

**Virginia Board for Towing and Recovery Operators (BTRO)**

July 10, 2007 - 9:30 AM

Department of Motor Vehicles, 7<sup>th</sup> Floor Conference Room (702)  
2300 West Broad Street, Richmond, Virginia 23220

***Draft Minutes***

A regular meeting of the Virginia Board for Towing and Recovery Operators was held on July 10, 2007 at the Department of Motor Vehicles Headquarters, 2300 West Broad Street, Richmond, Virginia.

**Board Members present:**

Ray Hodge  
Woody Herring  
Cary Coleman  
Vinay Patel  
Roy Boswell  
Ray Drumheller  
Mark Sawyer  
Randy Seibert  
Gary Teter  
Ron Miner  
Andy Alvarez (Designee of the Commissioner of Agriculture & Consumer Services)  
Jo Anne Maxwell (Designee of the Commissioner of the Department of Motor Vehicles)  
Captain Steven Chumley (Designee of the Superintendent of the State Police)

**Board Members absent:**

Charlie Brown  
Citizen Member Vacancy

**Staff present:**

Benjamin Foster, Board Executive Director  
Daphane Phillips, Administrative Assistant  
Jeffrey A. Spencer, Esq., Senior Assistant Attorney General  
John Beal, Attorney General Office

**Called to order:**

Chairman Ray Hodge called the meeting to order at 9:35 a.m.

**Public comment:**

None

**Acceptance of June meeting minutes:**

Chairman Hodge asked the members if they reviewed the minutes from the June 5, 2007 meeting. Seeing no questions, Chairman Hodge called for a motion to approve. A motion was made by Woody Herring and second by Ron Miner. The minutes were adopted unanimously.

**Chairman Report:**

Mr. Hodge took the opportunity to thank everyone for the work that been done thus far. He stressed that July 1, 2008 will be here very quickly and the regulations need to be put in place before the deadline. This process will be better for the community and the towing industry.

**Insurance Presentation – Mr. Dave R. Teets**

Chairman Hodge introduced Mr. Dave Teets of the Ashcraft Insurance Agency of Virginia, Ltd. Mr. Hodge said that he had asked Mr. Teets to speak on the need for and complexities of insurance coverage for tow operators. Mr. Teets involvement with the insurance industry in the towing industry has been extensive for over 20 years.

Mr. Teets' presentation touched on Worker's Compensation, Comprehensive Automobile Liability, Comprehensive General Liability, On-hook/Garage Keepers Coverage and Motor trunk cargo coverage.

**Executive Director's Report:**

(A) General Overview – Mr. Foster stated that staff is hearing from the general public since information about this board has begun to spread.

(B) Office Space Acquisition – The Board members were mailed a proposal from CB Richard Ellis in regard to office space in the Bank of America Building. The lease is being drafted and staff anticipates being in the space by mid August or the first of September.

(C) Contact Card Information – Staff has received roughly 234 responses to the 2200 contact cards sent out to known towing companies, and Police and Sheriff Departments in the Commonwealth.

(D) Board Calendar – Mr. Foster presented a draft work calendar to the Board containing proposed dates of all meetings activity time frames that will be taking place for the upcoming year.

(E) Draft Budget – Mr. Foster presented a draft budget for the upcoming two years for the board to review. The draft contained a listing of known expenses for this time period.

(F) Finger Printing - Mr. Foster introduced Ms. Pounders with the Virginia State Police. Ms. Pounders stated that an account number had been assigned to the board for processing each finger print card and the fee for that service will be 37 dollars. The State Police will not do the actual finger printing as part of that fee it will only cover the cost of processing the background check. The State Police will send all the information back to the Towing Board for its review and disposal.

### **Committee Reports:**

#### Licensing and Regulatory Affairs Committee

Ron Miner reported for Chairman Brown in his absence. Mr. Miner gave an overview of the last meeting. The meeting was centered on the future practice regulations. Due to time constraints, only a portion of the regulations were reviewed. The reminder of the draft regulations will be finished in the Committee meeting today.

Chairman Hodge asked for comments from the members on Mr. Miner's report. Seeing none, He asked for the next report.

#### Administrative Affairs Committee

Chairman Herring gave an overview of the last meeting. The discussion was on budgeting for the next year, and the costs of hiring investigators. There was discussion on the development of a time line for the work to be completed. Mr. Hodge reiterated that the July 1, 2008 deadline is drawing near and there is still a lot that needs to be completed.

Chairman Hodge asked for comments from members on Chairman Herring's report. Seeing none, He asked for the next report.

#### By- Laws and Policy Committee

Chairman Seibert reported on the Committees review of issues concerning Criminal Background Checks, Driver Authorizations and Electronic Finger Printing. A draft of an authorization guideline will be voted on in today's Committee meeting and present at the next full Board meeting.

Chairman Hodge asked for comments from members on Chairman Seibert's report. Seeing none, He asked for the next report.

#### Second Signature Ad Hoc Committee

Mr. Sawyer presented an overview on the public comments that were received at June 26, 2007 Committee meeting. The information that was gathered at the public hearing will be

compiled and put into a report for the Board to review. He also reported that Board Chairman Hodge had appointed Ron Miner as a new member of the Committee.

Chairman Hodge asked for comments from members on Chairman Sawyer's report. Seeing none, the Chair called for new business.

### **New Business**

(A) Legislative Concerns – Mr. Alvarez, Ms. Maxwell

Mr. Alvarez stated that there were references to towing and recovery in Virginia Code sections governing the activities Department of Agriculture and Consumer Services. He said that he talked with officials of that department as well as had conversations with Mr. Foster and Ms. Maxwell about proposing legislation that would move the references in DACS Code as well as references in Title 46.2 Chapter 12 (DMV Code section) to Title 46.2 Chapter 28 (BTRO Code section).

Ms. Maxwell reported that having been requested by Chairman Hodge and Mr. Matt Benka of MIHRA she had broached the idea of a specific license plate for towing vehicles with officials of DMV. For the most part the feedback was positive for the idea but work would be needed to allow for out of state operators. Additionally, legislation would be required in order to implement the use of these license plates.

(B) Election of Officers

Chairman Hodge called for a motion for Vice-Chair. Randy Seibert made the motion to keep Ray Drumheller as Vice- Chair. Cary Coleman seconded. The vote was carried unanimously.

The Chairman Hodge called for motions for Chair. Randy Seibert made the motion to keep Ray Hodge as Chair. Cary Coleman seconded. The vote was carried unanimously.

### **Old Business**

None

### **Next Meeting**

The next meeting will be held on August 14, 2007.

### **Adjourned**

The meeting was adjourned at 11:46 a.m.