurance doesn't even pay with a credit card but he still charged \$393.65 that he refused to remove from the bill. There was an additional administrative fee of \$1312.60. Those line items coupled with the "four hour minimum" he referenced generated an invoice to flip a car and drive it less than 20 miles to an impound lot totaling \$8373.71.
7. I have found no other companies that would charge the "four hour minimum because police were called" nor any company that would charge even 10% of that cost for the work that was done.
8. I have attached the initial invoice from the day of the accident for review. I think his pricing structure being different for different insurance companies is illegal. It is totally price gouging because he is the only tow company in the area apparently. I'm not sure what repercussions are allowed but someone needs to look into this for future customers.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

11/6/2023  
Date

Over 65?

1. Truck was sold back in April of 2020.
2. The buyer never transferred the title.
3. The truck was impounded on 10/27/2023.
4. Received a letter stating we would be held liable for towing and storage fees since we were last known owner.
5. Informed company we did not own vehicle for several years.
6. We were told we could pay \$1000 and they would keep vehicle or pay \$1800 and we could take vehicle or if we chose to do nothing that we could go to collections for \$3500.
7. Informed company that we have original bill of sale and a dmv notice of vehicle sale receipt. We do not want the vehicle and do not want to be held liable for towing and storage of a vehicle we do not own.

**By my signature below, I understand a) this complaint will become part of DOJ's permanent records and is subject to Oregon's Public Records Law; b) this complaint may be released to the business or person about whom I am complaining; c) this complaint may be referred to another governmental agency. By my signature below I authorize any party to release to the DOJ any information and documentation relative to this complaint.**

Electronically Filed  
Signature

11/6/2023  
Date

Over 65?

**COMPLAINT INTAKE FORM**



**For Phone/In Person Complaints**  
Oregon State Board of Towing  
ICO DMV HQ – Program Services  
1905 Lana Ave., NE  
Salem, OR 97304

**BOARD USE ONLY:**

- Date Received: 12/06/2023
- Case No. 2023-12-021
- Processed: 12/13/2023
- Notes:  
DMV Records Verification Request  
Sent 12/13/2023

*Type of Service*

- Tow Services
- Recovery Services
- Abandoned Vehicle
- Impound
- Other: Possessory Lien/Invalid Sale?

**Complainant Information:**

Name: \_\_\_\_\_ Redacted \_\_\_\_\_

Mailing Address (Street or PO Box): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Tower Information:**

Company Name: \_\_\_\_\_ 8H Towing \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

TW Plate No.: \_\_\_\_\_ Driver: \_\_\_\_\_

**What Happened?**

Narrative summary of the events surrounding the complaint. A written statement and documents may be required depending on the facts of the case.

Dealer purchased a vehicle 2016 (bill of sale provided – title not transferred).

Vehicle went “missing” from Complainant’s inventory in 2021.

Vehicle sold by a different dealership 11/30/2023.

Complainant contacted 8H Towing.

Towing Company towed from a third dealer lot 08/27/2021, lien notification sent to registered owner.

Sold at auction 10/01/2021 for \$1,000.

Complainant spoke to manager of 8H Towing. Manager confirmed no appraisal done on the vehicle - vehicle valued under \$1000. Consumer disputes the value per KBB. Manager then said it may have been appraised in house.

Complainant is requesting the following from 8H Towing

- 1) Signed pick up authorization from 2<sup>nd</sup> dealer.
- 2) Tow bill.
- 3) Appraisal report by a certified appraiser. Even now with decreasing prices the vehicle has a KBB value range of \$4,500 - \$6,300, back then when market was peaking it had to worth even more. The car had no body damage, had an oil with 116k miles.
- 4) PPI license for the time of pick up.
- 5) Auction sale/advertising information.

**Losses and Damages:**

Money Paid:\$ \_\_\_\_\_ Date of Transaction: \_\_\_\_\_

Other Damages/Losses:\$ 4500-6800 \_\_\_\_\_

Explanation of Loss/Damages:

Estimated current value of vehicle

**Evidence in Support of the Complaint:**

List of documents complainant will provide:

Title - *received*

Bill of Sale - *received*

Key Fob - *received*

Correspondence with tow company - *received*

Written narrative/timeline - *received*

**What Steps Have You Taken to Resolve this Issue So Far?**

Has the tower/tow company been contacted to resolve this issue?  Yes  No

If Yes, What methods of contact?

- Telephone
- Letter
- Website

- Email
- In Person
- Other: \_\_\_\_\_

What was the outcome of the contact?

Complainant is not the registered owner, tow company refuses to provide any information on the sale.

Attorney?  Yes  No

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Notes:

Any other person, agency, or organization contacted?  Yes  No

If yes, whom?

Person/Agency/Organization Name: \_\_\_\_\_ Most recent dealership/seller \_\_\_\_\_

Mailing Address or Website: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Person/Agency/Organization Name: \_\_\_\_\_ DOJ \_\_\_\_\_

Notes:

#### Police Report Information

Was a police agency involved in this incident? Yes  No

Name of Agency: \_\_\_\_\_

Name of Officer/Deputy: \_\_\_\_\_

Police Report No.: \_\_\_\_\_

Notes:

**Witnesses and Persons with Direct Knowledge**

*Please provide the names, phone numbers, and email contact information for any witnesses or persons with direct knowledge and information of the incident and your allegations. Attach additional sheets if necessary.*

Auto dealership #2 (requested tow from 8H Towing)

Auto dealership #3 (recent seller)

Intake Signature:

*Torey McCullough*

Date: *12/06/2023*





Oregon State Board of Towing  
ICO DMV HQ - Program  
Services  
1905 Lana Ave., NE  
Salem, OR 97304

*01/11/2024 - Work Session Agenda 1 (c)*  
*Draft - SBOT Complaint Process Workflow*

Preliminary, rough draft example of a Complaint Process for the Board to review.

During the work session the Board will, among other tasks:

1. Examine various components of a complaint process,
2. Identify the criteria and requirements of a Board Complaint, and
3. Define the work flow process of a complaint from the receipt of the complaint until Board Review or Investigation.

The attached document(s) will be reviewed and modified as the Board identifies the different parts of the Complaint process.

SBOT Complaint Process  
January 11, 2024 Work Session  
Complaint Received thru  
Complaint Review

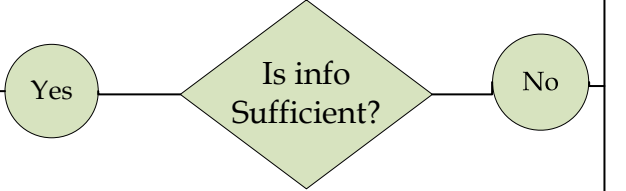
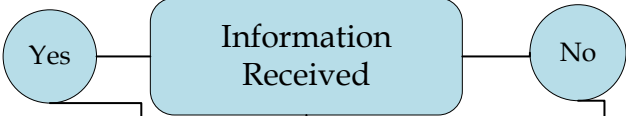
Step 1:  
Complaint Received

Complaint Processed

- Case No. Assigned
- E-File Created
- Acknowledgment Email Sent
- Complaint reviewed for violations and jurisdiction



- Request Additional Documents or Info
- Narrative Statement
  - Pictures
  - Estimate
  - Invoice or Receipt
  - Police Report
  - Accident Report
  - Other

