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6 VIRGINIA BOARD OF TOWING AND RECOVERY OPERATORS

7 PUBLIC MEETING

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16 6:00 p.m. to 8:00 p.m.

17 November 18, 2008

18 Stafford County Administration Building

19 1300 Courthouse Road

20 Stafford, Virginia

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25 Reported By: KURT D. HRUNENI, CVR, CCR-VA

1 BOARD MEMBERS

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3 RAY DRUMHELLER, Chairman

4 MARK SAWYERS, Vice Chairman

5 J. MARC COPELAND

6 CAPTAIN STEVEN CHUMLEY, Virginia State Police

7 RAY HODGE

8 WOODY HERRING

9 CARY COLEMAN

10 ROY BOSWELL

11 SCOTT WYATT

12 GARY TETER

13 CHARLES BROWN

14 ARCHIE ORR

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1 (November 18, 2008, 6:01 p.m.)

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P R O C E E D I N G S

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7 MR. DRUMHELLER: I'd like to welcome you  
8 all to the seventh and final public meeting on public  
9 safety towing. I appreciate you coming out. This  
10 Board is here tonight to listen to your concerns, and  
11 your wishes for public safety towing.

12 We're not here really to debate. But we  
13 want to hear what you have to say. And that's why  
14 we've traveled all over the state meeting with as many  
15 towers as possible.

16 So without any further thing from me, I'll  
17 let Marc make comments.

18 MR. COPELAND: Thank you, Mr. Chairman.  
19 Welcome everyone. And as the Chairman indicated, we're  
20 here to receive feedback on public safety towing, in  
21 other words, towing that involves a request from law  
22 enforcement.

23 We're more than happy to answer any other  
24 questions you might have regarding the Board, and its  
25 activities, and the credentialing process that's

1 ongoing now. But at least the early part of this  
2 meeting, if you can keep your comments as concise as  
3 possible, within three to five minute presentation, and  
4 if you can also keep them focused on public safety  
5 towing. That would be greatly appreciated.

6 And obviously as we move on into the  
7 meeting and there's less questions, we're more than  
8 happy to either meet with you after the meeting to  
9 discuss any specific question you might have about the  
10 credentialing process, or if you think it's a general  
11 question that might be of interest to anyone here,  
12 certainly come on up and make your voice be heard.

13 So having said that, I'll turn it back over  
14 to the Chairman.

15 MR. DRUMHELLER: Before we get into  
16 comments, I'd like to -- I'd like for the Board to  
17 identify themselves and where they're from, starting  
18 with Mr. Coleman.

19 MR. COLEMAN: Cary Coleman, Coleman Motor  
20 Company, Fredericksburg.

21 MR. HERRING: Woody Herring, Willow  
22 Springs Towing, Fairfax.

23 MR. HODGE: Ray Hodge, Highway Garage,  
24 Stafford.

25 CAPTAIN CHUMLEY: Steve Chumley. I'm a

1 Captain in 1st Division, which is the Richmond region.  
2 And I'm also -- the Colonel of the State Police, I'm  
3 his designee on the Towing Board.

4 MR. COPELAND: Marc Copeland, acting  
5 Executive Director.

6 MR. DRUMHELLER: Ray Drumheller,  
7 Drumheller's Towing from Waynesboro.

8 MR. SAWYERS: Mark Sawyers, Affordable  
9 Towing, Hampton Roads, Virginia.

10 MR. BOSWELL: I'm Roy Boswell, Boswell's  
11 Towing, Stafford, Virginia.

12 MR. WYATT: Scott Wyatt, Citizen  
13 Appointee, Hanover County, Virginia.

14 MR. BROWN: Charlie Brown, Brown and Son  
15 in Salem, Virginia.

16 MR. TETER: Gary Teter, Teter's Exxon,  
17 Harrisonburg, Virginia.

18 MR. ORR: Archie Orr, Citizen Appointee,  
19 Abingdon, Virginia.

20 MR. DRUMHELLER: Thank you. At this time  
21 I will open the floor up for your comments. Don't be  
22 bashful. This is your meeting. We want to hear what  
23 you have to say.

24 MR. KULP: Earlier today, when we just --  
25 leave here -- it sounded to me like we were going to

1 halfway abandon this safety part. I thought this was  
2 what it was all about to start with.

3 MR. COPELAND: Sir, can you state your  
4 name again, please.

5 MR. KULP: David Kulp, the good looking  
6 one. Don't confuse me with the younger one.

7 What I've got -- I've got a few questions  
8 here. According to the way this law's written up, a  
9 person can only drive at certain places.

10 I thought as a citizen of the United States  
11 I could drive anywhere I wanted to as long as I had a  
12 license.

13 If you say I conduct myself in an  
14 unprofessional manner, and an unethical manner, that's  
15 grounds to take my license. What I do is unethical,  
16 and I am a very unprofessional person. I make a living  
17 being unprofessional and unethical.

18 What I do for a living is different than  
19 what you do. I don't go out here and tow for the state  
20 police. But I pay every bit of insurance you all do.  
21 I should have a right to do it if I want to.

22 I've had state troopers and county police  
23 officers ask me to tow cars before, because they  
24 couldn't get somebody to respond. I believe that we've  
25 got a problem because this Board hasn't gone back to

1 make people being able to take their wreckers home with  
2 them that do drive for the state. I can understand my  
3 neighbor not wanting my truck at the house. I don't  
4 drive for the state.

5 But what, it takes an hour and a half -- an  
6 hour to get a wrecker to a scene of an accident.  
7 That's bad when a man has to leave his house, go to his  
8 shop, pick up a truck and then go to the scene of the  
9 accident.

10 When I worked accidents we drove our trucks  
11 home and we had to respond within 15 minutes. You  
12 know, the Board could be doing a lot of things to help  
13 the wrecker business and the people who own wreckers.

14 The way it looks to me, a lot of the laws  
15 are written that you can only sell your business to one  
16 person. Somebody that's already involved there.

17 And this is not the way -- this is not the  
18 American thing. A man doesn't need to know how to tigg  
19 weld to be CEO of General Motors. Nabisco's CEO does  
20 not know how to be a baker necessarily. That's what he  
21 hires people to do.

22 If I wanted to buy a business and I knew  
23 nothing about the wrecker business, I should be allow  
24 to go out here and say, "I want to buy this business,  
25 and I'm going to hire somebody to run it."

1                   But that's not the way we wrote this law.  
2   There's quite a few things in this law that's  
3   ridiculous. You know, people that are sitting on this  
4   Board don't abide by -- some of them don't even know  
5   the laws.

6                   The police officers don't know the law.  
7   And that was what I preached to you back in January.  
8   Nobody's done a thing to change it. And then everybody  
9   -- why are you upset?

10                  Well, I've lost my employment because I  
11   refused to get a license under the grounds that they're  
12   being written. I'm going to drive for whoever I want,  
13   whenever I want, if I get a license.

14                  How can you hold a man -- if I man's been  
15   tried, convicted, how can you retry him?

16                  I don't have any felonies on my record.  
17   But I don't want you people to look at my police  
18   record. You ain't got no right. I said that at the  
19   beginning.

20                  And I noticed you changed it where we're  
21   going to have four people that are impartial. Where  
22   are you going to keep my fingerprints? Where are you  
23   going to keep my criminal report? Is it going to be  
24   safe?

25                  In the building he's in right now I could

1 break in there in 10 minutes, no problem. And I'm not  
2 even that good a crook. I'm a fair crook because I  
3 steal cars for a living. As a matter of fact, I stole  
4 one from the White House once.

5 If the Board has complaints filed against  
6 somebody -- and I guarantee you, if you all do what  
7 you're going to do, the complaints are going to roll in  
8 on David Kulp. I am a rotten, no count individual.

9 I've taken this lady's car at 3 o'clock in  
10 the morning. I'm leaving her stranded. They're going  
11 to complain. If somebody files an unjust complaint,  
12 are you going to prosecute them for making a false  
13 police report, or are you just going to let them go?

14 It's bad whenever you can run over me and  
15 it's not worth investigating. I've been run over since  
16 this Board meeting, when I first complained about being  
17 run over in January. Nobody's gone to jail.

18 I thought we were here for public safety.  
19 I'm part of the public. Believe it or not, I am part  
20 of the public. My daughter-in-law got hurt in a  
21 repossession. I was told she really didn't have no  
22 business being there. They didn't want to prosecute  
23 the guy.

24 This is what I'm talking about. This is  
25 what I want to see the Board do. If we're going to

1 have a Board let's have a Board. Let's go to bat for  
2 everybody. And we don't need no state VASCO or any of  
3 these other idiots. What we need is a Board that's  
4 going to be a fair, just, Board, and understand the  
5 circumstances that some people work under.

6 Who's going to complain about you going  
7 down there to tow their car out from the scene of the  
8 accident, especially if you've got to pry them out of  
9 the car. They're happy to see you. They ain't happy  
10 to see me, believe me. They'd rather I never showed  
11 up.

12 MR. DRUMHELLER: Thank you, sir. I  
13 appreciate having it in writing, too. Thank you.

14

15 (Discussion off the record.)

16

17 MR. DRUMHELLER: Next? This is your  
18 meeting. Let's hear from you.

19 Mr. Pence.

20 MR. PENCE: Members of the Board, Mr.  
21 Chairman, my name is Jason Pence, Mount Jackson,  
22 Virginia, on behalf of Valley Towing, and Keller  
23 Towing, and Shenandoah Investigative Agency.

24 As I've said on more than one occasion, I  
25 do recommend that the Board, if they're going to enact

1 public safety regulations, the text should read  
2 something like this.

3           Quote, any towing and recovery operator who  
4 performs public safety towing shall perform those tasks  
5 and duties in accordance with the general regulations  
6 of the B.T.R.O., and additionally shall comply with any  
7 requirements set forth by either the local contracting  
8 agency or the law enforcement agency who administers  
9 the rotation list, period, end quote, end of  
10 regulation.

11           I do thank the Board for going over and  
12 above the General Assembly mandate. They only mandated  
13 four, and you all have had seven. And I do think that  
14 the Board is owed a great thank you, because you all  
15 came to other areas of the state that wouldn't  
16 necessarily have gotten any representation.

17           So I do applaud the Board for that. And I  
18 applaud each and ever member of the Board, whether I  
19 personally agree with you guys or not, because I know  
20 what a hassle this all is. You've taken a whole lot of  
21 time, energy, and effort, on behalf of the industry.  
22 And whether I agree with any personal individual or  
23 not, I do applaud your commitment to the industry.

24           So, thank you.

25           MR. DRUMHELLER: Thank you, Mr. Pence.

1 Next? Sue, do you have any comments?

2 ATTENDEE: No, none tonight. Thank you.

3 MR. DRUMHELLER: Thank you for being  
4 here.

5 MR. MORRIS: Good evening, gentlemen. My  
6 name is Bill Morris from Bill's Service Center out of  
7 Spotsylvania County.

8 And I noticed that some of my friends in  
9 another jurisdiction of the towing industry is not  
10 here, and I want to shed some light on some concerns  
11 that they brought to me.

12 They -- some of my friends do contract  
13 towing for the Fredericksburg Auto Auction. They do no  
14 public towing whatsoever. And they're worried about  
15 the concerns of having to pay the fees and meet the  
16 standards that the public service individuals like  
17 myself and Cary do.

18 And they're having some problems with that.  
19 One of the things is the driver's list. And a friend  
20 of mine, Ronnie Hoe [ph], runs Hoes Transport. When  
21 one of his rollbacks breaks down, which he only has  
22 one, he'll borrow one from somebody else while it's in  
23 the shop.

24 Under these circumstances he can't do that,  
25 because he's not on this man's list to drive, nor is

1 his friend that borrows his truck when it's broke down  
2 to drive.

3 And I feel that the Board should take some  
4 consideration for people that tow for just contract,  
5 like auto auctions, insurance companies, and do not do  
6 public tows, in other words, towing for a fee. They're  
7 under contract. They don't even set their own fees.

8 The auto auction sets the fees and either  
9 you tow it for that fee or you don't do it. That's all  
10 there is to it.

11 Another thing for my own self, we've been  
12 in business for going on 48 years now. And we're  
13 probably one of the smallest towing companies in our  
14 area, and the top -- and in the top five of the oldest.

15 And it's only my father and myself that  
16 drive. No other employees. Three trucks. And I've  
17 read in the standard that you're going to require us to  
18 have somebody at the office to answer the phones.

19 Well, our office is in our tow trucks. We  
20 prefer that you -- when you call you get either me or  
21 my father. And we have never, ever, had any problem  
22 releasing vehicles. You can ask the friends that know  
23 me on the Board here, that we have never had any  
24 complaints about releasing vehicles, people getting  
25 their personal belongings, anything whatsoever.

1                   And we're so small that right now I don't  
2 have any cars to release. And with the economy like it  
3 is, I'll be honest with you, we did two tows today.  
4 And I don't mind paying the fees and being part of this  
5 and everything, but it will be awful hard for me to pay  
6 somebody 40 hours a week to sit there and file their  
7 fingernails and do nothing but answer the phone for me  
8 when I can do that perfectly myself.

9                   And I just want to just bring that to light  
10 to you, and say look, you know, we meet the standard  
11 every time. We met it in Spotsylvania County. We have  
12 never had any complaints by the state police, the  
13 sheriff's department, or any other law enforcement  
14 agency on this matter.

15                   And I feel that what's in place should stay  
16 in place. Thank you.

17                   MR. DRUMHELLER: Thank you, Bill.

18                   MR. COPELAND: Mr. Morris?

19                   Mr. Chairman, can I ask Mr. Morris a  
20 question?

21                   MR. DRUMHELLER: Yes.

22                   MR. COPELAND: Do you currently do public  
23 safety tows --

24                   MR. MORRIS: Yes.

25                   MR. COPELAND: -- for local law

1 enforcement here? Which counties or --

2 MR. MORRIS: Spotsylvania County, Zone  
3 5/6, Area 5. We keep the standard of we're on the  
4 scene within 30 minutes after the call, 24 hours a day,  
5 7 days a week, and we answer the phone, we're there.

