

**Virginia Board for Towing and Recovery Operators**

February 18, 2009 – 10:00 AM

Department of Motor Vehicles  
Room 119  
2300 West Broad Street  
Richmond, VA 23220

***Draft Minutes***

**Members Present:**

Mark Sawyers - Chair  
Woody Herring Vice-Chair  
Ray Hodge  
Ray Drumheller  
Cary Coleman  
Roy Boswell  
Gary Teter  
Ron Miner  
Captain Steve Chumley (designee of the Virginia State Police)  
Archie Orr  
Scott Wyatt  
Brock Cole (designee of the Commissioner of the Department of Motor Vehicles)  
Andres Alvarez (designee of the Commissioner of Agriculture and Consumer Services)

**Members Absent:**

Charlie Brown  
Randy Seibert

**Staff Present:**

J. Marc Copeland – Acting Executive Director  
Daphane Phillips – Administrative Assistance

**Staff Absent:**

Attorney General's Office

**Called to order:**

Mr. Sawyers called the meeting to order at 10:14 am.

**Chairman's report:**

Mr. Sawyer states that there are no minutes to accept due to technical difficulties.

Mr. Sawyers yielded the floor to Mr. Copeland to explain the current legislation in the General Assembly that affects BTRO.

**Executive Director's Report:**

Mr. Copeland gave a brief report on the credentialing process.

- A) 57% of the licenses have been issued
- B) BTRO has finished the transition from the Department of Health Professions.
- C) He met with System Automations to discuss the licensing software
- D) DMV has the stock for printing the credentials and many documents are already in the printing queue.
- E) The percentage of issued Drivers Authorization Documents has increased from 7% in January to 34%. The total licenses and credentials issued are at 45%.

**Discussion of Pending Legislative Proposals:**

Mr. Copeland stated that HB 2505 and HB 1747 passed the House and the Senate.

HB 1747, Delegate Pogge's bill, prohibits the Board from promulgating public safety regulations. The Board supported this bill, and the next step will be for the Board to recommend that the Governor sign, veto, or amend the bill.

HB 2505 extends the date (from January 1, 2009 until July 1, 2009) by which a person engaging in towing needs a valid license from the Board. The bill will allow towers to operate legally without a license until July 1. This bill has passed the House and Senate uncontested. The next step will be for the Board to recommend the bill to the Governor for signing, vetoing or amending. Mr. Copeland stated that this is an emergency regulation and once it is signed, it will be effective.

**Motion:**

Mr. Wyatt moved that the Board recommend the Governor sign HB 1747 and 2505. The motion was seconded by Mr. Miner and the motion passed unanimously with DMV, the Department of Agriculture and the State Police abstaining.

**Motion on HB 2164 the DMV bill on Salvage and Abandon Vehicles:**

Mr. Drumheller made a motion to support HB 2164 with the substitute. The motion was seconded by Mr. Teter and the motion passed unanimously with DMV, the Department of Agriculture, and the State Police abstaining.

**Bill's updates from Mr. Copeland:**

SB 997, the second signature bill, was heard in the Senate and amended by Delegate Oder. This amendment will allow localities to assign an agent who is always available at the time of the tow.

Because SB 997 was amended, the Board must vote to support or oppose the amendment. Mr. Copeland will put a summary together for the Board and circulate it for comments.

**HB 2169 Consensus Substitute – Summary of key provisions, the bill will make up the composition of the Board.**

Please see attached.

Mr. Copeland asked that Mr. Fly and Mr. Bieber comment on Delegate Abbitt's response since they were present at the meeting.

**Comments from the Public:**

Mr. Fly states that there will likely be no compromise from Delegate Abbitt on the Board's composition. At first Delegate Abbitt wanted to eliminate the Board, but he later decided to create Board oversight by either placing the Board under a state agency or by placing additional members on the Board. Finally, Delegate Abbitt decided that having additional towers and local government officials on the Board would create the necessary oversight.

Mr. Bieber stated that HB 2169 was not pleasant, and that Delegate Abbitt had some concerns regarding BTRO. Adding a tower and local official to the Board was a major issue. Delegate Hogan and Delegate Abbitt have said they could attach this bill to an Appropriations bill if necessary.

Mr. Drumheller then spoke in his capacity as a member of VATRO, not a member of the Board. He stated that the situation frustrated him. He was present at the meeting, heard all the comments, and does not approve of HB 2169.

**Motions:**

Mr. Herring moved that the Board oppose HB 2169 as written. The motion was seconded by Mr. Boswell. Mr. Sawyers asked all in favor of this motion to please raise their right hand. **Opposed 3, support 6, abstain 3, the motion failed.**

Mr. Miner moved to support this substitute bill as written. The motion was seconded by Mr. Wyatt. Mr. Sawyers asked all in favor of this motion to please raise their right hand. **Opposed 3, support 7, abstain 3, the motion passed.**

**Next meeting:**

The next meeting will be at DMV in room 119 on April 7.

**Adjournment:**

Chairman Sawyers called for a motion to adjourn. Mr. Coleman made the motion which was seconded by Mr. Herring and the adjournment passed unanimously. The meeting was adjourned at 11:46 a.m.