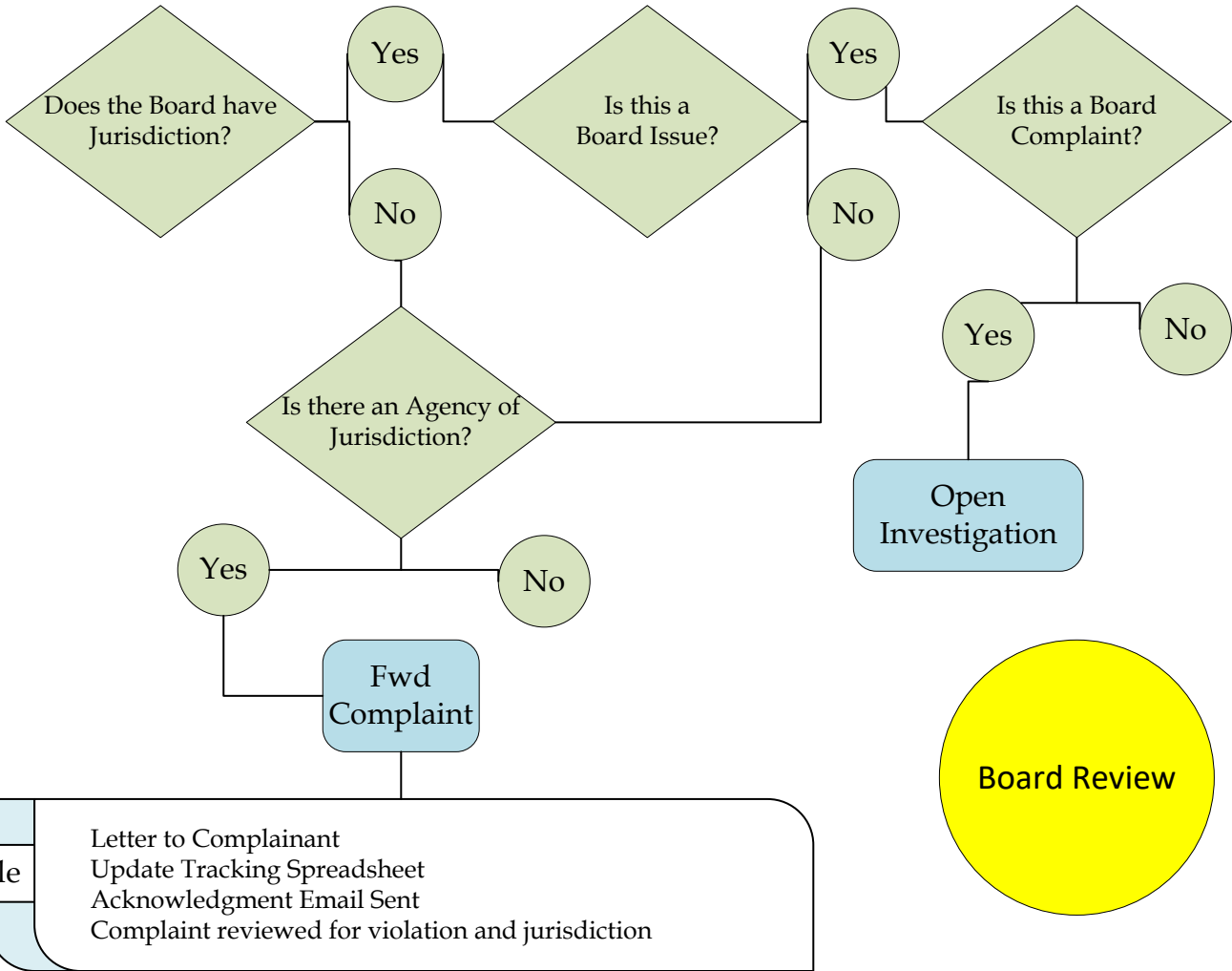


Step 2:  
Review Complaint

Close File

SBOT Complaint Process  
January 11, 2024 Work Session  
Complaint Received thru  
Complaint Review

Step 2:  
Review Complaint



Close File

- Letter to Complainant
- Update Tracking Spreadsheet
- Acknowledgment Email Sent
- Complaint reviewed for violation and jurisdiction



STATE BOARD OF TOWING  
Work Session – January 11, 2024  
Work Sheet

Objective 1: Expectations of the Board's Complaint Process

Action: Define the Expectation of the Board's complaint process in a public policy.

\*\*\*

General stages in a complaint process:

1. Receive complaint
2. Request/Gather information
3. Verify and define the allegations/violations.
4. Investigation or Board review.
5. The complaint process ends per Board policy (Board vote, dismiss due to lack of jurisdiction or substantiation, etc.)

*Work Session Materials:*

Written information for Board Website – draft verbiage for Board discussion

*Example Expectations for Board Discussion/Consideration:*

- **Customer focus:** The Board is committed to effective complaint handling and values feedback through complaints.
- **Visibility:** Information about how and where to complain is well publicized to consumers, the general public, organizations and agencies.
- **Fair and Reasonable Outcomes:** Negotiated settlements and disciplinary actions are based on the legal ORS and OAR requirements, industry standards, and consumer protection.
- **Accountability:** Individuals and Companies are held to industry professional standards, and are accountable for professional and ethical practices, standards, and operations.
- **Other:**

\*\*\*

Board Discussion:

This page provides information about the laws, administrative rules, and procedures the Oregon State Board of Towing follows regarding complaints and disciplinary matters. For more information regarding the Board's process, or for specific questions regarding a possible complaint or requirements, please contact the Board at [compliance@towboard.oregon.gov](mailto:compliance@towboard.oregon.gov)

The Board is responsible for 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.

One of the Board's responsibilities is to review and process complaints of unethical, unprofessional, or illegal conduct against the towing industry, taking the necessary actions to ensure compliance with the laws and rules, and the protection and well-being of the public.

The Board cannot provide legal advice or make recommendations. The Board can review information and provide suggested options or resources. Consumers and tow industry members are encouraged to contact an attorney or other licensed professional for legal advice.

*The following FAQ topics will have their own separate FAQ link under the FAQ page.*

### **Protecting the Public and Professionalism of the Industry.**

The Board's mission is to protect the public by regulating commercial tow and recovery practices by implementing and enforcing the laws, rules, and regulations in Oregon.

The Board's intent is to protect consumers and industry standards through education and progressive discipline. In some cases the Board may vote to implement immediate disciplinary actions or sanctions if there is a risk to the safety and well-being of the public, or for intentional illegal or ethical actions while providing towing services.

### **Board Complaints.**

The Board has authority to investigate complaints against tow and recovery business certificate holders, tow operators, and businesses or individuals offering commercial tow or recovery services without a tow business certificate.

Complaints can originate from the public, law enforcement, another tow company, a consumer or client, a member of the public, a state agency – basically, anyone can file a complaint. The Board may also initiate an investigation based on information it receives or observes, such as advertisements or an article in the newspaper.

Complaints are not officially closed until the Board takes action and the appropriate parties are notified of the final action.

To file a complaint, please complete and submit the Tow Board's Complaint Form or contact the Board at [compliance@towboard.oregon.gov](mailto:compliance@towboard.oregon.gov)

### **Before Filing a Complaint.**

Contact the tow company to resolve the issues of the complaint.

If a tow was done at the request of law enforcement, a business, or a property owner, the agency, business, or property owner should be contacted to resolve the issues before filing a complaint with the Board.