6 MR. COPELAND: All right. Thank you.

7 MR. BROWN: I'd like to ask a question,  
8 too. You said you meet all their current standards for  
9 that county. Could you -- would you mind sending us a  
10 list of that county's standards.

11 MR. MORRIS: It's the Spotsylvania County  
12 Towing Ordinance. And it's basically standard safety  
13 equipment, that we guarantee that we'll be on the scene  
14 within 30 minutes of call. We have a lighted storage  
15 lot. It's just very simple things.

16 Mr. Coleman can provide you with that.  
17 He's one of the -- he was one of the persons that wrote  
18 the standard.

19 MR. BROWN: Oh, that's the same county  
20 you're in, Cary?

21 MR. COLEMAN: Yes.

22 MR. BROWN: So you can provide the  
23 committee with that requirements for that county.

24 MR. MORRIS: And we are very -- my  
25 company, and also Mr. Powell's, Ashby Powell, we're

1 very happy with the way things are going in the county.  
2 There's no more running up and down the roads fighting,  
3 like it's always been, because there's no more multiple  
4 turns on the list. The Sheriff's Department comes out  
5 and inspects our wreckers -- excuse me -- tow trucks,  
6 not wreckers. I was brought up with cables, and  
7 wreckers.

8                   And we still run a Holmes 500. We don't  
9 even have a hydraulic wrecker. And we -- we're  
10 inspected twice a year. When tax time rolls around,  
11 here comes the sheriff's department. If it's not  
12 straight, it better be straight, because you're not  
13 going to get your sticker. Now, we're happy with it,  
14 because the trucks are better on the road. Thank you.

15                   MR. DRUMHELLER: Thank you.

16                   MR. COPELAND: Mr. Chairman, if I might.  
17 Bill, I think you brought up a question about being  
18 able to drive for various -- or drive various vehicles.

19                   MR. MORRIS: Yes, sir. There's a  
20 standard, it's \$50 fee per driver. And we have to  
21 provide a list of the drivers per company.

22                   And like if I borrowed a tow -- a vehicle  
23 from you, I'm not on your list as a driver, so I'm not  
24 legally allowed by the state standard to drive --

25                   MR. COPELAND: Actually, Mr. Chairman,

1 you certainly can. If you have a driver authorization  
2 you can driver for whoever you want to drive for.

3 MR. MORRIS: Of course I can drive. But  
4 I cannot borrow your truck --

5 MR. COPELAND: Sure. Why not?

6 MR. MORRIS: -- and drive your equipment  
7 and use it as mine. That's the way I read it. That's  
8 the way I understand it.

9 MR. SAWYERS: Mr. Chairman, that was  
10 something we changed at some point. We were allowed --  
11 you're now allowed to drive for different companies at  
12 the same time. It was changed. It was not like that  
13 in the beginning.

14 MR. WYATT: Right. Correct. He's  
15 correct. You can borrow that truck and drive.

16 MS. LEACH [ph]: I have a question about  
17 the driver certification.

18 MR. DRUMHELLER: Come up front and give  
19 us your name, please.

20 MS. LEACH: My name is Christina Leach,  
21 I'm with Eddie's Towing and Recovery in Stafford,  
22 Virginia. We have 16 drivers. And the turnover ratio  
23 in the towing industry is ridiculous whether the  
24 economy is good or bad.

25 Are we as -- as an owner of a tow truck

1 company, are we allowed to take that certification from  
2 that driver if he quits that place of business, if the  
3 company paid for that certification?

4 MR. DRUMHELLER: No.

5 MS. LEACH: So we have no way of  
6 recouping our money whatsoever, that we put into that  
7 driver.

8 MR. DRUMHELLER: That authorization --  
9 driver's authorization belongs to the tow truck driver.

10 MS. LEACH: Okay.

11 MR. DRUMHELLER: In my office, my  
12 driver's going to pay for that. If he belongs to them  
13 they pay for it. I'm not paying for it.

14 MS. LEACH: Unfortunately, in this  
15 economy, trying to tell tow truck drivers where, you  
16 know, they got \$100 pay check one week and 500 the  
17 next, you know, that you've got to come up with \$87 to  
18 do the background check and the certification is a lot  
19 of money to ask them, with the economy the way it is --

20 MR. DRUMHELLER: A lot of money to ask  
21 the operator to put out, too --

22 MS. LEACH: Right.

23 MR. DRUMHELLER: -- if you have as many  
24 drivers as what you have.

25 MS. LEACH: Yeah. But, you know, you do

1 what you do for your employees.

2 MR. DRUMHELLER: That's a business  
3 decision.

4 MS. LEACH: Right. Okay. All right.  
5 Well, thank you.

6 MR. DRUMHELLER: Thank you.

7 MR. KULP: I'd like it very well  
8 clarified. In other words, if I get a certificate to  
9 drive, I can drive anything I want to, and I can drive  
10 anybody's truck I want to?

11 MR. DRUMHELLER: Any tow truck, yeah. As  
12 long as you have a tow truck driver's authorization.

13 MR. KULP: It will be just like what I  
14 have my Class A chauffeur's license.

15 MR. DRUMHELLER: Right.

16 MR. KULP: In other words, if I want to  
17 drive for B.T. today, I can drive. If Coleman was  
18 stupid enough to hire me I could drive for him.

19 MR. DRUMHELLER: That's correct. You  
20 could drive for --

21 MR. KULP: Maybe Sawyers wouldn't do it  
22 now.

23 MR. COPELAND: And, Dave, please  
24 introduce yourself again.

25 MR. KULP: David Kulp. But this -- I

1 want it on the record. In other words, my -- it is  
2 just as it was. I don't have to list everybody I drive  
3 for.

4 MR. DRUMHELLER: No.

5 MR. KULP: All right.

6 MR. DRUMHELLER: As an operator you list  
7 what drivers drive regular for you. But they can still  
8 go out and drive for someone else.

9 MR. KULP: In other words, let's say I  
10 was going to drive Global Towing's truck today. I was  
11 going to drive B.C. -- tomorrow. I was going to drive  
12 T.T.'s truck the next day. I'd have to be on each of  
13 their lists?

14 MR. DRUMHELLER: I don't believe so.

15 MR. COPELAND: No. Mr. Chairman, I think  
16 we are -- we're required under the regulations to ask  
17 for information about where you're employed. So you  
18 can list one, two, three, however many you want.

19 But we'd like to get at least one. And at  
20 that point, when you get the authorization it's all  
21 yours. And there are some requirements on the owners  
22 to provide us information on their driver's as well.

23 So really it's a requirement that's out  
24 there that I would argue that it might be redundant the  
25 way it is written now, but we are required to do it

1 under this particular process that we're in.

2 You need to list one. But you can drive  
3 for many.

4 MR. KULP: I have found that any law  
5 that's listed is subject to change to whoever's in  
6 charge. This might be the way you see doing it, but I  
7 want it right. I'm from Missouri, show me.

8 It's just like I said. The state police  
9 took my inspection license for the sole reason that I'm  
10 unsupervisable. And there's people on this Board that  
11 would probably agree with them. And I halfway agree  
12 with them.

13 Because I was doing something that had  
14 state police audit. And if I disagreed with them --  
15 I'm allowed. But they're also allowed to sit back and  
16 say, "Hey, you ain't allowed to disagree with us."

17 If I'm doing something -- but if I'm  
18 driving my wrecker, or I'm driving Joe Banana's  
19 wrecker, I'm doing what I want to do.

20 I drive a wrecker because I want -- I get  
21 up 2 o'clock in the morning, go out and mess with  
22 people. That's my job. That's what I enjoy doing.

23 I don't want anybody looking over my  
24 shoulder. I had 16 people working for me, I had to  
25 look over their shoulders. I gave it away. I said,

1 "Here, take this. Get rid of the Albatross."

2 All I want to do is what I want to do  
3 myself. That's why I do what I do. And that's why I  
4 said, that's one of my major concerns. Most of the  
5 people in this wrecker business have something to hide.  
6 I've dealt with a lot of you sitting on this Board and  
7 I know for a fact you all do things you shouldn't do.

8 But that's neither here nor there. I mean,  
9 I don't really have a problem with Mr. Coleman. People  
10 might by what I said think I do. But he didn't have  
11 anything to do with what happened. He wasn't there.

12 But my gripe is you're saying he's  
13 responsible. You shouldn't take his license because  
14 one of his drivers don't know what he's doing. When  
15 that police officer came to my lot the other day and  
16 told me she was going to arrest me.

17 If she would have arrested me for auto  
18 theft, she would have been stone wrong. Do you think  
19 people on this Board are going to pay me until that  
20 court case is settled, or am I just going to sit back  
21 and scratch my hiney?

22 You know, I've been terminated from my main  
23 source of income because I won't get a license under  
24 the grounds that it's written. Now you've changed a  
25 lot of it and I commend you all for it.

1           Like I said, if this Board was run the way  
2 I thought it should be, and any reasonable person in  
3 this business thought it should be, I wouldn't have a  
4 problem with it.

5           MR. DRUMHELLER:     Thank you, Mr. Kulp.

6           Next?   Law enforcement?

7           MR. COLLIS [ph]:     How are you doing?   I'm  
8 Chris with Shank's Towing out of Spotsylvania County.  
9 I had a question regarding the disqualification  
10 regarding having a felony.   I'm not really sure about  
11 the clarity of what that involves, you know.

12           Some people had told me that it was only  
13 felonies involving like a sex crime or something like  
14 that.   And, you know, I have a felony.   But I also have  
15 two kids, and I have a job, and I work.   You know,  
16 pretty much that's all I do is work and sleep.

17           You know, I'm around my wrecker -- a lot of  
18 people have brought up the economy.   And in order to  
19 make a living in the economy right now, I have to be  
20 within 10 feet of my truck, you know, 15, 18 hours a  
21 day.

22           And, I mean, I work pretty hard.   And I  
23 don't want to lose that, you know.   And I just -- I  
24 want to know -- I kind of would like that cleared up,  
25 as far as what discounts you and what doesn't.

1                   MR. DRUMHELLER:    Mr. Copeland, would you  
2     like to respond?

3                   MR. COPELAND:    Mr. Chairman, I'd be glad  
4     to go over the criteria that are outlined in the  
5     regulations.  But, you know, it sounds like this might  
6     be a specific question that you would like specifically  
7     answered one on one.  And I'll be happy to do it that  
8     way, too.

9                   But the criteria are laid out in Section  
10    140 of the prerequisite for application for a tow truck  
11    driver's authorization document, which I think you're  
12    referencing, if I'm not mistaken.

13                  MR. COLLIS:    Right.

14                  MR. COPELAND:    Among other things we're  
15    going to look at the nature and the seriousness of the  
16    crime.  There are some time periods that are involved  
17    as well.  I believe it's over 10 years for a felony and  
18    3 years for a misdemeanor.

19                  It obviously depends on the seriousness of  
20    the crime, what's gone on since that particular  
21    incident, you know, in other words, what you've been  
22    doing since.

23                  MR. COLLIS:    Right.

24                  MR. COPELAND:    And there is one -- one  
25    offense that basically rules you out for driving, and

1 that's being a sex offender and having to report under  
2 the Sex Offender Registry. If that's the case  
3 operators are not permitted to hire you.

4 MR. COLLIS: Well, that's certainly not  
5 the case. I'm just --

6 MR. COPELAND: Yeah. And again, I didn't  
7 want to say -- I just wanted to say in a general  
8 statement, that. But I'll be happy to go over each  
9 specific item and talk to you about your --

10 MR. COLLIS: So basically what you're  
11 saying, it's almost on a one -- an individual basis.

12 MR. COPELAND: Exactly. And if you fit  
13 into the screening criteria, then that's when we're  
14 going to look at you. If you don't fit in the  
15 screening criteria, in other words, you're outside of  
16 the criteria, you're moving on and --

17 MR. COLLIS: Okay. So when are -- I know  
18 it's hard to believe. But I'm sure I'm not the only  
19 tow truck driver with a felony.

20 MR. COPELAND: We've had a handful.

21 MR. COLLIS: When are we supposed to know  
22 we're out of a job, you know?

23 MR. COPELAND: And, Mr. Chairman, as we  
24 mentioned earlier in the evening in the Board meeting,  
25 we're going to actually start reviewing those hopefully

1 this week. I think we're going to do something  
2 Thursday and start reviewing the ones with any need for  
3 any criminal background check review.

4 Other than that, we've already gone through  
5 a host of fingerprint returns that had no hits, and  
6 they've been reported already for approval. But, yeah,  
7 there's 40 or 50 to screen, and then they'll probably  
8 be a handful out of that to look at as far as whether  
9 or not there's a need to deny or not.

10 MR. COLLIS: Okay. Thank you.

11 MR. BROWN: I have a -- Mr. Chairman?

12 Chris, I'm sorry I didn't get your last  
13 name. It was Chris?

14 MR. COLLIS: Collis [ph].

15 MR. BROWN: If you would, I would like  
16 for you to wait after the meeting and speak one on one  
17 with Mr. Copeland --

18 ATTENDEE: Absolutely.

19 MR. BROWN: -- if you would.

20 ATTENDEE: I mean, I'm willing to do  
21 whatever I have to do.

22 MR. BROWN: He can tell you. You can --  
23 I don't want you to have to tell everybody in here.  
24 You can just tell him directly and --

25 ATTENDEE: Most of the people in the room

1 know.

