

Licensing and Regulatory Affairs Committee  
August 30, 2007

Draft Minutes

Licensing and Regulatory Affairs Committee meeting was held in room 702, August 30, 2007 at the Department of Motor Vehicles Headquarters, 2300 West Broad Street, Richmond, Virginia.

**Members present:**

Charlie Brown  
Ron Miner  
Roy Boswell  
Ray Drumheller  
Woody Herring  
Ray Hodge  
Gary Teter  
Lt. Curtis Hardison

**Absent:**

Woody Herring

**Other Present:**

Jeff Spencer, Office of the Attorney General, John Beall Jr., Office of the Attorney General, Benjamin Foster and Daphane Phillips.

**Call to Order**

The meeting was call to order at 10:02 a.m.

**Public Comments**

Connie Miller with Blue Streak Towing, comments were about small businesses purchasing a Boom Wrecker in order to do public safety towing. Ms. Miller states that this equipment would only be used twice a year and very expensive to purchase.

Mr. Bruce Keeney a representative of VATRO appreciates all the hard work that has gone into preparing the Proposed Regulations. He stated that this has been a hard task to endure and he commends the work that the Committee has accomplishes so far.

Ralph Wilcher with AAA Mid Atlantic stated that the Board does not recognize the medium duty class. He would like for the Board too consider adding the medium duty class to the Proposed Regulations.

Mr. Wilcher would like for the Committee to refine the Continuing Educations requirement. He sees a lot of redundancies with the operator's requirements.

Chairman Brown closed the public comments session at 10:08

**Minutes from the last meeting**

Mr. Brown asked the members if they reviewed the minutes from the August 14, 2007 meeting. Seeing no questions, Mr. Brown called for a motion to approve. Motions were made by Lt. Curtis Hardison second by Ray Drumheller. The minutes were adopted unanimously.

**Committee Business**

Chairman Brown asked that the following Legislative changes be made to this document.

**24 VAC 27-30-20. General Requirements for Operator's licensure.**

- E. List the principal owner's name or owners' names on the application for license and advise the Board of any change of same
- F. Attest on the application whether the principal owner has been convicted of a felony or misdemeanor.

**24 VAC 27-30-40. Exemptions.**

- E. ~~Tow trucks registered and domiciled in another state, providing such has appropriate and required interstate operating authority. Such tow trucks must obtain a temporary operating permit from the Board prior to operating in Virginia authorized by the Board. However, tow trucks registered and domiciled in another state are not exempt from licensure or provisions of applicable State laws or regulations of the Board if pickup or hook up of a vehicle is in Virginia.~~ **Ron to re-write**

**24 VAC 27-30-45. Transfer of operator's license.**

- C. ~~At any time in which 50% of more of an operator's towing and recovery business is sold or transferred, the Board shall be notified in writing within 30 calendar days the sale or transfer occurred.~~

**~~24 VAC 27-30-50. Temporary Towing Permits or duplicate applications~~**

~~The Board may promulgate regulations providing that an application for a certificate of towing and registration of a tow vehicle, either new or after a transfer, the vehicle may be operated on the highway under (i) temporary permit issued by the Board or (II) a duplicate application carried in the vehicle.~~

**~~24 VAC 27-30-55. Trip permits, regulations, fees~~**

~~The Board may, on application on forms provided by the Board, issue a trip permit to any owner of a tow truck which would otherwise be subject to registration with the Board but is not currently registered. The permit shall be valid for three days and shall show the vehicle identification number, tag number, authorized driver's name and the beginning point and the point of destination. The fee for the permit shall be fifty dollars~~

**24 VAC 27-30-65. Standards of practice.**

G. Any and all advertisements, promotions, offers for services shall include the operator's trade name and BTRO license number. Invoices shall include the operator's trade name, address, telephone number and BTRO license number.

~~O. No operator shall impersonate a licensed operator of a like or different name;~~

~~P. No operator shall publish or cause to be published in any manner an advertisement that is false, deceptive, or misleading, or violates regulations of the Board governing advertising by towing and recovery operators.~~

R. No operator shall:

8. Fail to accept one of two nationally recognized credit cards.

**24 VAC 27-30-80. Prerequisites for Application for Driver's Authorization.**

BTRO will accept applications for tow truck driver authorization documents at its office in Richmond or via its website. To be included with the application will be the BTRO application fee plus the prevailing fee required by state and federal police authorities for reviewing the fingerprints submitted by the applicant and processing the criminal history background checks required by the statutes and these regulations. ~~[As of 9/1/07 that fee is \$37: \$13 of which goes to state authorities and \$24 of which is required by federal authorities.]~~

**24 VAC 27-30-81 Exemptions from tow truck driver authorizations**

1. Traveling through the state or dropping off in the state
2. Relocating assets
3. Mechanics use

**24 VAC 27-30-95. Requirements for continuing education.**

**Adjourned:**

The motion was made by Lt. Hardison and second by Roy Boswell. The meeting was adjourned at 2:00 p.m.