Gather information that supports your claims or allegations, including price lists, invoices, photos, or other documents from the tower, tow company, or other agencies involved with the tow, written communications, and any other information related to the event.

Ensure the copies are legible. If handwritten, use black or blue ink pen.

Make color copies of the supporting information – do not send original copies.

Submit documents using 8 ½ by 11 size, WHITE paper. Small items should be taped to blank paper.

### **What to Expect after Filing a Complaint.**

1. Complaints are processed and reviewed as quickly as possible. Complainants are provided status updates and the resolution of the complaint as the complaint is processed.
2. Confirmation of receipt of the complaint is sent by Board staff via email within 30 days. The email will include the case number and information regarding the complaint. The confirmation will be sent by regular mail only if a valid email address is not provided.
3. All submitted complaints receive serious consideration; every attempt is made to resolve complaints in a manner which is fair to the consumer and to the tower or tow company against whom a complaint is filed, and protects the public. Complainant information is kept confidential to the full extent possible under law.
4. Board staff reviews and responds to all written complaints submitted to the Board, and may request additional documentation or information be submitted if not submitted with the original complaint. An investigation into the facts of the case will be conducted if there is substantiated information showing unethical or unprofessional conduct, wrongdoing, or violations of Oregon's laws and rules.
5. Complainants will be contacted with an explanation or information if unethical conduct or wrongdoing is not substantiated in the complaint documents, if the actions of a tower are not in violation of Oregon's laws, or if the Board does not have jurisdiction or authority over the subject of the complaint. If possible, Board staff will provide recourses or contact information of other agencies of proper jurisdiction if the complaint is not under the scope or jurisdiction of the Board.
6. During the investigation the investigator may contact either party or other individuals familiar with the facts of the case for additional information and statements, and both parties will receive written notice of the Board's decision and resolution of the case.

### **What Not to Expect when Filing a Complaint.**

1. Immediate resolution of the complaint should not be expected. The Board's complaint and investigation process may take several months after the complaint is filed to the conclusion of the case.
2. Board decisions made solely on the statement or claims of a complainant without supporting documentation or evidence should not be expected. The Board's decision on how to proceed with a case comes after an investigation and consideration of the facts, documentation, testimony, and other evidence. The Board may take no action if there is no wrongdoing, unethical or unprofessional conduct, or violations of Oregon's laws and rules.
3. Disciplinary actions without violation of the laws and rules should not be expected. The Board's authority to impose discipline is limited to the question of if the tower or tow company's conduct was unethical or in violation of Oregon's laws and rules. The Board does not represent consumers or complainants in actions filed with the Board; the Board's is limited to protecting the public by enforcing Oregon's laws and rules, not representing the interests of individual consumers.
4. Complainants should not expect that they will receive money or reimbursement of loss by filing a complaint. The Board has no authority to award damages to individuals. In Oregon, monetary loss is recovered through a legal, civil proceeding, such as Small Claims Court.

While the Board may be able to **negotiate** a Settlement Agreement with a tower or tow company that might include reimbursement or restitution payment in the terms and conditions in an amount the Board deems, at its own discretion, to be fair and reasonable, the Board is unable to **impose** reimbursement or restitution against a tower in a disciplinary action.

5. Complainants cannot expect to receive a portion of the civil penalties and costs assessed by Board in a case. In Oregon, civil penalties assessed by regulatory boards in disciplinary actions are monies paid to the State as a non-criminal remedy for a party's violations of laws or regulations. Civil Penalties are not a monetary judgment assessed for the benefit of a consumer or complainant. Costs assessed by the Board in a disciplinary action are actual costs incurred as a result of the investigation and disciplinary action, and are not to be construed as the costs incurred by the Complainant or Consumer.
6. Board action against a public agency, a business, or a private property owner should not be expected. The Board does not have authority over state agencies, law enforcement, or other agencies, and does not have jurisdiction in complaints against these agencies. The Board cannot force or demand a police agency, code enforcement, or other official to do – or not do – anything. The Board only has jurisdiction over the tower or tow company, and then only if the tow or company acted outside its agreement with the police or code enforcement agency.

### **What to Expect after a Complaint is Filed: Towers and Tow Companies.**

1. Every complaint submitted to the Board is reviewed and seriously considered.
2. If the complaint valid, substantiated allegations of wrongdoing, unethical or unprofessional conduct, or violations of Oregon's laws and rules, an investigation into the allegations will be conducted by the Board.

3. The Board represents the people of the State of Oregon. The Board does not represent tow companies or consumers or complainants. The Board protects the confidentiality of complainants and consumers to the extent provided by law, and the complainant may not be known to the tower/tow company.
4. Every attempt is made by the Board to resolve complaints in a manner which is fair to the consumer, the public, and to the tower or tow company against whom a complaint is filed.
5. The Board will consider the mitigating factors and circumstances of each complaint, including the standards and expectations of the towing and recovery industry, the actions of both the consumer and the tow operator/company that led up to the towing service, the involvement of third-parties (i.e., law enforcement, ODOT, property or business owner), if the actions were willful or intentional, etc.
6. Board staff reviews and responds to all written complaints submitted to the Board. If the complaint provides information that supports the allegations of unethical or unprofessional conduct, wrongdoing, or violation of Oregon's laws and rules, an investigation into the facts of the case will be conducted.
7. You should expect to provide your entire tow record involving an event or action submitted in a complaint including, but not limited to, a copy of contracts, price sheets, tow dispatch records, inventory, pictures, invoice, correspondence, possessory liens or other official documents, etc. Most complaints can be resolved quickly in cases where the tower/tow company acted within industry standards and accurate business records are kept and provided.
8. You should expect the Board will make attempts to negotiate a settlement agreement if the consumer experienced loss or harm due to the intentional or unintentional acts of a tower or tow company.
9. The industry can expect that the Board will approach each case unbiasedly, assessing disciplinary actions accurately reflecting the tower or tow companies conduct, and holding towers and tow companies appropriately accountable if there is a potential or severe risk or harm to the public, willingness to comply with the laws and rules, habitual violations of the laws, or if an action was negligent, reckless, willful, intentional, or criminal in nature.
10. If the complaint allegations are not legal violations, but the Board finds reasonable concerns involving the safety or protection of the public, the Board may contact the tower or tow company for education as a risk management tool or business practices.

### **What Not to Expect when a Complaint is Filed – Towers and Tow Companies:**

1. Immediate resolution of the complaint should not be expected. The Board's complaint and investigation process may take several months after the complaint is filed to the conclusion of the case.
2. The Board is required to review all submitted complaints and conduct investigations if there are potential violations of Oregon's Laws and Rules. You should not expect to be able to ignore requests for information for the Board and hope that the complaint goes away. The Board's decision on how to proceed with a case comes after an investigation and consideration of the facts, documentation, testimony, and other evidence. It is imperative that towers and tow companies actively participate in investigations so that the Board can determine the best resolution of the case.
3. Disciplinary actions without violation of the laws and rules ***should not be expected***. The Board's authority to impose discipline is limited to the question of if the tower or tow company's conduct was unethical or in violation of Oregon's laws and rules. The Board cannot take disciplinary action when a tower or tow company's acted within the context and requirements of the laws and rules.



4. Disciplinary actions without due process **are not to be expected**. Towers and tow companies will have several opportunities during the disciplinary process to respond to the findings of the Board and to request a contested case hearing to contest the Board's findings of fact and grounds for the disciplinary action.