2 MR. BROWN: Mr. Wyatt here doesn't want  
3 to know. But just talk to him one on one.

4 ATTENDEE: Okay. All right. Thank you.

5 MR. DRUMHELLER: Next?

6 MR. KULP: Yeah. I have a question about  
7 the credit cards. Everybody says you've got to take a  
8 credit card.

9 MR. COPELAND: Introduce yourself.

10 MR. KULP: David Kulp.

11 MR. DRUMHELLER: David, that taking a  
12 credit card was passed by the General Assembly. We had  
13 nothing to do with it.

14 MR. KULP: Yeah. But which ones are  
15 appropriate? Would American Express be appropriate?

16 MR. DRUMHELLER: American Express, Visa,  
17 MasterCard, Discovery.

18 MR. KULP: Any of the major credit cards.

19

20 MR. DRUMHELLER: Any of the major cards.

21 MR. KULP: Because the way the law was  
22 written it said one of two, and that could be --

23 MR. DRUMHELLER: One of two.

24 MR. KULP: Yeah. And there's more than  
25 two.

1 MR. DRUMHELLER: I know. It's a little  
2 confusing. We didn't write that law.

3 MR. KULP: I didn't say you did. I mean  
4 -- but you need to clarify, I think, when you've got a  
5 court recorder.

6 MR. DRUMHELLER: Anyone else?

7 MS. LEACH: I just have a quick question.  
8 So if somebody comes to work for us after January 1st,  
9 do they have to have that certification, or do I have a  
10 certain time period for them to get that certification,  
11 or I can't hire them without it?

12 MR. DRUMHELLER: We have discussed that  
13 at length --

14 MS. LEACH: This is the first meeting  
15 I've been to, so that's why I asked.

16 MR. DRUMHELLER: Well, I'm just saying.  
17 This Board has looked at that. That question has been  
18 raised before. And hopefully we can get the  
19 fingerprinting done and report back that --

20 MR. COPELAND: Three to five days.

21 MS. LEACH: So I can go ahead, based on  
22 somebody's M.V.R. driving record, and potentially hire  
23 them with the chance of not having a job within three  
24 to five days, is what I would tell somebody, basically.

25 MR. DRUMHELLER: Basically.

1 MS. LEACH: Okay.

2 MR. DRUMHELLER: You'd want to put him in  
3 a truck, probably several days anyway, with someone  
4 else to learn.

5 MS. LEACH: Yeah. Okay. All right.  
6 Thank you.

7 MR. DRUMHELLER: Thank you.  
8 Terry.

9 MR. WOOD: Terry Wood, Hampton Roads  
10 Towing, Hampton, Virginia. I've discussed this a  
11 little bit with Marc. But since I've been coming to  
12 all of these meetings, I've had several drivers that  
13 are no longer with me, they'll be picked up under  
14 embezzlement charges.

15 If a wrecker driver is arrested for  
16 embezzlement charges, are they eligible to get the  
17 license for tow truck driver, afterwards, if they've  
18 been convicted of it?

19 MR. COPELAND: Mr. Chairman, I can't say  
20 precisely what that situation would be. But if they're  
21 convicted of embezzlement, and it's --

22 MR. WOOD: From a tow company.

23 MR. COPELAND: And it's clearly connected  
24 to tow truck operating, I think that's certainly  
25 something that the review committee would probably want

1 to look at fairly carefully.

2 MR. WOOD: Do I need to flag it people --  
3 to the -- to you, or what do I need to do?

4 MR. COPELAND: Mr. Chairman, what would  
5 occur is at the point in which --

6 MR. WOOD: A conviction.

7 MR. COPELAND: -- there's a conviction --  
8 you know -- I don't know that that's -- I don't know  
9 that a conviction as they have a valid driver  
10 authorization, we're supposed to be notified of  
11 anything that impacts their ability to perform.

12 So, yeah. I think that's something that  
13 the Board needs to know about.

14 MR. WOOD: I'm trying to protect myself  
15 and people in my area, that's why I'm asking.

16 MR. COPELAND: Yeah. You can let us --  
17 let the Board know. You can let me know, email,  
18 letter, and we'll go from there.

19 MR. WOOD: I thank you all. Thank you  
20 for telling me what to do.

21 MR. DRUMHELLER: Thank you, Terry.

22 MS. COX: Hi. I have a question. My  
23 name is Tracy Cox. I'm the owner of Cropper's Towing  
24 in Triangle, Virginia.

25 MR. COPELAND: I'm sorry, Tracy. Can you

1 introduce yourself --

2 MS. COX: Tracy Cox, Cropper's Towing.

3 As far as a driver having his own responsibility for  
4 having his operator's license, how would I know as an  
5 owner that that has been revoked or suspended?

6 MR. DRUMHELLER: Run that by me again.

7 MS. COX: If it's not my responsibility  
8 to maintain his badge, his operator's license, and he  
9 takes it with him wherever he goes; how would I know as  
10 an owner if it's been revoked, if he doesn't work for  
11 me?

12 He's only on my list. I'm not telling you.  
13 He's working for five or ten companies when he comes.  
14 How am I supposed to know? I have to ask for it  
15 everyday?

16 MR. COPELAND: And, Mr. Chairman, I'm  
17 kind of trying to figure out the hypothetical here.  
18 But it sounds like to me that one of the -- this is  
19 similar to a question we had asked in Virginia Beach,  
20 which is, is there going to be a database that will --  
21 that owners will be able to access that says whether or  
22 not someone's approved.

23 MS. COX: Correct.

24 MR. COPELAND: Yes, there will be.

25 MS. COX: Okay.

1           MR. COPELAND:    So there will not be one  
2 that says they've been denied. But if they're not on  
3 the approved list, I think you can draw your own  
4 conclusions.

5           MS. COX:        As far as like being -- if you  
6 send an inspector to come and check my records to make  
7 sure everybody is good, do I have to check this -- I  
8 mean -- how would I know? Would you inform the company  
9 that they're working for that that badge has been  
10 revoked?

11                        I'm just trying to look at all sides of  
12 this.

13           MR. COPELAND:   And, Mr. Chairman, I don't  
14 mean to hedge on any answer. But as we've moved  
15 forward in this process, many of the things that we're  
16 doing are evolving as we move forward.

17                        So it seems to me that that would be  
18 totally appropriate to somehow notify whoever is on the  
19 list as being the person that they're working for that,  
20 in fact, something has happened.

21                        And so that seems appropriate. And I think  
22 it's consistent with what we've answered, or has been  
23 asked of us in the past as well at other meetings,  
24 which is; how will I know, is there going to be a  
25 simple way to know, and will you be notifying us if

1 something occurs that disqualifies someone from having  
2 a driver authorization?

3 And I think very clearly we're going to  
4 have to build something into that process if that  
5 occurs.

6 MS. COX: Okay. Thank you.

7 MR. DRUMHELLER: Thank you. And that's  
8 the reason for these meetings.

9 MR. PAYNE: I'm Carroll Payne, Payne's  
10 Body Shop, and I'm here again tonight wasting time out  
11 here. And I'd like to personally tell you how I feel  
12 about the whole situation, because I don't understand  
13 what all's going on here.

14 I've been in the towing business for 45  
15 years. I've have no problem with what we was doing to  
16 start with before all of this stuff came about.

17 I don't think it ain't nothing but a bunch  
18 of bologna to start with. Why don't we just turn it  
19 loose to the state and let them take care of their own  
20 job, get it over with, leave everything else alone?

21 And I'm opposed to all of this. It's just  
22 a bunch of bologna that we're putting up with, is all  
23 it is.

24 And somebody's fixing to stick their hands  
25 in somebody else's pocket is what it's all about. Us

1 people out here working to make a living, or trying to  
2 do people good, and then we've got people standing  
3 behind watching everything we're doing in order to get  
4 their finger in on our doings. That's wrong.

5 We need to take -- we need to make one time  
6 -- this will be my last meeting I come to. I'm tired  
7 of it. I'm sorry, but I'm really tired of it. And  
8 I've tried to give up my whole wrecker service on  
9 account of this deal.

10 I'm just tired of it. People are not  
11 looking at what's going on here. There's people out  
12 here trying to get into this stuff they've got no  
13 business doing to start with.

14 If you want to go in the wrecker business,  
15 whoever's behind it all, get yourself a wrecker and do  
16 it. And that's all I got to say. Leave it to the  
17 state.

18 MR. DRUMHELLER: Thank you, Carroll.

19 Anyone else?

20 MR. COOPER: My name's John Cooper,  
21 Cooper's Tire in Fredericksburg, Virginia. I hate to  
22 come after him, but I agree with all of this.

23 I just want to know how you're going to  
24 police it. How are you all going to police 15 million  
25 wreckers in the State of Virginia, who's operating

1 illegally or whatever? Who's going to -- State police  
2 going to handle it? DMV going to handle it?

3 But I think what you're doing -- you're on  
4 the right track. We need a little bit of  
5 professionalism. A little bit of background check's  
6 not going to kill nobody, you know. I don't think  
7 there's nothing wrong with it. But I'd like to know  
8 how you're going to police it.

9 I don't think the state will be -- never  
10 been able to police it. All this database is going to  
11 do is give the people who's operating legally a place  
12 for them to come look. But everybody else running up  
13 and down the roads, they're not going to -- who's going  
14 to police them?

15 MR. DRUMHELLER: Well, with the tags, or  
16 decals, or whatever we use, the state police will be  
17 more able to --

18 MR. COOPER: Are they the ones that are  
19 going to be policing it?

20 MR. DRUMHELLER: No, not altogether.  
21 We're going to have compliance officers hired by this  
22 Board that will be doing -- checking compliance with  
23 the regulations.

24 MR. COOPER: So are they going to be in  
25 each locality, or have you got to call them and say,

1 "hey" -- do you know what I mean?

2 There's a lot of variables here, you know.

3 MR. DRUMHELLER: You're right.

4 MR. COOPER: And it don't seem to be --  
5 if it's going to be fair for the people who's legal,  
6 because they're just going to be, "Okay, this is  
7 Cooper's Towing. We know where he's at. But this guy  
8 over here, we don't know him."

9 But he's still doing the same thing,  
10 hauling cars.

11 CAPTAIN CHUMLEY: Mr. Chairman, once we  
12 call a tow truck, or we see a tow truck operating  
13 somewhere in Virginia that doesn't have the required  
14 plates, that doesn't have the license to tow, you know,  
15 we can charge them for that.

16 MR. COOPER: The state police will be  
17 able to.

18 CAPTAIN CHUMLEY: Well, local and state.

19 MR. COOPER: Okay. That's good.

20 CAPTAIN CHUMLEY: So, you know, it's not  
21 just the state police, but it's law enforcement in  
22 general. Now, with them being charged, that's another  
23 thing maybe -- maybe, Marc, you can address, or maybe  
24 we still need to address.

25 But how is the Towing Board going to know

1 that we've written somebody a ticket for not driving  
2 legally? You know, is there some type of database  
3 we're going to keep there -- I don't know -- that would  
4 prevent them from getting a license in the future or --  
5 do you see what I'm saying?

6 MR. COOPER: Yeah.

7 CAPTAIN CHUMLEY: But certainly if we see  
8 someone driving, one, they're not going to tow the car  
9 we've asked them to tow.

10 MR. COOPER: This is not just for public  
11 safety though. I'm talking about in the general regs.  
12 By the general regs. if you have a tow truck, you will  
13 have to be licensed and you'll have the sticker on the  
14 truck and all of that stuff.

15 People hauling scrap, whatever they're  
16 doing, if it's a wrecker you've got to have this  
17 license. And that's why I say, it will be good for the  
18 industry to know who's who. But if there's nobody to  
19 police it, then the only ones getting policed are those  
20 people --

21 CAPTAIN CHUMLEY: Still again, if we see  
22 one of those guys driving down the road, you know, we  
23 would have every right to make sure that they're legal.

24 MR. COOPER: Well, that's what I wanted  
25 to ask. Because everybody says, well, the police

1 department's not going to be able to do nothing. So,  
2 you know, does this have to be DMV investigator or  
3 whoever through the DMV?

4 And that's why I was asking the question.

5 CAPTAIN CHUMLEY: Well, if he's not  
6 running the right tag, or doesn't have the sticker on  
7 there like he's supposed to then, you know, we're going  
8 to be checking them out.

9 MR. COOPER: Okay. Thank you.

10 MR. DRUMHELLER: Thank you.

11 Back again.

12 MS. LEACH: Yes. I know. Well, I said  
13 it was my first meeting, I'm just reading paperwork.  
14 So I'm kind of getting everybody else's feel for this.

15 I have a two part question.

16 MR. COPELAND: Please introduce yourself  
17 again.

18 MS. LEACH: Christina Leach with Eddie's  
19 Towing and Recovery in Stafford, Virginia.

20 You know how you have stickers on your tags  
21 for DMV? Are we -- is there something to protect the  
22 tow truck company so if somebody takes the sticker off  
23 of our truck that that's going to be taken care of  
24 immediately so that -- and my second part to that  
25 question -- my second part to that question is, does

1 that mean that truck's down until that sticker comes  
2 in?

3 Because let's -- November 1st, I ordered  
4 tags for my own personal vehicle. I still have not  
5 gotten them from DMV. But I have my internet receipt  
6 showing that I paid for my sticker.

7 So if somebody takes a sticker off that tow  
8 truck, how long is it going to take us to get a  
9 replacement sticker, and is that truck down until  
10 another sticker comes in?

11 Because we tow for the county and the state  
12 all the time. The trucks are out there all of the  
13 time. Does that mean that truck's down?

14 MR. DRUMHELLER: I would think not, as  
15 long as you had your receipt where you --

16 MS. LEACH: So we'd have to put receipts  
17 in each one of the trucks for the stickers?

18 MR. DRUMHELLER: Yes.

19 MS. LEACH: Okay.

20 MR. COPELAND: Mr. Chairman, I think  
21 there's a number of ways that we could handle that and  
22 allow you to have some kind of indicia that, yes, in  
23 fact that is a valid truck.

