

**Board of Towing and Recovery Operators
Compliance and Consumer Affairs Committee Meeting
November 9, 2010, 10:00 am
Department of State Police
Police Academy Room, 219
7700 Midlothian Turnpike
Richmond, Virginia**

Members Present:

Charles Brown - Chairman
Mark Sawyers
Roy Boswell
Kenneth Mitchell
Richard Lampman – Designee for the
Commissioner of the Department of Motor Vehicles

Members Absent:

Andres Alvarez

Board Counsel:

Jeff Spencer – Senior Assistant Attorney
General

Staff Present:

Marc Copeland
Barbara Drudge
Kara Corso

Meeting Called to Order:

The meeting was called to order at 10:05 am.

Acceptance of Meeting Minutes:

Mr. Mitchell moved to accept the minutes from the July 8, 2010, meeting as presented. Mr. Boswell seconded that motion and it passed unanimously.

Public Comment:

Chairman Brown allowed for public comment throughout the meeting.

Discussions:

Ralph Wilcher, of AAA Mid-Atlantic, Inc., suggested that those who have not renewed their towing credentials be penalized.

Mr. Mitchell moved to recommend that BTRO staff draft a letter to send to those operators whose licenses have expired and suggested a \$250 civil penalty be assessed. Mr. Mitchell amended his motion and moved to recommend assessing a civil penalty of 150% of the total cost of the operator

license renewal on those who are renewing within the two month period after the license has expired as well as on those who are doing so after the two month period who are required to reapply as new applicants. The motion died.

Mr. Mitchell amended the motion and moved to recommend assessing a \$500 civil penalty on those whose operator licenses have expired and are reapplying for a new license. The motion died.

Mr. Mitchell moved to recommend that those who are required to reapply for their operator license after it has expired, but have already been issued their new license, should not be subject to a civil penalty. The motion died.

Mr. Mitchell moved to recommend that BTRO staff send show-cause notifications to those operators whose licenses have expired and are no longer eligible for renewal to determine if they were operating during the time their credential was expired. He also recommended that a civil penalty of \$200 be assessed on those whose licenses have expired and are reapplying for an operator license and that a civil penalty of \$500 be assessed on those whose licenses have expired and have not reapplied for an operator license. Mr. Sawyers seconded that motion and it passed unanimously.

Chairman Brown instructed BTRO staff to prepare a draft of the show-cause notification to present to the Board at the next meeting.

Other Business:

Mr. Mitchell moved that the Committee recommend to the full Board that revocation proceedings begin for a particular towing and recovery operator license holder. Mr. Sawyers seconded the motion and it passed unanimously.

Additional Public Comment:

There was no additional public comment.

Adjournment:

Chairman Brown requested a motion for adjournment. Mr. Sawyers moved to adjourn and Mr. Mitchell seconded the motion. The motion passed unanimously and the meeting was adjourned at 12:20 pm.