### **How Long Does an Investigation Take?**

Effective investigation and resolution of complaints is an essential component of the Board's desire to fulfill its mission

The length of time required to investigate a complaint varies depending on several factors, including:

1. The nature of the complaint and the severity of the allegations,
2. Whether or not the facts of the case are in dispute,
3. The documentation provided by both parties, and
4. The cooperation of the individuals involved in the case.

An investigation report and documentation will be prepared for Board review and consideration during Executive Session of a public meeting. An investigation is not closed until the investigation report has been reviewed and there is a vote for Board action.

### **What Actions can the Board take on a submitted Complaint.**

One of the objectives of the Board is to provide education and progressive disciplinary actions to encourage compliance with Oregon's laws and rules.

Close with No Board Action. The Board may close a complaint with no action if the Board has no jurisdiction in the case, if the Board finds no evidence of violations or wrongdoing, or if the Board found the tow operator or tow company took immediate action in resolving the issues prior to Board investigation or review and no additional actions are necessary.

Letter of Education or Concern. The Board may determine the interest of the public may be best met with a letter of education or concern to the tow operator or tow company with recommendations or suggestions for process or procedures, reminders of laws and rules, or by providing guidelines to improve services and protect the public. Letters of Education or Concern are not disciplinary actions.

Mediate a Resolution. The Board may be able to mediate a resolution of a misunderstanding, mistake, or other event in lieu of formal disciplinary action if it meets the interest of public safety.

Notice of Proposed Action. The Board may Issue a Notice proposing disciplinary action which may include assessing a tow operator or tow company Civil Penalties or take action against the tow certificate for violation of Oregon's laws and rules. Civil Penalties are used to enforce the laws and rules when a Respondent's actions create a serious risk of harm to the public, are repetitive, show a lack of respect to the laws and rules or consumers, are willfully or recklessly unethical or unprofessional, or when the conduct or behavior is especially egregious.

## **Disciplinary Actions**

Those who violate Oregon's laws and rules regulating the towing industry are subject to disciplinary action including, but not limited to, civil penalties and suspension or revocation of tow business certificates.

The Board considers disciplinary actions carefully as the actions may have a profound effect on a person's business, career, reputation, and ability to make a living.

Board disciplinary action takes more than a claim of wrongdoing; disciplinary actions require evidence substantiating the claim(s) that a tow operator or tow company violated Oregon's laws and rules.

Honest disagreement about how a matter should have been handled, an honest mistake, or an error in judgment, are not generally grounds for illegal or unethical conduct.

Disagreements between a tow company and a consumer about fees, charges, and billing issues does not always constitute illegal or unethical conduct; there can be legitimate differences of opinion about fees between a consumer and a tow company that the Board does not have jurisdiction over, and the Board may not be able to continue with an investigation unless there are other reasons for the complaint or the fee dispute is based on unethical or unprofessional billing practices.

## **Respondent Rights and Due Process**

Once a Notice is issued, the Respondent will have 20 days from the date the Notice is issued to request a contested case hearing.

Once a Final Order is issued, a Respondent will have an opportunity to request judicial review of the final order before the effective date of the Final Order (60 days).

The Board seeks and welcomes the active participation of the Respondent in negotiating the appropriate final outcomes during all stages of the disciplinary process.

## **Disputes or Disagreement; No Violation Complaints**

A large majority of tow companies in Oregon provide quality, professional services to the public and customers. They value their reputations and do what they can to resolve conflicts or misunderstandings.

The Board's procedures for resolving complaints are designed to provide a thorough review of the facts, laws, and rules, and to resolve questions and concerns under the provisions of ORS Chapter 822 and OAR Chapter 750.

In events where there is no illegal or unethical conduct, but there is a misunderstanding, a mistake was made, or there was an unintended consequence based on the tower's actions or judgment, the Board may be able to help clear up that misunderstanding and assist in a reasonable resolution of the event.

Disagreement in the amount of fees charged by a tow company may not be grounds for an illegal or unethical conduct complaint. If a complaint is found a fee dispute only, and the tower or tow company provides information and documentation showing the fees assessed are reasonable and the billing practices ethical, the Board may close the case without further action.

Finally, the Board recognizes there are situations or events which a consumer may find frustrating or inconvenient, but which do not constitute illegal, unethical, or wrongdoing by a tower or a tow company. This may include limited access to a vehicle after posted gate hours, involuntary towing from a business parking lot with posted signs, verification of required identification and proof of ownership prior to claiming a vehicle, language barriers, circumstances creating delays in towing a vehicle, etc. It is important for consumers and complainants to remember that the Board does not have the authority to take disciplinary action or enforce requirements in circumstances when there was no wrongdoing by the tower or tow company, and the Board cannot require a tow operator or tow company to perform duties not required – or are prohibited - under Oregon’s laws and rules.

### **Agencies of Proper Jurisdiction**

Tow companies work with many different agencies and organizations, including law enforcement, Oregon Dept. of Transportation, Code Enforcement, insurance companies, dealerships, service providers, private property owners, business owners, and others.

The Board’s jurisdiction and authority is limited to the actions of a tower or tow company that violate the laws and rules of Oregon. If a tow company is dispatched by law enforcement or ODOT, or performs services under a contract, and the work performed is compliant with Oregon’s laws and rules, the Board may not have jurisdiction or authority to investigate the complaint.

The Board does not have jurisdiction over other state or local agencies, or their programs. This may mean that if a car is impounded by City Police or Code Enforcement or towed from the scene of an accident under the Oregon State Police Non-Preference Towing Program, the Board does not have jurisdiction when the tower performed the duties according to the terms of their contract with City Police, Code Enforcement, or OSP.

However, in the event of violation of Oregon’s laws or rules by a tower while performing services under contract with an agency, business or program, the Board may coordinate with the agency or go forward under its own authority to ensure appropriate disciplinary action is taken.

The Board is also a conduit of information between consumers and the other agencies, and may be able to assist in communications or collaborative efforts to make improvements in programs and processes.

### **Disciplinary History**

Final Disciplinary Actions are a matter of public record.

Copies of Final Orders will be available on the Board’s website within 10 days of the effective date of the Final Order.

Note: The Board will begin accepting complaints on January 1, 2024. The first completed Disciplinary Actions are expected to be available after July 1, 2024, allowing time for investigation of the complaints, board review, and adequate due process of the disciplinary action process.

If you have questions about filing a complaint, please contact the Board at [compliance@towboard.oregon.gov](mailto:compliance@towboard.oregon.gov).



STATE BOARD OF TOWING  
Work Session – January 11, 2024  
Work Sheet

## Objective 2: Definition of a Board Complaint

Action: Establish definitions and criteria levels for the Complaints received by the Board.