24 MS. LEACH: Okay.

25 MR. COPELAND: And there's a number of

1 ways.

2 MS. LEACH: Because I think you're going  
3 to run into a lot of theft with these stickers, I  
4 think, to be honest.

5 MR. COPELAND: Well, and that's possible.

6

7 MS. LEACH: Sad but true.

8 MR. COPELAND: And as I'm sure you can  
9 imagine, they would have to be replaced. And that  
10 would be the same as if they were stolen off your  
11 license plate. So --

12 MS. LEACH: Okay. And I'd like to touch  
13 on what she had asked earlier from Cropper's. I think  
14 what she was trying to say is if somebody's license got  
15 revoked, how would that initial company know?

16 Is a letter sent? Or is there a phone call  
17 made to let us know that somebody's gotten revoked,  
18 because say they went and towed down to Richmond and  
19 got a ticket from a state trooper down in Richmond, and  
20 we're unaware of it.

21 How are we to know as tow truck companies  
22 that this thing has been revoked, the operator's  
23 license for that particular driver?

24 MR. COPELAND: And again, I -- Mr.  
25 Chairman, I think what we're going to be doing is

1 working on a notification process that certainly, first  
2 of all, makes sense, and second of all, it notifies  
3 folks when a situation has occurred where the driver  
4 authorization is invalid and they've been identified as  
5 the business that the person is driving for.

6 MS. LEACH: Okay. Thank you.

7 MR. BROWN: Mr. Chairman, if I could just  
8 add to that. Currently with your drivers now, DMV  
9 doesn't -- does not notify you when their operator's  
10 permit is revoked either.

11 So it is the company's responsibility to, I  
12 guess, keep and maintain -- or what do you call it --  
13 MVR --

14 MS. LEACH: Well, most of the insurance  
15 companies do them at random checks. I know our's does  
16 it four or five times a year for each one of our  
17 drivers.

18 MR. BROWN: And a suggestion would be to  
19 set up a policy to keep random check on their B.T.R.O.  
20 license also, at this point until we get through that  
21 issue.

22 MS. LEACH: Well, he had said that there  
23 wouldn't be anything about denied. He said that there  
24 would be approved. But he didn't say anything about  
25 revoked.

1           MR. BROWN:    Yeah.  But if they're not  
2 approved then you pretty much can figure out they're  
3 denied or not.

4           MS. LEACH:    Well, no.  Because if they  
5 got approved the first time, then --

6           MR. BROWN:    No.  I mean, they would be  
7 removed from the approved list.  It's a -- I guess it  
8 would be -- it's an ongoing list.  There's a current  
9 list of who's eligible at that time.

10          MS. LEACH:    Okay.

11          MR. BROWN:    So if I did something wrong  
12 my name would be removed from that list.

13          MR. COPELAND:  And, Mr. Chairman, if I  
14 can just to add on.  I guess I envision it -- you know  
15 -- I don't know exactly what it's going to look like at  
16 this point.  But I would envision it as being a  
17 database, hopefully searchable, and maybe not initially  
18 searchable in an easy way, but searchable one way,  
19 shape, or form, so that you can find the name you're  
20 looking for.  And if it wasn't on there, then they've  
21 been stricken from the list.

22                        Or if they're not on the list, then there  
23 needs to be a question asked, "Well, where did you get  
24 this authorization and is it valid?"

25                        So again, if you're not on that database

1 then there's a reason why you're not on it. And it  
2 could be a mistake on our part. We're all human. But  
3 it's more than likely that they're not approved.

4 So if they're not approved there's a reason  
5 why. And if it's a mistake on our part, we can rectify  
6 it. If it's not a mistake, then it can be verified  
7 that, in fact, they are not approved.

8 MS. LEACH: Okay. And I have one more  
9 question. I'm sorry. As far as agencies that have  
10 access to this list, is it just police and the Board  
11 themselves, or is it child services, and social  
12 services, and anything that the state or federal  
13 government runs has access to this list as far as these  
14 tow truck drivers?

15 MR. COPELAND: This is a public list.  
16 The name of the driver will be on there.

17 MS. LEACH: Okay.

18 MR. COPELAND: There should be no other  
19 identifying information. It's just going to be a list  
20 of these are approved. And as far as the -- we also  
21 have a operator list. And that will be a little more  
22 detailed, in the sense of you'll have the business  
23 name, you'll have the business address, and perhaps a  
24 telephone number to contact.

25 And, again, that's -- this is all kind of

1 public information. We're not talking about giving  
2 away the store here, or giving out anybody's social  
3 security number or anything. We're not going to be  
4 doing that for sure.

5 And we're going to clarify with our  
6 attorney general's office what it is we can, in fact,  
7 put out as far as public information. But this is  
8 information that's being requested of us by operators  
9 like yourself, how do I know -- how will I know. And  
10 the public also wants to know who's licensed.

11 We've had many questions already, "How are  
12 we going to know if anyone's licensed?"

13 We're going to have a list for you.

14 MR. KULP: David Kulp. She brought up a  
15 question that really concerns me. I have a hard time  
16 keeping inspection stickers. State police investigate  
17 inspection stickers, supposedly.

18 I'm tired of people coming in the lot and  
19 smashing a window, stealing a sticker, stealing the  
20 license plate stickers. It happens to me all of the  
21 time. Probably about 10 times this year.

22 If this is the way this is going to be a  
23 sticker on the side of a truck, you'd probably ought to  
24 -- who's going to investigate the fact that it's  
25 stolen?

1           Is the state police actually going to go  
2 out and try to find the person who stole my sticker?  
3 Because they don't go out and look for my inspection  
4 stickers, even when I know who took them.

5           MR. DRUMHELLER: All I can say then, Mr.  
6 Kulp, is if you know who's taking your stickers, I'm at  
7 a loss for words. I don't know.

8           MR. KULP: I had a state trooper come  
9 down to my shop and go to scrape a sticker off of a car  
10 that had New Jersey tags and New Jersey inspection  
11 stickers. When I recovered the car I had to -- I'm  
12 sitting there in my wrecker for four and a half hours  
13 waiting for the police.

14           They finally show up. The state police  
15 refused to come because it was in the City of Richmond.  
16 I sat there in a neighborhood that was very bad. I  
17 handed out 42 \$20 bills to every hooker and drug dealer  
18 on the street, with a card and telling them I'll give  
19 them \$250 to tell me where this car is.

20           I did not feel like buying that \$30,000  
21 SUV. I get it back you can see the fingerprints on the  
22 windshield where they put the Virginia stickers on  
23 them.

24           And he comes down with a scraper to scrape  
25 the stickers off. He wasn't going to fingerprint the

1 car. I always thought grand theft auto was against the  
2 law. I mean there's something wrong with my logic.

3 But, you know, when you come down to my lot  
4 and say, "Well, this sticker's stolen. I'm going to  
5 scrape it off the car, and I'm going to destroy these  
6 prints."

7 And I can't get anybody to print the car.  
8 I'd say that's not investigating. And I had the names  
9 of the people who did it and nobody bothered to follow  
10 it up. I paid another person \$250 to give me their  
11 names.

12 You sit down on Chicago Avenue after  
13 handing out that money and see how you like it.

14 MR. DRUMHELLER: Bill.

15 MR. MORRIS: I'm Bill Morris from Bill's  
16 Service Center again. And I have just about three  
17 questions.

18 I've been listening about the decals and  
19 everything. And I was wondering if it was possible  
20 that a new license plate could be made, or the sticker  
21 be put front and rear on the license plates of the  
22 vehicles.

23 You know, we have to have W-T tags, so it's  
24 possible that we could change that to the authorized  
25 tower gets his piece of paper, goes to DMV, say,

1 "Here's my piece of paper."

2 And they say, "Here's your tags."

3 MR. DRUMHELLER: We're working on that  
4 right now. We can't do it this year because of the way  
5 the General Assembly set us up to operate.

6 We've been working on --

7 MR. MORRIS: It is a major feat to try to  
8 get a license plate put out. It's not like calling  
9 somebody. I realize that. But it's always a thought.

10 And --

11 MR. COPELAND: A good thought.

12 MR. MORRIS: Another thing is, is about  
13 the training. I understand that, you know, under the  
14 circumstances now, our company has met the training  
15 requirements because of the time we've been in service.

16 And I read that eventually down the road  
17 that I need to take refreshers, or some other kind of  
18 training to keep up with everything.

19 And probably my circumstance is a little  
20 different. Not only am I a tow truck driver, but I've  
21 been a Fire Captain for over 30 years with the United  
22 States Navy. And I have certifications that have not  
23 expired.

24 Would some of those -- will we be afforded  
25 a list of subjects that would meet the criteria of this

1 refresher so that maybe some of my -- I don't know how  
2 many certificates I have. But like hazardous materials  
3 entry level would meet this criteria and maybe it could  
4 go straight through, or is the state going to like --  
5 say fire department programs, are they going to offer  
6 classes in Richmond or in the area for a fee? Or how  
7 is this going to -- how is this going to work? That's  
8 what I would like to know.

9 MR. DRUMHELLER: As of right now we don't  
10 have any continuing education in any of the regs. We  
11 reserved in the general regs., a place to come back to  
12 it. If we get into public safety there may be some.

13 So I really can't answer your question  
14 right now. There are classes that you can take  
15 specifically for wrecker --

16 MR. MORRIS: Absolutely. I've very well  
17 aware of those and the expense that that goes through.  
18 And the last thing is, when this compliance officer  
19 thing that you brought up, about having them in the  
20 area; is there going to be an application for it,  
21 because I'd like to have one?

22 MR. DRUMHELLER: Woody, would you like to  
23 respond.

24 MR. HERRING: I'm sure it will be posted  
25 when it's available.

1 MR. MORRIS: Thank you. That's all I  
2 have.

3 MR. DRUMHELLER: Thank you.

4 MR. SULLIVAN: Pete Sullivan, Sullivan's  
5 Towing and Recovery, Stafford, Virginia.

6 I have a question about the training as  
7 well. Are you going to recognize hands-on training, as  
8 far as like wreckmaster, Wes Wilburn -- I know Prince  
9 William County on recognizes T.R.A.A. training to get  
10 their badge in Prince William County.

11 That's not a hands on training. It's a  
12 test, written test. I was just wondering if the others  
13 are going to be recognized as a certified training  
14 statewide?

15 MR. DRUMHELLER: As I say, we haven't  
16 established any training yet. I don't know -- unless  
17 someone else on the Board would like to speak to that.

18 Hopefully there's going to be other  
19 training processes available. AAA has offered their  
20 training. Some of the associations are doing training.  
21 And the Board certainly -- like I say -- has not  
22 certified or made a decision on what kind of  
23 requirements will be put forth.

24 And that's why you people are here, is to  
25 keep us informed as to what you want. And even as we

1 go further in these regulations I encourage you to  
2 continue your participation in these meetings.

3 MR. MORRIS: May I point out one thing?  
4 A pound of experience goes a whole lot further than 150  
5 certificates in an envelope sticking somewhere in the  
6 filing cabinet.

7 MR. WOOD: Terry Wood, Hampton Roads  
8 Towing, Hampton, Virginia, again, with one other  
9 question. Is child support enforcement going to be  
10 able to attach these wrecker drivers driver's licenses?

11 MS. LEACH: That's what I was asking.  
12 What agencies would be --

13 MR. WOOD: Child support enforcement  
14 attaches drivers for different things. I want to know  
15 if -- are they privy to these tow licenses also. They  
16 shut down a tower in a heartbeat under the regular  
17 thing. I want to know if they have access to it, too,  
18 if that's capable.

19 MR. COPELAND: Mr. Chairman, I don't have  
20 counsel here. But it's my understanding that where  
21 child enforcement can attach is specified in statute.  
22 This is not part of that specification.

23 So I would say, no, they would not be  
24 doing any attachments to any driver authorization  
25 documents. However, they certain could with the driver

1 license, which is required.

2 MR. WOOD: Well, I've been dealing with  
3 them for the last two weeks.

4 MR. DRUMHELLER: Any further comments?  
5 George is on his way.

6 MR. MAHONE [ph]: Mr. Chairman, Board  
7 members, fellow towers, my name is George Mahone. I  
8 own and operate Skimino Private Towing in Williamsburg,  
9 Virginia.

10 I'm going to speak to the public safety  
11 regulations. I feel like what we've got now is good  
12 enough. And I feel like anything that has to be in  
13 encompassed as a public safety regulation could be  
14 encompassed within the general regulations with change.

15 I believe that's the way we should go. As  
16 far as equipment lists and stuff like that, that needs  
17 to be left up, I believe, to the localities. Because  
18 what may be needed down in the Chesapeake area may be  
19 totally different than what's needed on Afton Mountain.

20 And the localities need to decide what  
21 equipment's needed. I do public safety towing for four  
22 different agencies now. And every one of them have the  
23 right to come in and inspect my truck. And every one of  
24 them inspected my truck when I got on their list.

25 The state police have certain requirements

1 for the equipment that goes on the truck. They looked  
2 at my truck when I got on the list. The same thing  
3 with York County. The same thing with James City  
4 County. The same thing with the City of Williamsburg.

5 One other thing that needs to be done is  
6 with the public safety regs., and the general regs.,  
7 and anything you come up with, you need to come up with  
8 a better way to communicate with the government  
9 agencies.

10 Just recently, to give you an example, the  
11 person that's in charge of the public safety towing in  
12 the City of Williamsburg asked me, did I know why the  
13 state police were not requiring all the drivers to be  
14 fingerprinted and the company owners to be  
15 fingerprinted.

16 That's what she asked me. And so I  
17 shouldn't have to explain to the government agencies  
18 what's coming forth the first of the year. They should  
19 be communicated with, and they need to know.

20 Because, just like Captain Chumley said,  
21 they can stop people that don't have the stickers on  
22 their truck, but if these government agencies and the  
23 local police departments don't know what the law is,  
24 how are they going to enforce it?

25 This is part of the reason why we're here

1 today, is because the laws that were on the books for  
2 public safety towing, and general towing, were not  
3 being enforced by anybody.

4 And I believe that if those laws that were  
5 currently have are enforced, that we don't need any  
6 public safety towing, and all of that could be  
7 encompassed within the general regulations. That's  
8 about all I have to say.

9 MR. DRUMHELLER: Thank you, George.

10 MR. COX: I'm Jeff Cox from Cropper's  
11 Towing in Dumfries, Virginia. I had to get one of  
12 these for Prince William County towing endorsement. I  
13 tow for state, and county, and the Town of Dumfries.

14 How many of these am I going to have to  
15 get? I got one for Prince William County. Now I'm  
16 going to have to get one for the state. How -- I mean  
17 -- when does it stop?

18 And then, when I'm on the scene for an  
19 accident, the police know who I am. They see me out  
20 there all of the time. They don't even ask for this.

21 So I do have a big question about -- how  
22 are they going to police this? It's going to be  
23 difficult.

24 MR. DRUMHELLER: Does anybody wish to  
25 respond?

1                   MR. COPELAND:   Well, Mr. Chairman, what  
2 I'd say is, thank you for bringing it to attention  
3 about the fact that you've got an I.D. card from a  
4 locality. I think as we move forward we're going to be  
5 more and more getting in contact with the local  
6 jurisdictions that are having such activities, so that  
7 we're not being redundant, so that we don't have to be  
8 having five different indicia of identification, when  
9 in fact all we need is one or two at the most, because  
10 you'd still have to have your driver's license.  
11 There's no way to get around that.

12                   But, you know, let's minimize the kinds of  
13 activities that are going on, and, you know, if a  
14 jurisdiction's doing that, let's look at the  
15 possibility of letting that be the indicia that is  
16 utilized.

17                   MR. COX:   Right. And that's what I'm  
18 saying. I've already gone through this once, now I'm  
19 going through it again.

20                   MR. COPELAND:   Right. And --

21                   MR. COX:   At what rate? You know, it  
22 keeps -- keeps coming out of the pocket. When does it  
23 cease, you know. I've already proven myself already  
24 once, now I've got to prove it again.

25                   MR. COPELAND:   We'll certainly work on

1 that. I can assure you we'll work on that.

2 MR. COX: Thank you.

3 MR. KULP: We're only dealing with public  
4 safety; right?

5 MR. DRUMHELLER: That's right. Go ahead.  
6 You can step back up.

7 MR. KULP: David Kulp. One thing that  
8 really does bother me that you all went to great  
9 difficulty to put into this law, is that somebody can  
10 be convicted of DUI and be on a suspended -- a  
11 restricted license and drive a wrecker.

12 If there's anything that I feel should not  
13 fly -- my grandparents were killed by a DUI driver. I  
14 mean, we are -- you know -- these laws are all about  
15 public safety, who I don't even -- never tow anything  
16 really for public safety.

17 But we're going to let somebody convicted  
18 of DUI, who can convince a Judge into giving a  
19 restricted driver's license, can drive a wrecker. I  
20 think there's a real lot of conflict right there.

21 MR. DRUMHELLER: I don't recall that.  
22 But we're going to look -- I don't recall specifically  
23 what you're saying, but we're going to look it up.

24 MR. KULP: It's in your codes. It  
25 specifically mentioned that if you pass ASAP, get a

1 restricted driver's license, even though your license  
2 is restricted you can driver a wrecker.

3 But if somebody did something when they  
4 were 22 years old, and they're 65 years old, they can't  
5 drive a wrecker.

6 MR. COPELAND: Mr. Chairman, just to go  
7 further. He is correct about the fact that if they  
8 completed ASAP or another similar program accepted by  
9 the Court, after the latest conviction, they're not  
10 necessarily precluded from getting the driver  
11 authorization.

12 But it does go further to say, "No tow  
13 truck driver's authorization document shall be issued,  
14 and none shall be continued to be valid, during any  
15 time period for which the person's driver's license,  
16 suspended or revoked, the person has been authorized  
17 only a restricted license during a period of suspension  
18 or revocation, resulting from a conviction or  
19 convictions of DUI or DUI related offenses."

20 So I don't think it's entirely correct what  
21 you're saying.

22 MR. KULP: It's definitely correct. It's  
23 stating that if you go get a court order you can drive  
24 a wrecker.

25 MR. COPELAND: Well, that's your

1 translation of it. I don't necessarily agree with it.

2 MR. KULP: I don't read and write real  
3 well. But I read and write well enough --

4 MR. COPELAND: And we're not going to  
5 debate it. But, you know, that's fine.

6 MR. MORRIS: Mr. Powell put me up to this  
7 question. He was a little -- didn't want to come up  
8 here and ask it.

9 MR. COPELAND: Bill, please introduce  
10 yourself.

11 MR. MORRIS: Yes. My name's Bill Morris  
12 again, and from Bill's Service Center out of  
13 Spotsylvania. And he asked me to ask -- this question  
14 is that, we're paying fees for individual tow trucks in  
15 our county. It's \$25 per truck. So now the state  
16 wants their fees.

17 Is one of these going to supercede the  
18 other one, or are we still going to have to be paying  
19 both? And I'm pretty sure Stafford County's paying a  
20 fee per truck, too.

21 ATTENDEE: Prince William, too.

22 MR. MORRIS: And so now it's going to be  
23 -- if I remember correctly, is it \$50 per truck, for  
24 the -- from the state? Or is it -- what's the fee now?

25

1 MR. DRUMHELLER: \$10.

2 MR. MORRIS: 10. Well, one of these days  
3 it might be \$50. Well, anyway, so that would be like  
4 \$75 per truck per year, \$25 to Spotsylvania County, \$50  
5 to the state.

6 So -- and we're going to have to balance  
7 two ordinances. Because once you get an ordinance in  
8 one place, you have to deal with that and the state  
9 both, so they're going to collide.

10 And I know that you all are trying to work  
11 the best you can to make everything meet together, but  
12 this is another one of those issues is, you know, money  
13 out of our pockets. We're paying this.

14 So now we're going to have two stickers on  
15 the trucks, and two fees. So I was just wondering if  
16 you're going to communicate with the county and say,  
17 "Look, you know, what do you plan on doing?"

18 MR. DRUMHELLER: Bill, is that a locality  
19 sticker you're speaking of?

20 MR. MORRIS: It's Spotsylvania County  
21 Towing Ordinance Permit.

22 MR. DRUMHELLER: Okay. I wasn't familiar  
23 with that.

24 MR. HODGE: Stafford's got one, too.

25 MR. COPELAND: Mr. Chairman --

1                   MR. HERRING:    Mr. Chairman, I'd like to  
2 ask; how do they justify it?  What's it for?

3                   MR. MORRIS:    The fee is for the cost of  
4 the deputies -- the way I understand it, the deputies  
5 come out and inspect us twice a year.  And the cost of  
6 the decal, to have it made, and administration fees,  
7 and stuff of that nature.  Spotsylvania County charges  
8 us, I believe, Cary, \$25 per truck?

9                   MR. COLEMAN:    I think you're right.

10                  MR. MORRIS:    And then when you -- when  
11 you want to start out in the county, you have to be in  
12 business for a minimum of one year, and apply to it --  
13 be in business for a year, then you pay your \$100 to be  
14 part of it, plus your \$25 per truck.

15                               And if you've got 100 trucks then it's  
16 \$2500, whatever you've got to pay.  And I just -- Ashby  
17 had a good question, you know.  When is it going to  
18 stop?  We pay Spotsylvania.  And that's just a good  
19 question he had and it should be addressed.

20                               Honestly, I don't mean to put you on the  
21 point, but you're all looking back at me like you'd  
22 never heard of Spotsylvania County having a towing  
23 ordinance, or Stafford County having a towing  
24 ordinance, and you've got Spotsylvania County towers on  
25 your board, and Stafford County towers on your board,

1 and they've never mentioned this?

2 And they're the ones that wrote it. It was  
3 part of being -- writing it back five, six, years ago,  
4 and told us that, "If you don't do this, don't get an  
5 ordinance in the county, then the state's going to do  
6 something.

7 "And as long as you've got this ordinance  
8 in the county, and we pass this, the state's going to  
9 leave us alone."

10 And that's exactly what they told us in the  
11 first meeting, I believe it was in some little dark  
12 restaurant at Spotsylvania Mall. And here we all were.  
13 We were doing this, looking at the draft of this, and  
14 we all accepted it.

15 MR. COPELAND: Bill, what are we talking  
16 about here? You lost me.

17 MR. MORRIS: Well, the thing of it is, is  
18 the county charges us per truck --

19 MR. COPELAND: Are you talking about the  
20 county ordinance which was presented to you in this  
21 restaurant?

22 MR. MORRIS: Yeah. Yeah. That's the way  
23 it started.

24 MR. COPELAND: Okay.

25 MR. MORRIS: I'm sorry. I didn't mean to

1 get off track.

2 MR. COPELAND: Okay. Yeah. I'm just --  
3 I was a little lost.

4 MR. MORRIS: And the way it was put to us  
5 is, "If you get this ordinance in the county, the  
6 state's going to leave you alone. And we're going to  
7 do it. We're going -- a team effort. And together  
8 everybody accomplishes amazing things," and all this  
9 stuff. And here we are five years down the road doing  
10 the same thing for the state.

11 So now we're paying a fee for each truck.  
12 Now we've got to pay the state for each truck. So  
13 we'll just have a question that should be addressed.

14 I know you can't answer it tonight.

15 MR. COPELAND: Well, I can give you an  
16 answer. It's not necessarily going to answer the  
17 question as to all of why. But it -- as I'm hearing  
18 it, it's very similar to what happens with motor  
19 vehicles in general.

20 There are local fees, local licensing fees,  
21 and there are state licensing fees. That doesn't  
22 necessarily justify the fact that they have to be  
23 redundant. And I think I've said on more than one  
24 occasion that we're always going to look at the fees,  
25 always going to look at ways to reduce the cost of

1 operating the Board, and I think that's -- you know --  
2 that's something that we have to do over the next year,  
3 next two years, as we move forward, and we will look at  
4 doing that.

5 Again, anything -- anywhere where there's a  
6 redundancy we're going to look at, even if it's in  
7 fees.

8 MR. MORRIS: The way I see it, I mean,  
9 with the fees that the state's going to bring up,  
10 you're generating millions of dollars towards this, at,  
11 you know, the average of \$400 or \$500 per towing  
12 company across the state.

13 MR. COPELAND: Well --

14 MR. MORRIS: And so that -- you know --  
15 you're going to have to -- going to have to justify  
16 what you're going to do with the money and everything.

17 MR. COPELAND: And let me just answer  
18 that. We answered this question in Danville on the  
19 20th of October. Our projections are -- given a 20  
20 percent noncompliance rate, our projections are roughly  
21 \$618,000 in revenue this year.

22 MR. MORRIS: Okay.

23 MR. COPELAND: And that's based on what  
24 we knew to send to. Are there others out there that  
25 are going to come into compliance? Probably.

1 MR. MORRIS: Probably so.

2 MR. COPELAND: And again, that's why we  
3 need to see at the end of the day where we stand come  
4 December 31st, January 1st, as far as who came in, who  
5 applied, who actually did something, and then we will  
6 actually have a count of who's in compliance at that  
7 point.

8 But right now, the estimate's 618,000.

9 MR. MORRIS: Okay.

10 MR. COPELAND: Now, could it be higher?  
11 You bet you.

12 MR. MORRIS: Eventually it will.

13 MR. COPELAND: And again, if it is  
14 higher, we obviously have to look at adjusting what  
15 we're doing, because it will be more than enough to  
16 operate this Board.

17 MR. MORRIS: All right. Thank you.

18 MR. PENCE: Mr. Chairman, members of the  
19 Board, Jason Pence, Mt. Jackson, Virginia, yet again.

20 A couple of things further to Mr. Bill --  
21 didn't catch the last name. Sorry. If different  
22 jurisdictions are charging fees, I think that there --  
23 I would ask that Mr. Copeland ask the Attorney  
24 General's representative, I believe that there may be a  
25 preemption issue, wherein now that the state is

1 enacting regulations, that the local jurisdictions may  
2 not be able to charge certain fees.

3 They can certainly have more restrictive  
4 regulations, but I -- I'm not a lawyer, nor do I play  
5 one on T.V., nor did I stay at a Holiday Inn last  
6 evening.

7 MR. KULP: Express.

8 MR. PENCE: Yeah, that. Holiday Inn  
9 Express. Right. So if you could look in to -- or have  
10 the local Attorney General look into that and see if  
11 those county ordinances might be wiped out by state  
12 preemption requirements. I think that that might  
13 address that.

14 And also, what Mr. Kulp was talking about,  
15 about a DUI, unfortunately Mr. Kulp is correct. I  
16 refer you to 24 VAC 27-30-140, large paragraph E,  
17 Section 2, small D.

18 Blah, blah, blah, blah --

19 MR. COPELAND: And that's what I was  
20 looking at.

21 MR. PENCE: Yeah. And what you left out,  
22 Mr. Copeland, was, "except that if the driver  
23 demonstrates that he is not required to possess a CDL  
24 in order to drive a tow truck, then an authorization  
25 can be issued for the period during which he has a

1 restricted license, if it authorizes the driver to  
2 drive only tow trucks for which a CDL is not required."