*Board definition of complaints, and levels of complaints, is used to ensure objective and consistent criteria is used in decisions about the validity of complaints, avoiding any bias or prejudice.*

*Work Session Materials:*

*Example Definitions to Consider:*

- **Complaint:** A complaint is an assertion by one party (Complainant) that another party (Respondent) has violated or misinterpreted a specific provision of a law or rule.  
*Refers to all complaints submitted to the Board, including those that are baseless or unreasonable.*
- **Board Interest:** A complaint alleges the misinterpretation or violation of Oregon's laws and rules or business practice standards of a towing company or operator.  
*Refers to all complaints submitted to the Board demonstrating the potential of the Board's involvement as either a regulatory Board or for the protection of the public.*
- **Board Complaint:** A complaint alleging the violation of the laws and rules under the jurisdiction and authority of the Board in its administering authority.  
*Refers to complaints submitted to the Board demonstrating substantiated allegations of violations of Oregon's laws and rules.*

Board Consensus/Definitions:



STATE BOARD OF TOWING  
Work Session – January 11, 2024  
Work Sheet

Other considerations –

- Triage priorities for complaints?
- Reality of One Call Resolution - Immediate need, time sensitive issues.
- When do complaints not under the Board’s jurisdiction – e.g., impounds, non-preference tows, and DMV Title Registration – become Board complaints?
- What is the Board’s role when it does not have authority or jurisdiction?
- What information is required before the Board (members) consider a complaint?
- Some tow records retention requirement is 2-3 years.
  1. Is this enough?
  2. Does it impact the validity of the complaint if the complaint is submitted after the retention period?

What is the Board’s definition of “proof of ownership” of the vehicle (for purposes of inspection/retrieving emergency items per ORS 98.853, for release of tow per ORS 98.853, etc.)

Board Consensus/Definitions:



STATE BOARD OF TOWING  
Work Session – January 11, 2024  
Work Sheet

Objective 3: Board Review Process – Board Member Review

Action: Establish when in the process Board members review complaints

\*\*\*

*Work Session Materials:*

Work Session Agenda Item 1(c) – Draft Process

Question for the Board: When, How Often, What next?

*Example Processes to Consider:*

During first XX# of months, until policies and requirements are defined:

- All submitted complaints are reviewed by the Board; Board members discuss complaint content, outreach and training opportunities, process, expectations, etc. – progressively delegating responses to complaint categories to Board Staff as identified.
- Board members review the Board Interest and Board Complaints prior to investigation or processing; non-jurisdiction complaints responded to prior to Board review, correspondence reviewed by Board members.

Review could be one or a combination of:

- Executive Session of the Board member where all Board members review the complaints (allows discussion of details of specific cases)
- High level view during Board meetings (no discussion of specific cases)
- Consumer Protection Committee (three board members discuss specific cases during Executive Session- no determination made, members can be named or rotated)
- Ad Hoc Consumer Protection Committee – Sub-committee with members from the public, industry, advocacy groups, and no more than three board members to review cases at a high level to suggest criteria for disciplinary actions.

Board Consensus/Definitions:

SBOT Complaint Process  
January 11, 2024 Work Session  
Complaint Received thru  
Complaint Review

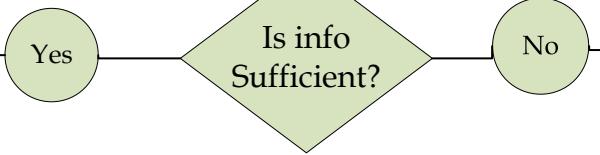
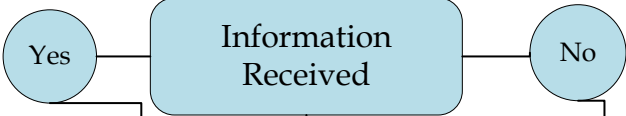
Step 1:  
Complaint Received

Complaint  
Processed

Case No. Assigned  
E-File Created  
Acknowledgment Email Sent  
Complaint reviewed for violations and jurisdiction



- Request  
Additional  
Documents  
or Info
- Narrative Statement
  - Pictures
  - Estimate
  - Invoice or Receipt
  - Police Report
  - Accident Report
  - Other



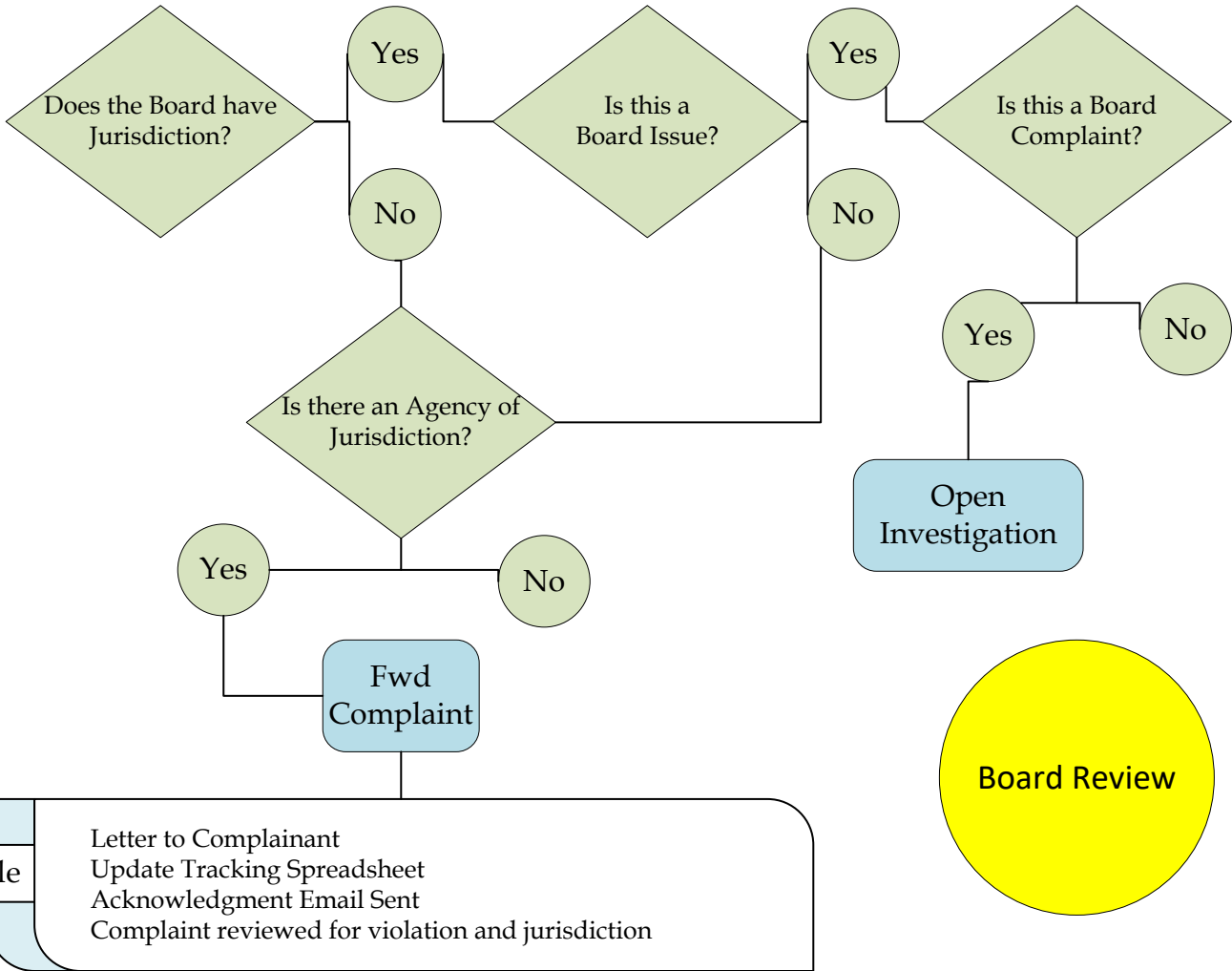
Step 2:  
Review Complaint

Close  
File



SBOT Complaint Process  
January 11, 2024 Work Session  
Complaint Received thru  
Complaint Review

Step 2:  
Review Complaint



Close File

- Letter to Complainant
- Update Tracking Spreadsheet
- Acknowledgment Email Sent
- Complaint reviewed for violation and jurisdiction





STATE BOARD OF TOWING  
Work Session – January 11, 2024  
Work Sheet

Objective 4: Complaint Data and Metric Tracking, Milestones, Comparisons


Action: Establish what data and information should be tracked from submitted complaints.