3 Now, while I clean up wrecks on a regular  
4 basis cause by drunks, and I have zero sympathy for  
5 drunks, I was present at one of the meetings wherein  
6 that was discussed, and if a Judge has said that this  
7 idiot -- I'm sorry -- person who was convicted of drunk  
8 driving can get a restricted driver's license, he can  
9 drive pretty much anything up to a CDL, not including a  
10 CDL required vehicle.

11 But whether or not that individual is  
12 insurable by your company is a different story. And I  
13 can tell you that when I call up our insurance company  
14 and say, I'd like to put this new driver on, the first  
15 two questions are, "Does he have a reckless?", and,  
16 "Does he have any DUI's?"

17 And if the answer to either of those  
18 questions is, yes, then I can put him to work driving a  
19 broom, but I better not put him in driving a truck. So  
20 there are ways to deal with -- you know -- and I don't  
21 want somebody -- unless it was a long damn time ago and  
22 the guy, you know, falls on his sword, I don't want a  
23 drunk working for my company. That's too big a  
24 liability.

25 And I don't think any other business owner

1 wants one either.

2 MR. COPELAND: And I will stand  
3 corrected. But I will verify this with the Attorney  
4 General's Office, because I see what is there, but I  
5 also see that there are other restrictions. And I'm  
6 not convinced --

7 MR. PENCE: Yeah. I didn't want to get  
8 into that. But there is -- you're correct.

9 MR. COPELAND: I'm not totally convinced  
10 that that is the way it's going to happen, but we'll  
11 see.

12 MR. PENCE: Okay.

13 MR. COPELAND: We'll check with the A.G.

14 MR. PENCE: I won't argue the point at  
15 all.

16 MR. DRUMHELLER: Mr. Mays.

17 MR. MAYS: Mr. Chairman, members of the  
18 Board, my name is Floyd Mays. I'm an insurance agent.  
19 I insure about 1100 tow trucks. I've been doing it for  
20 about 30 years.

21 And regarding stickers, it's kind of  
22 curious to me, because if this sticker dilemma  
23 continues we won't be able to see out of the windshield  
24 maybe.

25 And when we get a new truck we're going to

1 have to pay an extra couple hundred dollars to have the  
2 stickers switched. But there might be another solution  
3 to that, and I'm sure you guys will come up with it.

4 My real issue is though, I want to speak in  
5 favor of you guys voting down -- or asking the General  
6 Assembly to relieve you of the responsibility to  
7 initiate public safety regulations period.

8 It's been addressed before that you can  
9 deal with whatever you want to deal with under the  
10 general regs. We don't need public safety regs. It's  
11 already been -- it's evident that you're only going to  
12 require one truck.

13 So we're not going to be dealing with  
14 equipment issues. You're education committee is  
15 already decided that they're not going to specify  
16 education. Competition and associations will dictate  
17 education opportunities and requirements.

18 I don't believe you're going to make it if  
19 you try to take the authority away from the state and  
20 local authorities, as far as who's going to be on their  
21 towing list and who's not going to be on their towing  
22 list.

23 So once again, if there's going to be  
24 another meeting in December, I'm going to ask you to  
25 vote yourselves to ask the General Assembly to relieve

1 you of the responsibility.

2 In my heart I don't believe that's going to  
3 happen. But I want to assure you that I'm going to do  
4 my very best to make it happen in the Legislature.  
5 That's why I'm going to need you, two or three more  
6 times, to come to these meetings. And we're going to  
7 make it count, I promise you.

8 MR. COPELAND: All right. Thank you.

9 MR. KULP: I'm back again. David Kulp.  
10 I'd like to know why -- this man says a lot of this  
11 stuff is bologna. Why you would want a criminal report  
12 every three years.

13 You know, I could work for the CIA and not  
14 have one every three years. I had a top secret  
15 security clearance at one time, and they only ran me  
16 once.

17 What in the world's going on here? We're  
18 being held to a higher standard than a state trooper,  
19 somebody with the CIA. Somebody might sneak in here.  
20 We are American citizens. We're entitled to our  
21 privacy. We made an act, a privacy act.

22 You know, you don't need to be checking  
23 somebody that often. If you're going to be here, and  
24 you're going to be looking at the courts -- according  
25 to this you've got -- through the courts, the court

1 clerks are supposed to notify you if we commit a crime.  
2 And I'd like to know, if we commit a crime  
3 ,and we're suspended, and we appeal it, are you going  
4 to pay me when I win? I've lost more than one case in  
5 low court.

6 As a matter of fact, I've been to federal  
7 court a couple of times. If it takes eight and a half  
8 years to be relieved of something, are you people going  
9 to pay me for eight and a half years while I sit around  
10 and do nothing?

11 Because, like I said, doing what I do for a  
12 living, somebody is going to say something. Somebody  
13 is going to complain. And the way I read it, if  
14 somebody complains to you all, you have the right to  
15 take my license.

16 And if I'm proven right, and I'm not going  
17 to give up my right to due process, I will go to court.  
18 When Mr. Semmes [ph] told everybody I was a convicted  
19 murderer or a convicted felon, it took me two years in  
20 court before he had to write Crippled Children's  
21 Hospital a nice big check, and I got my dollar.

22 But what do you expect me to do for those  
23 two years? Anybody got an answer?

24 CAPTAIN CHUMLEY: David, right?

25 MR. KULP: Right.

1                   CAPTAIN CHUMLEY:    I should know that by  
2   now.

3                   MR. KULP:        You should just say, "that  
4   little short crazy guy."

5                   CAPTAIN CHUMLEY:    David, first of all,  
6   let me address the criminal record check.  You know,  
7   before this -- first of all, this Towing Board's not  
8   here because we want to be here.  This Towing Board's  
9   here because of our legislature.  And a lot of it came  
10  to be because of not all -- first of all, I want to  
11  say up front that all the towers in the room here  
12  today, I feel like that by the reason you're here,  
13  you're one of the professional companies that we have  
14  in the Commonwealth.  And I applaud you for that.

15                   But what I'm trying to say is, even in the  
16  police world we have sometimes policemen that don't  
17  deserve to wear the badge.  And unfortunately we have  
18  that in all walks of life.

19                   And what we found -- one of the reasons for  
20  the criminal record check was, at least on our towing  
21  list, the state police towing list, we had some sex  
22  offenders that were actually towing families, and  
23  children, and people out there on the side of the road  
24  broke down, that were actually either registered sex  
25  offenders or getting ready to go to prison for a sex

1 crime.

2 And so it's very important to us that we  
3 have people out there like yourselves, that are full of  
4 an inte -- that are full of integrity. And, you know,  
5 the only way we're going to know whether we've got  
6 professional drivers out there or not is to have these  
7 checks done.

8 Now, do the police go through those kind of  
9 checks? Yes, they do.

10 MR. KULP: Not every three years.

11 CAPTAIN CHUMLEY: You'd be surprised.

12 MR. KULP: A buddy of mine -- my neighbor  
13 is a airplane marshal. And he's been one for a couple  
14 of years, and they've never run him but the one time  
15 when he applied.

16 CAPTAIN CHUMLEY: I'll bet you they've  
17 run him more than he knows they've run him.

18 MR. KULP: Well, you might think so.

19 CAPTAIN CHUMLEY: But --

20 MR. KULP: You know, what you're saying  
21 about these sex crime people. I won't disagree. But I  
22 will disagree with you, because you made a statement.  
23 You told us you had one in Fairfax County.

24 My wife asked you specifically, what were  
25 the charges. A sex crime is peeing in the street at 3

1 o'clock in the morning because there ain't a bathroom  
2 open.

3           And I know a man right now that's convicted  
4 of that. And that is a sex crime. And I think it's a  
5 crying shame that this country's gone to pieces, where  
6 a man don't have a gas station no more with a bathroom  
7 open.

8           I mean, I remember when I was a kid, you  
9 went out -- gas stations were open 24 hours a day.  
10 They had bathrooms. They pumped your gas. They  
11 cleaned your windshield and they checked your oil.

12           I'm not ancient. I mean, I remember this.  
13 I owed gas stations. We had full service gas stations.  
14 You know, today you don't have nowhere to go.

15           That man be out there at 4 o'clock in the  
16 morning, and he's having to drink three cups of coffee  
17 because he's been out there because the car had been  
18 overturned, and the truck's loaded.

19           They've got to unload the truck. And he's  
20 got to go. Where's he going to go? But if he pees  
21 over there in the woods, and some idiot cop has a bad  
22 day, they can cite him.

23           Believe me, it happens. You know --

24           CAPTAIN CHUMLEY: Well --

25           MR. KULP: -- you sit here and you tell

1 me, I have moved three times in my life. Once because  
2 I wanted to. Once because my wife witnessed a murder.  
3 Once because I witnessed a murder where a policeman  
4 killed somebody and did not go to jail.

5 So you are talking to the wrong person  
6 about how honorable police are.

7 CAPTAIN CHUMLEY: Well --

8 MR. KULP: I have been robbed,  
9 burglarized, no less than 75 times in the last five  
10 years, and they have never caught anybody.

11 You won't catch anybody if you don't look  
12 for them. You know, I think it's a crying shame that  
13 I've got to take and hand a hooker \$20, with my card,  
14 with my phone number, "I got 250 bucks for you if you  
15 tell me where this car is."

16 And if I do that 20 times, 30 times, if I  
17 hand her a card and say, "I've got \$250 for you," I  
18 ain't got her attention.

19 But if everybody on the street knows I  
20 handed out 20, 30, 40, \$20 bills, I've got their  
21 attention. They believe I'm going to pay them. And  
22 I'm going to find my car.

23 CAPTAIN CHUMLEY: Well, again, I think  
24 what we've asked to do is fair and just. And we don't  
25 want to cumbersome upon people, and --

1           MR. KULP:    Well, you've got enough laws  
2 right now to enforce. All I see is state troopers  
3 standing at the toll booth looking for people without a  
4 seatbelt on or no sticker.

5           And it really irritates me, because I can't  
6 keep a sticker on my car unless I slash it.

7           MR. DRUMHELLER:   Mr. Kulp, we've got some  
8 others back there wanting to speak. Thank you.

9           MR. EAGLE:    Good evening. I'm Bruce  
10 Eagle, Eagle Towing in Chesterfield, Virginia. My  
11 comment tonight is actually to address the audience,  
12 that this Board is here tonight for public safety  
13 comments. So I'm encouraging this audience, if you're  
14 here and you do public safety towing, which is any  
15 towing for law enforcement, you need to come and  
16 comment either for regulations -- because the  
17 regulations are coming.

18           Or if you comment against them, you need to  
19 comment against them. If you're for them, come and do  
20 it. If you're against them, come and do it. But this  
21 is what the Board is here to hear tonight.

22           And everybody is encouraged to put forth  
23 their support. Everybody has valid points and  
24 questions. But a lot of these questions that you all  
25 are bringing up are said and done two years ago.

1                   And I'm not trying to be rude to anybody.  
2    But you can ask any of these Board members off of this  
3    public safety time, and they will gladly answer them.

4                   You can get them an email, phone. They  
5    always answer the phone. Marc's always in his office,  
6    usually. And I'm not trying to be rude to anybody in  
7    this room. But they're here to hear your public safety  
8    comments, either for or against them. So if you want  
9    your public safety regulations left up to your  
10   locality, you need to speak to that effect.

11                  If you don't, and you want this Board to  
12   tell you what you can and can't do as far as public  
13   safety is concerned, then you need to speak to that  
14   effect. Let's get it done.

15                  MR. PAYNE: I don't want to waste all of  
16   the time. But if I offended anybody in any way a while  
17   ago, I did get carried away, and I'm sorry. But I'm so  
18   aggravated with this whole situation, that I really  
19   don't know what to do.

20                  Now, I'll go out here and I'll fight for  
21   the law if I can. I was convicted of felonies, which  
22   wouldn't even apply to this -- what's going on here  
23   today. In other words, they can't hold that against me  
24   for towing.

25                  But I was wrongly -- and set up, and pulled

1 time for something I didn't even do. I went to jail,  
2 and when they rung the keys on the door, I'm innocent,  
3 but I go to jail for it. And I know deep down, because  
4 I did a stupid thing, I really did. But I didn't  
5 deserve what happened.

6 But that's beside the point. I'm for our  
7 law. I'm for our law system. Whether they did me  
8 dirty or whether they didn't. They did do a job that  
9 they had to do. But they still -- we've got good  
10 officers out there today that are looking after stuff.

11 And I feel sorry for every one of them out  
12 there, I really do. But I'm going to tell you this,  
13 and I'm going to tell you straight out, I do not like  
14 these rules and regulations you all are talking about,  
15 the majority of them.

16 We've got some good things and bad things  
17 in the situation. But we got some people behind it  
18 that we don't need. We got some other -- another  
19 organization behind something we don't need.

20 We don't need nothing but our local law  
21 enforcement on this situation. And that's my -- that's  
22 my whole situation today. I have no intentions of ever  
23 going against the law in any way.

24 I've been strictly -- and to the best of my  
25 knowledge, I've been legal right straight down the

1 line. And I see people out here that are illegal.

2 That's none of my business really.

3 So I'm going to let them lay, and do the  
4 best I can to do the best I can do. Now, if I see them  
5 doing something that was going to harm anybody in any  
6 way, that might be a different story.

7 But I'd fight for one of our law officers  
8 today right out in the middle of the road if I had to,  
9 and I would. But I do not need these other people  
10 coming in here trying to control our business.

11 I need our local people doing it, our local  
12 law enforcement officers doing it. And this is what  
13 I'm asking for. I don't like all of this -- I ain't  
14 got the words for it -- but this interruption, this  
15 interference, this -- with our businesses.

16 This thing of having to keep all kinds of  
17 tickets and stuff. You're out here, you do a job.  
18 You're out here in the snow, and rain, and weather, and  
19 you get in and you can't hardly make it.

20 You're just beat to death out here. These  
21 wrecker drivers don't have it like people think they  
22 do. If you don't have the money coming in -- well, you  
23 might have it coming it, but it's going out faster than  
24 it's coming in.

25 And it's not -- the money ain't the

1 situation. And I don't mind our laws. I don't mind  
2 our permits and our licenses we've got to have, if it's  
3 state required. But I want our state and our  
4 government to take care of it and nobody else. Thank  
5 you.

6 CAPTAIN CHUMLEY: I thank you for your  
7 comments, sir, I really do. And I'm telling you, I've  
8 been with the state police 22 years. And I've had to  
9 fight people before, and my backup was a wrecker  
10 driver.

11 I've run out of gas chasing people before,  
12 my help was a wrecker driver. I pulled a car over one  
13 time -- you all are going to laugh at this one -- and I  
14 got out and accidentally locked the door, locked the keys  
15 in the car with the car running.

16 So, you know, I had to walk up to the  
17 motorist and they didn't get a ticket, obviously. But  
18 the wrecker driver helped me out, you know.

19 They've helped me out my whole career. And  
20 so I have the utmost respect as true professionals that  
21 you are. You know, we need you, and this Board needs  
22 you.

23 And, you know, I just want you to know that  
24 we do take these comments seriously, and that we're  
25 going to do the very best that we can. And we don't

1 have all of the answers, but we're trying to find them.  
2 And we're trying to make the best of what we've been  
3 tasked to do.

4 And certainly these comments, the 7th  
5 meeting here, you know, we take it to heart. And we're  
6 going to take some of your suggestions, and we're not  
7 just going to walk out of here tonight and forget  
8 everything that was said, you know, they are taken  
9 seriously.

10 So that's all I want to say about that.

11 MR. DRUMHELLER: Thank you, Captain.

12 Bill, before you start again, is there  
13 anyone that hasn't had an opportunity that --

14 MR. MORRIS: I'm sorry.

15 MR. DRUMHELLER: -- that would like to  
16 say something?

17 MS. LEACH: I just want to speak to the  
18 guy that had come up earlier about the public safety.  
19 I myself was told outside that that part of the meeting  
20 had been cancelled, so -- and I think a lot of people  
21 haven't had a chance to come to one of these meetings,  
22 like myself.

23 And we are coming up with questions that  
24 I'm sure you guys have heard a million times. But it  
25 gets kind of hairy hearing from this tow truck company,

1 and this guy, and this guy, and this guy, hearsay, and  
2 we just want to hear from your guy's mouth tonight.

3 So I don't think we're wasting your time, I  
4 just think we wanted to get questions answered we  
5 haven't had answered before.

6 MR. DRUMHELLER: I wasn't saying that at  
7 all. I just know there was some people out here that  
8 hadn't spoke. I know Bill's been up several times  
9 making good points.

10 The gentleman in the greed jacket.

11 MR. POWELL: I'm Ashby Powell. I run  
12 Ashby's Garage in Spotsylvania. And I think we ought  
13 to leave it up to the local people to regulate us.  
14 They've been doing a good job of it. I've been doing  
15 police tows for 40 years in the County of Spotsylvania  
16 and the City of Fredericksburg.

17 They keep us straight and they inspect us  
18 twice a year. And we don't need this bull. Thank you.

19 MR. DRUMHELLER: Thank you.

20 Anyone else? Bill, did you have another  
21 comment?

22 MR. MORRIS: I just want to echo what  
23 Ashby said, that it is a good system that we have, and  
24 it should be left up to the local ordinance, the local  
25 jurisdictions, because they know what they need to get

1 the job done.

2 And it's just like another gentleman said,  
3 that what they need on the beach is not what they need  
4 up on the mountain. And I just want to say, just leave  
5 it up to the jurisdictions to just tell us what kind of  
6 equipment we need and how we're going to do the job.

7 And I understand that, you know, the  
8 criminal background check is a must, and I'm all for  
9 that. And certain safety equipment should be on these  
10 trucks. But how we do the job should be left up to the  
11 jurisdictions themselves. Thank you.

12 MR. DRUMHELLER: Thank you.

13 MR. FLY: Mr. Chairman, members of the  
14 Board, I wasn't going to speak tonight. I haven't been  
15 chastised by Mr. Hodge for being at every meeting and  
16 speaking. But anyway, Eric Fly, representing Virginia  
17 Beach Towing Association and the Commonwealth Towing  
18 Association.

19 And I'm a little concerned to -- and of  
20 course all of you know that I'm not a tower. So I just  
21 represent groups of towers. And it's a little  
22 disturbing to hear here in this county that the same  
23 argument that is now being made in Richmond, that if we  
24 don't go along with these ordinances, if we -- if this  
25 Board doesn't regulate us, then the State of Virginia,

1 the General Assembly's going to regulate us, or the DMV  
2 is going to regulate us, as it relates to safety  
3 towing.

4 And to hear that the same argument was made  
5 here in Stafford County by the very same people that  
6 are making the very same argument in Richmond now, is  
7 very disturbing, and I think very enlightening.

8 But to speak to the public safety tow. As  
9 we mentioned earlier tonight and throughout the  
10 meeting, our local law enforcement and our state police  
11 do an outstanding job protecting the citizens of the  
12 Commonwealth of Virginia.

13 And I can't imagine who better to entrust  
14 with public safety regulations than the state police of  
15 Virginia and the local law enforcement officers that we  
16 have in our towns, and our cities, and our counties.

17 So I would encourage the Board to revisit  
18 the request of many towers in the Commonwealth, and to  
19 vote at your next meeting to recommend to the General  
20 Assembly of Virginia, that Section 46.2 28-26, which  
21 requires this Board to make general -- or make public  
22 safety towing regulations, be stricken from the books  
23 of the Commonwealth, which would leave the  
24 responsibility for police towing -- and that's what  
25 we're talking about.

1                   We know in Richmond we had games being  
2 played the last couple of years, and police towing  
3 wound up being called public safety tow. But we know  
4 through the definition of the public safety tow that it  
5 is police towing. That's exactly what it is. It's a  
6 tow that is initiated by a police officer when he needs  
7 help.

8                   And we would ask that you leave police  
9 towing with the police. It makes no sense to take an  
10 operation, a function of a law enforcement agency and  
11 remove it from that agency.

12                   And as you've heard me speak before, it's  
13 more than it's about economic impact, which would be  
14 great on towers if we pass safety tow regulations.

15                   But it's a dangerous path for this Board,  
16 who represents the Commonwealth of Virginia, to lead  
17 the state to take the step down this path that would  
18 create or would separate public safety towing away from  
19 law enforcement.

20                   It's an extremely dangerous path to take,  
21 regardless of the damage it would do to many towers,  
22 and their families, and their businesses. It's a  
23 dangerous thing for the Commonwealth. It's a dangerous  
24 thing for the citizens of this Commonwealth.

25                   And I ask you to pass a resolution from

1 this Board, and send it to the General Assembly,  
2 recommending that this be stricken. Public safety tow,  
3 or police towing, is designed to increase safety for  
4 the citizens of the Commonwealth.

5 And it is my opinion, for the towers that  
6 I represent and their opinion, that public safety tow  
7 regulations would actually make public safety decrease  
8 and not increase in the Commonwealth. And we'd ask you  
9 to think about that hard and long before you move  
10 forward. Thank you, Mr. Chairman.

11 MR. DRUMHELLER: Thank you, Mr. Fly.

12 MR. PITTS: I'm Gary Pitts from Pitts  
13 Automotive, Fredericksburg, Virginia.

14 MR. DRUMHELLER: What's the name again?

15

16 MR. PITTS: Gary Pitts, Pitts Automotive,  
17 Fredericksburg, Virginia.

18 I'd just like to address the Board that I  
19 am against the safety tow regs. from -- by this Board,  
20 and the local locality should take care of it.

21 But I would like to ask for this Board to  
22 be more informative to the towers about what is going  
23 on, other than say, "Look at the computer."

24 Everyone does not -- computer savvy. I'm  
25 still -- we've been in business for over 45 years. I

1 have still -- if it wasn't for the exception of a  
2 couple of meetings that I went in on or showed up at,  
3 have not got a packet from you all's office, haven't  
4 faxed it, haven't mailed it.

5           So how informed are we going to be of our  
6 towers -- our drivers of your database when you only  
7 have 1200 towers in the State of Virginia that you  
8 cannot get in touch with now. What are you going to do  
9 when you start taking 1200 towers, plus their drivers,  
10 trying to create a database? You can't get in touch  
11 with us now, so how are you going to be informative  
12 when you get all of these drivers involved.

13           We got tow truck operators right now that  
14 have not seen or heard anything of this Board and know  
15 nothing of this Board.

16           We have set back, and I would be guilty of  
17 not getting involved in the beginning, because I didn't  
18 think it was going to effect me. Okay? And now I've  
19 been backdoor'd by the Board.

20           They've come in, in my opinion, the bigger  
21 tow companies are full of towers only -- I mean -- just  
22 for towing only. I'm not in just the tow business. I  
23 am in towing and repair, and I choose to be there.

24           I don't choose to be just a tower. So why  
25 punish me, or say that I need to get in just a towing

1 business and be regulated by the way they say I should  
2 be, instead of just letting me do my thing and operate  
3 the way I've been operating for 45 years.

4 I've not hurt no one. I'm just trying to  
5 make an honest living. I don't have a problem with  
6 rules and regulations. We'll abide by them. But I  
7 don't want to keep on every time you turn around I've  
8 got to have a state sticker because this Board says,  
9 I've got to have by the city, I've got to have one by  
10 the county, to try to do business in the State of  
11 Virginia.

12 I do pay state -- Virginia license. So  
13 that should give me the opportunity to conduct business  
14 in the state, or pay my city license and conduct  
15 business in the city. But I would appreciate the Board  
16 to be more informative, other than just saying, "Oh,  
17 look it up on the computer."

18 I'm not that computer savvy. I have Board  
19 members that sit on this Board that are right in my  
20 back yard to tell me it's not their job to inform me of  
21 what goes on here.

22 When I think if you're on that Board, it is  
23 your responsibility to inform myself, or any other  
24 tower around, what's going on. You cannot sit there --  
25 no. You cannot sit down and tell me individually, but

1 you can -- you can pick the phone up and call and bitch  
2 at me about something you don't like that I do.

3 But you can't pick the phone up and say,  
4 "Hey, we have a meeting."

5 You can't call everybody. If one or two  
6 from each -- on the Board calls one or two people, and  
7 they pass it on, we have more meetings -- more guys  
8 from the local area show up at a meeting -- that was  
9 got together in less than a few hours, then you all get  
10 to show up that's been going on for two or three years.

11 So I think this Board needs to be more  
12 informative to the towers than they are, and try to  
13 keep us informed of what's going on, other than -- I  
14 mean, the newspaper, you can put a little more in the  
15 newspaper.

16 I don't see a news reporter here nowhere,  
17 that is -- you know -- recording any of this, or taking  
18 notes to any of this to inform the public. This Board  
19 was formed because of pricing.

20 What you all are doing is going to cause  
21 pricing to go up. I'm going to get to charge more  
22 money than I've been charging, because what you all are  
23 doing to me is going to force me to charge more money.

24 That's all I have to say. Thank you.

25 MR. COPELAND: I just want to respond to

1 the last gentleman, several things. And I think you  
2 brought up a good point about the phone tree.

3 We are required to promote the use of the  
4 internet as a state agency. You are not required as an  
5 individual to get involved in the internet unless you  
6 want to. But we are required to promote that, which is  
7 why we continually promote it.

8 It is a cost savings. It's convenience, in  
9 most situations. Now I understand everybody's got an  
10 opinion on that, so I've heard it all of the way.

11 Having said that, we have put out press  
12 releases. They have not been picked up in all areas.  
13 We sent out a press release twice. We've had a couple  
14 of apparently obscure pickups on that, so we know  
15 there's been publication of it, because we've had  
16 responses from it.

17 The press release is also on our website.  
18 So we have been trying to do that. We encourage  
19 everyone in this room -- I don't know how many people  
20 you called when you heard about this meeting.

21 But if you hear about a meeting, you call.  
22 We call the associations. They let their members know.  
23 We ask anybody that hears about our meetings, "Let the  
24 people you know, know about it."

25 If that's the easiest way to do it, if it

1 beats the internet, if the phone beats the internet,  
2 that's fine. We have a staff of two, myself and my  
3 assistant Daphane. We can't call all of the towers.  
4 We're not going to call all of the towers.

5 It's just as simple as that. We can't do  
6 it. We contacted people at the Danville meeting to let  
7 them know about what was going on with that. The  
8 associations, members of other groups, they got the  
9 word out. We appreciate that assistance.

10 Some of this is helping yourself. So we  
11 cannot do it right now and get it all out to you. We  
12 should not be making mailings to you to let you know  
13 about meetings, you know.

14 There are different ways to find out.  
15 There are other ways to find out. We'll do our best to  
16 get those out to you. But, you know, if you want our  
17 costs to go up, if you want our staff time utilized not  
18 getting your credentials, we can do what you've asked.

19 But I think we're taking the prudent course  
20 here and doing the best we can in getting the word out.  
21 And we are trying to get the word out statewide.

22 So, you know, I encourage you all here,  
23 keep communicating to each other. And when you hear  
24 about something, let folks know. And if you want  
25 clarification from us, go to our website or call us,

1 we'll be glad to give it to you.

2 MR. DRUMHELLER: Thank you, Marc.

3 MS. COX: Hi, Tracy Cox, Cropper's  
4 Towing. And I am already regulated in my county, in  
5 Prince William County. I have a contract. I have an  
6 18 page contract. They come out and check my trucks,  
7 give me stickers, do background checks. They're even  
8 going to add drug testing next year. I don't need the  
9 Board to control my [unintelligible] I appreciate it.