*Work Session Materials:*

Case Tracking Cover Page

*Other data or information to track:*

Tower Name

<p align="center"><b>Complaint/Case Tracking Form</b></p>  <p align="center">Oregon State Board of Towing ICO DMV HQ - Program Services 1905 Lana Ave., NE Salem, OR 97304</p>	<input type="checkbox"/> Date Received: <input type="checkbox"/> Case No. <input type="checkbox"/> Tow Business Certificate? <input type="radio"/> Yes <input type="checkbox"/> Previous Discipline? <input type="radio"/> Yes <input type="checkbox"/> Closed: <input type="radio"/> Date: <input type="radio"/> Reason:
<p><i>Type of Service</i></p> <input type="checkbox"/> Abandoned Vehicle <input type="checkbox"/> Collision/Wreck Tow <input type="checkbox"/> Customer Call <input type="checkbox"/> Impound <input type="checkbox"/> Involuntary/Unauthorized Tow <input type="checkbox"/> Insurance <input type="checkbox"/> Non-Preference Tow <input type="checkbox"/> Recovery Services <input type="checkbox"/> Repo <input type="checkbox"/> Salvage/Dismantler Tow <input type="checkbox"/> Service Tow (AAA, Dealership) <input type="checkbox"/> Tow Services <input type="checkbox"/> Other:	<p><i>Allegations</i></p> <input type="checkbox"/> Business Hours <input type="checkbox"/> Damage to Vehicle <input type="checkbox"/> Documentation Requirements <input type="checkbox"/> Fee/Charges Overcharge <input type="checkbox"/> Missing or Stolen Items <input type="checkbox"/> No Access to Personal Items <input type="checkbox"/> Possessory Lien/Documentation Errors <input type="checkbox"/> Refusal to provide paperwork/pictures <input type="checkbox"/> Title or Registration Issues <input type="checkbox"/> Unauthorized Tow <input type="checkbox"/> Other:
<p><i>Complainant:</i></p> <input type="checkbox"/> DMV <input type="radio"/> Business OR <input type="radio"/> Vehicle Svcs <input type="checkbox"/> DOJ <input type="checkbox"/> Emailed/Mailed Complaint Form <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Online Complaint Form <input type="checkbox"/> Phone Complaint <input type="checkbox"/> Other:	<p><i>Complaint:</i></p> <input type="checkbox"/> Board complaint? <input type="radio"/> Yes <input type="checkbox"/> If No: <input type="checkbox"/> No Violation <input type="checkbox"/> Not Substantiated <input type="checkbox"/> No Jurisdiction <input type="checkbox"/> Complainant Missing <input type="checkbox"/> Respondent Contacted? _____
<p><i>Loss:</i></p> <input type="checkbox"/> Claim Lost: <input type="checkbox"/> Substantiated Loss: <p><i>Investigation:</i></p> <input type="checkbox"/> Date Assigned: <input type="checkbox"/> Investigator: <input type="checkbox"/> Report Received: <input type="checkbox"/> Date Prepared for Board Review: <input type="checkbox"/> Other:	<p><i>Board Action:</i></p> <input type="checkbox"/> Board Review Date: <input type="checkbox"/> Board Vote: _____ <input type="radio"/> Dismiss <input type="radio"/> LOC/Education Letter <input type="radio"/> Notice of Proposed Action <input type="radio"/> Amount of Civil Penalties: <input type="checkbox"/> Violations:
<p><i>Correspondence/Disciplinary Action</i></p> <input type="checkbox"/> Notice/Letter Sent: _____ <input type="checkbox"/> Deadline to Respond: _____ <input type="checkbox"/> FDO Date: <input type="checkbox"/> FDO Effective Date: <input type="checkbox"/> Stipulated Agreement? <input type="radio"/> Amount: <input type="radio"/> Terms: <input type="radio"/> Board Approved:	<p><i>Payment/Collections:</i></p> <p>Paid:          Courtesy Letter:          To Collections:</p> <p><i>Contested Case Hearing Request:</i>          Received:          Review/Response:          Fwd to DOJ:</p>

# Oregon State Board of Towing



## Complaint Form and Instructions

The State Board of Towing (Board) regulates the commercial tow and recovery industry pursuant to laws established under Oregon Revised Statutes Chapter 822 and Oregon Administrative Rules Chapter 750.

The Board appreciates the efforts of consumers who file complaints with the Board. The complaints provide invaluable information to the Board and help the Board to protect the safety and wellbeing of the public.

A copy of the Board's statutes and rules is available on the Board's website:

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

*The Board has authority to regulate the commercial tow and recovery industry only as authorized by Oregon's laws and rules. Information of the appropriate agency-of-jurisdiction will be provided in the event the Board does not have authority or jurisdiction over the allegations or concerns of a complaint.*

Please complete all information on the attached form, including your contact information and the full name of the tow or recovery company who is the subject of your complaint, their contact information, the name of the tow or recovery operator who provided the service, if known.

Provide the relevant background information regarding how the tow or recovery service was initiated, what steps you have taken to resolve the issues in the complaint, and any other pertinent facts that will give the Board a full understanding of the situation. Facts should be submitted in chronological order.

Please indicate N/A (*Not Applicable*) for questions that do not apply to your complaint. Please print, sign and date the complaint form.

You may attach additional sheets of paper to describe your complaint.

Do not submit original documents. Please only submit copies of documents and retain the originals for yourself. Please also retain a copy of the complaint submitted.

The Board will accept anonymous complaints. However, as anonymous complaints can be difficult to investigate, if sufficient information and documentation is not provided, anonymous complaints may be dismissed without Board action.

Please mail or email your complaint form along with related documents to:

Oregon Board of Towing  
ICO DMV HQ - Program Services  
1905 Lana Ave., NE - Salem, OR 97314  
Email: [compliance@towboard.oregon.gov](mailto:compliance@towboard.oregon.gov)



**COMPLAINT FORM**  
 Oregon State Board of Towing  
 ICO DMV HQ – Program Services  
 1905 Lana Ave., NE  
 Salem, OR 97304

**BOARD USE ONLY:**

- Date Received:
- Case No.
- Processed:
- Notes:

*Type of Complaint – Please Check*

- Tow Services
- Billing/Invoice, Fees/Charges
- Registration/Title Issues
- Other:

**Your Contact Information:**

Name: \_\_\_\_\_

Mailing Address (Street or PO Box): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Complaint Against:**

Company Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

License/TW Plate No. (if known): \_\_\_\_\_ Driver Name (if known): \_\_\_\_\_

**What Happened?**

*Please provide a concise, detailed narrative summary of the events surrounding your complaint. Attach additional sheets as necessary.*

**Losses and Damages:**

Money Paid:\$ \_\_\_\_\_ Date of Transaction: \_\_\_\_\_

Other Damages/Losses:\$ \_\_\_\_\_

Explanation of Loss/Damages:

**Evidence in Support of your Complaint:**

*Please list AND ATTACH COPIES of the documents you are providing in support of your complaint (i.e., invoices, receipts, police reports, correspondence, pictures, records, or any other related documents)*

**What Steps Have You Taken to Resolve this Issue So Far?**

Have you contacted the tow company to try to resolve this issue?  Yes  No

Date: \_\_\_\_\_

What methods of contact?  Telephone  Email  
 Letter  In Person  
 Website  Other: \_\_\_\_\_

What was the result of your contact?