10 MR. DRUMHELLER: Thank you.

11 ATTENDEE: My name is Ray. I'm from P  
12 and S Towing in Sperryville, Virginia. Nobody don't  
13 even know where it's at probably.

14 I agree with what he said. I don't have a  
15 problem with the criminal history. I worked for the  
16 Sheriff's Office. And I just had my gun license  
17 renewed. So I don't have a problem with that.

18 But I do -- you know -- I don't think it's  
19 right. Because right out here right now, I see trucks  
20 out here running that have different tags on them that  
21 I do. I have a tow truck out there, and don't have one  
22 on the truck.

23 And I work with the state police. The  
24 state police is good to me. Some of them are my best  
25 friends. I mean, we eat out together, or I go over to

1 talk to them. We're friends. Some of the people in  
2 the Sheriff's Office.

3 And they've done a good job as far as --  
4 you know -- if I go out there and I've got a light out,  
5 they don't mind telling me, "You need to fix that,"  
6 which I'm going to fix it if I see it. I'm not going  
7 to go out there, you know, until it's fixed.

8 But I think this thing needs to -- there's  
9 going to be a lot of tow truck drivers that's not going  
10 to come. There's going to be a lot of tow trucks --  
11 there's four in my county. Not nay one of them showed  
12 up to a meeting.

13 You know what they said they'd do? They  
14 said they was going to take their trucks off. And I  
15 think that's going to hurt everybody. And I really  
16 think at the time, the way gas has done got us anyway -  
17 - which thank God it's come down some. But I think  
18 we've been hit hard enough. Thank you.

19 MR. DRUMHELLER: Thank you.

20 MR. KULP: I know people -- some people  
21 made some comments about -- the one reason why I want  
22 what I have to say is because we've got a court  
23 recorder. I was a little upset because the first time  
24 a court recorder showed up at one of these meetings,  
25 and when people found out I was the one that hired

1 them, they got a little upset with me.

2 But I mean, if this is a public meeting,  
3 and we're making laws, and we're making judgements on  
4 how laws are going to be, we need it to be recorded.

5 MR. COPELAND: Record your name again,  
6 David.

7 MR. KULP: David Kulp. And, you know,  
8 until I brought one in here you never had one. You  
9 know, and I've brought them in at my expense.

10 A lot of the things I read here --

11 MR. COPELAND: Dave -- Mr. Chairman, if I  
12 can address that. And if you don't mind, Dave.

13 MR. KULP: Sure.

14 MR. COPELAND: You came to a committee  
15 meeting with a court reporter.

16 MR. KULP: Right.

17 MR. COPELAND: And the court reporter  
18 showed up at our office. We had no idea who it was.  
19 We didn't ask for them because it wasn't a board  
20 meeting. And again, it was -- unfortunately you  
21 thought it was going to be a full board meeting, and  
22 you wanted to have a court reporter there.

23 Well, it was a committee meeting to talk  
24 about exams, and to talk about --

25 MR. KULP: And also had a question --

1           MR. COPELAND:   Well, and to talk about  
2 hiring.  And as you know, I met with you and several  
3 other towers to hear your concerns.

4           And we talked for hours beyond the  
5 committee meeting.  So just -- I want to make that  
6 clear that we have court reporters here for the public  
7 meetings.

8           MR. KULP:    You hadn't before.

9           MR. COPELAND:   Well, we --

10          MR. KULP:    None of the ones I've been --

11          MR. COPELAND:   At Wytheville, Richmond,  
12 Fairfax, Virginia Beach --

13          MR. KULP:    Not until I hired them.

14          MR. COPELAND:   -- Danville.  I'm tell  
15 you, well before you.  Yeah.  Every one of these public  
16 meetings has had a court reporter.

17          MR. KULP:    Not until I hired one.  They  
18 were supposed to have one at two meetings I was at, and  
19 they didn't show up.

20                 Okay.  You've got this one -- the Board,  
21 when it believes from evidence submitted to the Board  
22 that any person that has been violating, or is  
23 violating, or about to violate, any provision of this  
24 chapter -- how in the world are we going to find  
25 somebody guilty about what they might do.

1           I mean, we're really getting carried away  
2 with some of these laws you all are writing. And this  
3 is one reason why I want the stuff -- I'm trying to  
4 stick to public safety.

5           But I'm a little bit upset, because  
6 everybody's saying we ain't going to have one. And one  
7 reason why is because you are violating my civil  
8 rights. I have a privacy act. And it's not just for  
9 David Kulp, it's for other citizens in this county.

10           Yeah, he says he's a convicted felon. It  
11 may have been 30 years ago. You might change your mind  
12 tomorrow and say, you can never have been convicted of  
13 a felony.

14           Originally what I heard, if you have been  
15 convicted of a felony, now it's a misdemeanor. You  
16 have in the codes here that you're to be notified of  
17 every misdemeanor. What kind of misdemeanor, Class 1,  
18 2, 3, 4, 5?

19           I'm not an attorney, but I have been to  
20 court once or twice. I've been to civil court quite a  
21 few times. I've been to criminal court quite a few  
22 times. People lie about me all the time.

23           And when the state police fired me from  
24 being an inspector, they never questioned the fact that  
25 I was truthful. You know, I tell it like it is. When

1 I walk out of this room, and any time I've ever been  
2 here, everybody knows what I believe.

3 I think there's no doubt in anybody's mind  
4 where I stand. And, you know, they're right. I don't  
5 do public safety towing. I don't do towing for hire  
6 really.

7 I want to know why you want to get involved  
8 in my life. Because if I pick up a car, I don't get  
9 paid a dime more if I tow it, drag it, or drive it.  
10 I'm paid to pick up a car.

11 I could put it on a tow dolly. I choose to  
12 drive a wrecker because it's convenient and it's safer  
13 for me. But you're saying I'm for hire. How am I for  
14 hire?

15 The way the code was written, I don't have  
16 to have signs on my truck because I'm not for hire to  
17 the general public. You're going to have a hard time  
18 finding me -- like she said, she would have called me  
19 to tell me -- because I don't advertise.

20 You know, I'm not in any book. I don't  
21 advertise in anything. I just do this for certain  
22 people. And I want to know how you can consider me  
23 somebody that needs to go through -- and jump through  
24 your hoops, just because I drive a wrecker.

25 And if I drive the wrecker, that does not

1 make me a second class citizen that I have to answer to  
2 you. If you want to make a law that says, "If you get  
3 convicted of a crime after this we're going to take  
4 your license."

5 I can understand that. But the poor guy  
6 who's been convicted of a crime, done his time -- and I  
7 don't even care if he's a sex offender. If he's done  
8 his time he's paid society, and we're going to retry  
9 him. We're going to take this man's right to make a  
10 living and shove it down the tubes.

11 And we don't know all the facts about the  
12 case. I mean --

13 MR. DRUMHELLER: Mr. Kulp, we've been  
14 through this --

15 MR. KULP: Well, we got it on the record  
16 now.

17 MR. DRUMHELLER: Thank you.

18 MR. GEORGE: Good evening, Mr. Chairman,  
19 and fellow Board members -- or not fellow, but Board  
20 members, and ladies and gentlemen out here in the  
21 audience.

22 I don't have a dog in this fight at all. I  
23 have a friend of mine that has asked me to come to  
24 different things to talk, to watch, this type of thing.

25 I wasn't going to say anything. As far as

1 a background, I've been in law enforcement for 20 plus  
2 years. And fortunately God's blessed me and let me  
3 retire without any serious injuries or any problems.

4 One thing I do know, this gentleman here --  
5 and I'm not pointing him out -- I appreciate the fact  
6 that you were very candid about the things that you  
7 hold close to you.

8 There ain't a person in here, ladies  
9 included, that when I was out doing my job, regardless  
10 of what area in the community I was in, I'd welcome you  
11 throwing a right, young lady, just as much as I would  
12 either of these gentlemen to help me.

13 Because for the longest time we were looked  
14 at negatively, negatively. Now, I go and deal with  
15 state police, Feds., and just a variety of law  
16 enforcement across this whole nation, and have had the  
17 privilege of working with them.

18 The thing here is that we work with the  
19 people in our jurisdictions. Because we know towing  
20 enforcement people, you got a beef with the way we're  
21 doing something, then you can come to us.

22 We even have in Newport News, where I live  
23 and worked, we welcome the opportunity to interact with  
24 people in the community that can help us to do what we  
25 need to do collective.

1 I see sides here. Everybody's taking a  
2 staunch position and bracing themselves. And you  
3 gentlemen that are on the Board I commend you because  
4 of your towing background.

5 But you're not in here in a position that  
6 everybody's going to view you as being favorable. And  
7 I'm not trying to point the finger. I just have a  
8 question. How many of you have ridden -- have ridden  
9 with a police officer under the ride program, that you  
10 can ride with them just to see what they do, what they  
11 encounter on a day to day basis.

12 If any of you do, you can raise your hand.

13

14 (Show of hands.)

15

16 MR. GEORGE: Did you see anything  
17 terrible that was done or couldn't be worked out  
18 between the officer and the tow truck driver?

19 ATTENDEE: I've seen them arrested.

20 MR. GEORGE: Okay. You're talking about  
21 the tow truck driver?

22 ATTENDEE: I guess that was worked out.

23 MR. GEORGE: Who was arrested? Who was  
24 arrested?

25 ATTENDEE: The tow truck driver.

1                   MR. GEORGE:    Okay.  Needless to say, you  
2 don't have to share with me for what reason.  But I can  
3 tell you, if he's a right hand for me, and you've got  
4 these people that you're trying to tow vehicles for  
5 whatever the purpose is, why would you arrest a  
6 gentleman like that -- not saying he's the one -- and  
7 you may not agree with it, if he is the one.

8                   But there's a reason for that.  If he  
9 causes more of a problem than help me with the  
10 solution, you leave me no other alternative.  The thing  
11 that I'm trying to say here is, we've working in law  
12 enforcement.  And I know Captain Chumley.  He's been in  
13 Newport News when he was on the -- we passed -- I  
14 worked as a Commander of the Homicide and Sexual  
15 Assault Unit.

16                   I didn't start there.  I started at the  
17 bottom and tried to work myself into position, some I  
18 didn't even want.  But I did the best job I could.  Why  
19 are we reinventing the wheel here when you gentlemen --  
20 and I commend you, because you've stepped up to help  
21 what legislation has put on your.

22                   Hey, make a difference.  Get in there.  
23 When these gentlemen and ladies can go and come into  
24 the police departments, and if they're not able to,  
25 then you need to go and ask somebody.

1           Let the legislators legislate what you do.  
2   If you don't agree with it, instead of fighting amongst  
3   yourselves, and saying this person's with this person,  
4   or they're together, and they're trying to do bad  
5   things to us, go to the legislators. That's what  
6   they're there for. We're paying them all of this money  
7   and what are they doing for us?

8           Evidently not what we all want or they  
9   wouldn't be saying, "You guys work it all out. Don't  
10   worry about the tow people."

11           And I'm telling you -- and I'm a very  
12   objective individual. And like I said, I wasn't going  
13   to say anything, and I don't mean to rain on you all's  
14   parade, but everybody said, "Well, I've been coming  
15   here and this --"

16           There ain't one of us here that can say  
17   that they haven't done one thing that they're not proud  
18   of. Does that mean I wouldn't shake this gentleman's  
19   hand because he's a convicted felon, or the other  
20   gentleman that admits -- no. Because there's one  
21   person that judges all of us.

22           Whatever religion that you're in, and I  
23   respect them all, why don't you respect one another.  
24   And you guys that are on this Board, all of you  
25   gentlemen -- and if there was a lady that was here

1 earlier for the other meeting -- if it was a lady. Why  
2 you fighting amongst yourselves?

3 Tell them you'll do whatever legislation  
4 requires. But give it over to the people that deal  
5 with it. And that's the people in law enforcement and  
6 the people that need to work it out, which is you  
7 people out there on the street. Utilize the police  
8 department to set up a meeting.

9 If they can't do what you need, that's what  
10 legislators are for. I just finished paying a bunch of  
11 them as you have, and what have they done to us with  
12 this \$700 billion?

13 Let's not go ahead and get -- go to the  
14 people that we pay and hold them accountable. And, Mr.  
15 Chairman, members of the Board, I appreciate your time.  
16 Ladies and gentlemen, thank you.

17 MR. DRUMHELLER: Would you state your  
18 name for the record?

19 MR. GEORGE: I did, sir. Rick George.

20 MR. DRUMHELLER: Sorry, I missed it.

21 MR. GEORGE: That's okay, sir.

22 MR. DRUMHELLER: It's 8 o'clock. Some of  
23 us have a good ways to travel. I appreciate all of you  
24 guys coming out. I appreciate what you've said. We do  
25 hear what you say. And with that, I call this meeting

1 adjourned.

2

3 (Hearing concluded, 8:00 p.m.)

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1 CERTIFICATE OF COURT REPORTER

2 I, KURT D. HRUNENI, a Certified Verbatim  
3 Reporter, do hereby certify that I took the notes of  
4 the foregoing proceedings and thereafter reduced the  
5 same to typewriting; that the foregoing is a true  
6 record of said proceedings to the best of my knowledge  
7 and ability; that I am neither counsel for, related to,  
8 nor employed by any of the parties to the action in  
9 which these proceedings were held; and further, that I  
10 am not a relative or employee of any attorney or  
11 counsel employed by the parties hereto, nor financially  
12 or otherwise interested in the outcome of the action.

13 IN WITNESS WHEREOF, I have hereunto set my  
14 hand this 28th day of November, 2008.

15

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KURT D. HRUNENI, CVR, CCR-VA

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