*Please provide copies of correspondence.*

Have you contacted an attorney regarding your complaint?  Yes  No

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

What was the outcome?

Have you registered this complaint with any other person, agency, or organization?  Yes  No

If yes, whom?

Person/Agency/Organization Name: \_\_\_\_\_

Mailing Address or Website: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

What was the outcome?

**Police Report Information**

Was a police or law enforcement agency involved in this incident?  Yes  No

*If Yes, please provide the following information:*

Name of Agency: \_\_\_\_\_

Name of Officer/Deputy: \_\_\_\_\_

What was the police agency involvement?

Please provide a copy of the police report, receipt, or Case No. if available:

**Witnesses and Persons with Direct Knowledge**

*Please provide the names, phone numbers, and email contact information for any witnesses or persons with direct knowledge and information of the incident and your allegations. Attach additional sheets if necessary.*

**VERIFICATION**

**I affirm that the facts that are presented in the foregoing statement are true to the best of my knowledge and belief.**

**Signature:**

**Date:**

**Please mail or email this complaint form together with related documents to**

State Board of Towing  
ICO DMV HQ – Program Services  
1905 Lana Ave., NE  
Salem, OR 97314  
Email: [compliance@towboard.oregon.gov](mailto:compliance@towboard.oregon.gov)

**COMPLAINT INTAKE FORM**



**For Phone/In Person Complaints**  
Oregon State Board of Towing  
ICO DMV HQ – Program Services  
1905 Lana Ave., NE  
Salem, OR 97304

**BOARD USE ONLY:**

- Date Received:
- Case No.
- Processed:
- Notes:

*Type of Service*

- Tow Services
- Recovery Services
- Abandoned Vehicle
- Impound
- Other:

**Complainant Information:**

Name: \_\_\_\_\_

Mailing Address (Street or PO Box): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Tower Information:**

Company Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

TW Plate No.: \_\_\_\_\_ Driver: \_\_\_\_\_

**What Happened?**

*Narrative summary of the events surrounding the complaint. A written statement and documents may be required depending on the facts of the case.*



**Losses and Damages:**

Money Paid:\$ \_\_\_\_\_ Date of Transaction: \_\_\_\_\_

Other Damages/Losses:\$ \_\_\_\_\_

Explanation of Loss/Damages:

**Evidence in Support of the Complaint:**

*List of documents complainant will provide:*

**What Steps Have You Taken to Resolve this Issue So Far?**

Has the tower/tow company been contacted to resolve this issue?  Yes  No

If Yes, What methods of contact?  Telephone  Email  
 Letter  In Person  
 Website  Other: \_\_\_\_\_

What was the outcome of the contact?

Attorney?  Yes  No

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Notes:

Any other person, agency, or organization contacted?  Yes  No

If yes, whom?

Person/Agency/Organization Name: \_\_\_\_\_

Mailing Address or Website: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Notes:

**Police Report Information**

Was a police agency involved in this incident?      Yes       No

Name of Agency: \_\_\_\_\_

Name of Officer/Deputy: \_\_\_\_\_

Police Report No.: \_\_\_\_\_


Notes:

**Witnesses and Persons with Direct Knowledge**

*Please provide the names, phone numbers, and email contact information for any witnesses or persons with direct knowledge and information of the incident and your allegations. Attach additional sheets if necessary.*

**Intake Signature:**

**Date:**

<p align="center"><b>Complaint/Case Tracking Form</b></p>  <p align="center">Oregon State Board of Towing ICO DMV HQ - Program Services 1905 Lana Ave., NE Salem, OR 97304</p>	<input type="checkbox"/> Date Received: <input type="checkbox"/> Case No. <input type="checkbox"/> Tow Business Certificate? <input type="radio"/> Yes <input type="checkbox"/> Previous Discipline? <input type="radio"/> Yes <input type="checkbox"/> Closed: <input type="radio"/> Date: <input type="radio"/> Reason:
<p><i>Type of Service</i></p> <input type="checkbox"/> Abandoned Vehicle <input type="checkbox"/> Collision/Wreck Tow <input type="checkbox"/> Customer Call <input type="checkbox"/> Impound <input type="checkbox"/> Involuntary/Unauthorized Tow <input type="checkbox"/> Insurance <input type="checkbox"/> Non-Preference Tow <input type="checkbox"/> Recovery Services <input type="checkbox"/> Repo <input type="checkbox"/> Salvage/Dismantler Tow <input type="checkbox"/> Service Tow (AAA, Dealership) <input type="checkbox"/> Tow Services <input type="checkbox"/> Other:	<p><i>Allegations</i></p> <input type="checkbox"/> Business Hours <input type="checkbox"/> Damage to Vehicle <input type="checkbox"/> Documentation Requirements <input type="checkbox"/> Fee/Charges Overcharge <input type="checkbox"/> Missing or Stolen Items <input type="checkbox"/> No Access to Personal Items <input type="checkbox"/> Possessory Lien/Documentation Errors <input type="checkbox"/> Refusal to provide paperwork/pictures <input type="checkbox"/> Title or Registration Issues <input type="checkbox"/> Unauthorized Tow <input type="checkbox"/> Other:
<p><i>Complainant:</i></p> <input type="checkbox"/> DMV <input type="radio"/> Business OR <input type="radio"/> Vehicle Svcs <input type="checkbox"/> DOJ <input type="checkbox"/> Emailed/Mailed Complaint Form <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Online Complaint Form <input type="checkbox"/> Phone Complaint <input type="checkbox"/> Other:	<p><i>Complaint:</i></p> <input type="checkbox"/> Board complaint? <input type="radio"/> Yes <input type="checkbox"/> If No: <input type="checkbox"/> No Violation <input type="checkbox"/> Not Substantiated <input type="checkbox"/> No Jurisdiction <input type="checkbox"/> Complainant Missing <input type="checkbox"/> Respondent Contacted? _____
<p><i>Loss:</i></p> <input type="checkbox"/> Claim Lost: <input type="checkbox"/> Substantiated Loss: <p><i>Investigation:</i></p> <input type="checkbox"/> Date Assigned: <input type="checkbox"/> Investigator: <input type="checkbox"/> Report Received: <input type="checkbox"/> Date Prepared for Board Review: <input type="checkbox"/> Other:	<p><i>Board Action:</i></p> <input type="checkbox"/> Board Review Date: <input type="checkbox"/> Board Vote: _____ <input type="radio"/> Dismiss <input type="radio"/> LOC/Education Letter <input type="radio"/> Notice of Proposed Action <input type="radio"/> Amount of Civil Penalties: <input type="checkbox"/> Violations:
<p><i>Correspondence/Disciplinary Action</i></p> <input type="checkbox"/> Notice/Letter Sent: _____ <input type="checkbox"/> Deadline to Respond: _____ <input type="checkbox"/> FDO Date: <input type="checkbox"/> FDO Effective Date: <input type="checkbox"/> Stipulated Agreement? <input type="radio"/> Amount: <input type="radio"/> Terms: <input type="radio"/> Board Approved:	<p><i>Payment/Collections:</i></p> <p>Paid:          Courtesy Letter:          To Collections:</p> <p><i>Contested Case Hearing Request:</i>          Received:          Review/Response:          Fwd to DOJ:</p>

Case No. \_\_\_\_\_

Tower/Company Name: \_\_\_\_\_

<b>Consumer Information:</b>	<b>Complainant?</b> <input checked="" type="radio"/> Yes
Name: _____	
Mailing Address (Street or PO Box): _____	
City: _____ State: _____ Zip: _____ Phone: _____	
Email: _____	

<b>Tower Information:</b>																
Company Name: _____																
Mailing Address: _____																
City: _____ State: _____ Zip: _____ Phone: _____																
Email: _____																
Certified Tow Registration No.: _____ Date: _____																
Previous Disciplinary History? <input type="radio"/> Yes <input type="radio"/> No																
<table border="1"><thead><tr><th>Date</th><th>Case No.</th><th>Description</th><th>Status</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table>	Date	Case No.	Description	Status												
Date	Case No.	Description	Status													

<b>Documents Received:</b>	
<i>From Complainant/Consumer</i>	<i>From Tower</i>
<input type="checkbox"/> Narrative Statement	<input type="checkbox"/> Narrative Statement
<input type="checkbox"/> Pictures	<input type="checkbox"/> Contract/Sign Authorization
<input type="checkbox"/> Estimate	<input type="checkbox"/> Pictures
<input type="checkbox"/> Invoice or Receipt	<input type="checkbox"/> Estimate
<input type="checkbox"/> Police Report	<input type="checkbox"/> Invoice or Receipt
<input type="checkbox"/> Accident Report	<input type="checkbox"/> Police Report
<input type="checkbox"/> Correspondence	<input type="checkbox"/> Accident Report
<input type="checkbox"/> Other	<input type="checkbox"/> Correspondence
	<input type="checkbox"/> Other

<b>Loss/Damages:</b>	
Claimed Loss:	Substantiated Loss:
Claimed Damages:	
Notes:	



**Templates for Email Correspondence.**

*If no email is provided, a letter will be sent to the Complainant and Respondent via regular mail (certified if action is required).*

***Description - Complaint Receipt Confirmation to Complainant:***

Re: Receipt Confirmation – SBOT Complaint No. \*\*\*\*

Thank you for contacting the Oregon State Board of Towing regarding your concerns/your experience with \_\_\_\_\_.

Your complaint is currently under review. You will be contacted if further information or documentation is needed for the Board’s investigation.

More information will be provided once the review is complete, which should be within the next 30 days.

In the meantime, please do not hesitate to contact the Board referencing the above Complaint No. if you have any questions or would like to provide further information.

Thank you,

\*\*\*\*

***Description - Complaint Reviewed – More Information Required from Complainant:***

Re: SBOT Complaint No. \*\*\*\* - Complaint Review (*more information needed*)

Thank you for contacting the Oregon State Board of Towing regarding your concerns regarding your experience with \_\_\_\_\_.

Your complaint has been reviewed. Please provide the following information *referenced in your complaint OR if available*.

- Pictures
- Estimate
- Invoice or Receipt
- Police Report
- Accident Report
- Other

Please provide the above information by \_\_\_\_\_ (30 days).

Thank you for your assistance in resolving this issue.

\*\*\*\*

***Description - Courtesy Reminder to Complainant at 30 days - more information is required:***

Re: SBOT Complaint No. \*\*\*\* - Courtesy Reminder - Information Required

This is to follow up on the Oregon State Board of Towing's \_\_\_\_\_ email requesting the following information:

- Pictures
- Estimate
- Invoice or Receipt
- Police Report
- Accident Report
- Correspondence
- Other

Please provide the above information by \_\_\_\_\_ (2 weeks). Please note, the Board will be unable to continue its investigation into this matter without the above information.

Thank you for your assistance in resolving this issue.

\*\*\*\*

***Description - Notice of Complaint Received to Tower (sent after a courtesy phone call):***

Re: SBOT Complaint No. \*\*\*\* - Complaint Received

Good afternoon,

This email is a follow up to (our phone conversation/voice message) of earlier today.

The Oregon State Board of Towing has received a complaint against *Company* alleging \_\_\_\_\_.

- Pictures
- Estimate
- Invoice or Receipt
- Police Report/Dispatch
- Correspondence
- Inventory
- DMV Documents (title search, lien documents, etc.)
- Other

Please provide the above information by \_\_\_\_\_ (2 weeks). Please note, the Board will be unable to continue its investigation into this matter without the above information.

Thank you for your assistance in resolving this issue.

\*\*\*\*

***Description - Courtesy Letter to Complainant, Status Update - Assigned to Investigation***

Re: SBOT Complaint No. \*\*\*\* - Assigned to Investigation

Good afternoon,

Thank you for contacting the Oregon State Board of Towing regarding your concerns regarding your experience with \_\_\_\_\_.

The complaint has been reviewed and has been assigned to investigation. Depending on the nature of the complaint, you may be contacted for an interview as part of the investigation process.

The investigation of a complaint may take up to 120 days to complete.

Board staff are unable to provide information regarding open investigations.

You will be provided with an update once the investigation is complete.

In the meantime, please do not hesitate to contact the Board referencing the above Complaint No. if you have any questions,

Thank you,

\*\*\*\*

***Description - Courtesy Letter to Complainant and Tower, Status Update - Investigation complete, board review required.***

Re: SBOT Complaint No. \*\*\*\* - Investigation Complete, Board Review Required

Good afternoon,

The Oregon State Board of Towing investigation is complete, and will be reviewed by the Board during Executive Session of the \_\_\_\_\_ board meeting. The Board will vote on the appropriate action during public session of the same board meeting. You are welcome, but are not required, to attend public session. As board meetings are public record, the Board does not discuss specific cases during public session.

Board actions are generally completed in Agenda order within 30 days after the board meeting. You will be contacted once the Board action in this matter has been issued.

Thank you,

\*\*\*\*



\*\*\*\*

***Description - Closure Letter - No Action Taken - Complainant***

Re: Case Closed - SBOT Complaint No. \*\*\*\*

Good afternoon,

The State Board of Towing has reviewed the complaint materials in this matter.

The Case is being closed with no further action of the Board due to

- No Documentation Provided
- No Jurisdiction
- No Violation Found
- Issue Resolved
- Other

*Brief description of facts and findings supporting closing the complaint.*

*Other options or agencies to contact - as appropriate.*

Thank you for bringing this matter to the Board's attention. Please feel free to contact the Board's office with any questions, concerns, or additional information.

Sincerely,

\*\*\*\*

***Description - Closure Letter - No Action Taken - Tower***

Re: Case Closed - SBOT Complaint No. \*\*\*\*

Good afternoon,

The State Board of Towing has reviewed the complaint materials in this matter.

The Case is being closed with no further action of the Board due to

- Allegations not substantiated
- No Jurisdiction
- No Violation Found
- Issue Resolved
- Other

*Brief description of facts and findings supporting closing the complaint.*

*Brief reminder of applicable laws or rules or best practices - if appropriate.*

Thank you for your cooperation in resolving this matter.

Sincerely,