

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

October 30, 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***

Virginia Board for Towing and Recovery Operators meeting was held on October 30, 2007 at the Department of Motor Vehicles Headquarters, 2300 West Broad Street, Richmond, Virginia 23220.

**Board Members present:**

Ray Hodge  
Woody Herring  
Charlie Brown  
Ron Miner  
Cary Coleman  
Roy Boswell  
Randy Seibert  
Gary Teter  
Lt. Curtis Hardsion  
Jo Anne Maxwell (Designee of the Commissioner of the Department of Motor Vehicles)

**Board Members absent:**

Mark Sawyers  
Vinay Patel  
Andy Alvarez  
Ray Drumheller

**Staff present:**

Benjamin Foster, Board Executive Director  
Daphane Phillips, Administrative Assistant  
John Beall, Attorney General Office  
Victoria Simmons

**Vacant:**

Senate Appointee  
4-year term expires on 6/30/10  
Citizen Member

### **Called to order:**

Chairman Ray Hodge called the meeting to order at 9:46 a.m.

Mr. Mike Washburn, Virginia. Department of Transportation presented a power point presentation on the plan his agency has for incident management and congestion management in the Commonwealth. The presentation was centered on 5 goals:

1. Responded to safety
2. Secondary prevention
3. Traffic control
4. Moving traffic on the highways
5. Quick clearances

Mr. Washburn's key interests are to work with heavy duties tow operators, in order to keep the highways cleared in a safe and timely manner. He would like to create uniform training in education for towers and the incident management teams.

### **Public Comments:**

George Philbates of Philbates Auto and Wrecking, expressed concerns with the training requirements of the Board. He stated that his equipment costs up to \$500,000 and he will not just let anyone off the street drive it. He has been responsible for training his entire staff. He has a membership with AAA, and they offer good training and will do background checks before any employee is hired.

Mr. Bruce Keeney, with VATRO, expressed concerns that AAA Mid-Atlantic is suggesting that "general certification" of drivers should be sufficient for those providing safety services. This Board has very limited authority in regulating drivers. Mr. Keeney stated that AAA Mid-Atlantic suggestion that general drivers complete an approved training program or national certification is sufficient for public safety drivers is erroneous in that such is not required for general drivers.

**Chairman Hodge** closed the public comments session at 10:34 a.m.

### **Acceptance minutes:**

Chairman Hodge asked the members if they reviewed the minutes from the last meeting. Seeing no questions, Chairman Hodge called for a motion to approve. Motions were made by Cary Coleman and seconded by Randy Seibert. The minutes were approved unanimously.

### **Chairman Report:**

Mr. Hodge stated that he would like to stress the importance of the job that the Board has in front of them. He hopes that working in conjunction with AAA Mid-Atlantic, the general public and other associations involved, the job will be completed. He commended Mr. Foster for being so meticulous in handling the amount of work that is coming into his office. He is very proud of the way the Board's has been completing their assignments before the full board meets. Mr. Hodge has appointed an Ad Hoc Committee to look at the education requirement of this Board. The committee consists of three board members, Chairman Ron Miner, Woody Herring, Roy Boswell, and VSP Designee, Captain Steven Chumely, two citizens Paul Stevens, (Fredericksburg) and Allen Woods, (Roanoke).

### **Announcement:**

Mr. John Beall, Attorney General's Office will be retiring in six months, and his replacement will be Ms. Jo Anne Maxwell, (Designee of the Commissioner of the Department of Motor Vehicles). Ms. Maxwell has been an asset to this board from the very beginning, and she will be greatly missed.

### **Executive Director's Report:**

(A) Lease information – Mr. Foster stated that the lease has been signed. The target date to move into the new office space will be December 1, 2007. He has been in touch with Zeta Wade, with VITA on getting the space ready before the move-in date. DMV has allowed Mr. Foster to store the furniture that he has purchased, on the premises until he is ready to move.

(B) Draft Application – Mr. Foster asked that each board member look over the draft application form and email him with any corrections he may have. (See attached)

### **Committee Reports:**

#### **Licensing and Regulatory Affairs Committee**

Mr. Brown asked that Ms. Simmons speak about the meeting with the Department of Planning & Budget. The Committee adopted the new regulations and will present them to the full Board for vote under that action item.

The Chairman asked for comments from members on Mr. Brown's report. Seeing none, he asked for the next report.

#### **Administrative Affairs Committee**

In Mr. Herring absence the committee didn't meet.

Mr. Herring stated that he has received an email from DMV Human Resource Office, in regards to the 4% increase that state employees will receive. Mr. Weigly asked that the Board approve the increase for Mr. Foster and Ms. Phillips. Mr. Herring and Mr. Hodge stated that they approve the increase for the staff.

The Chairman asked for comments on Mr. Herring's report. Seeing none, he asked for the next report.

By- Laws and Policy Committee:

The committee did not meet.

Communications Committee:

Mr. Coleman asked if there's a way that Mr. Patel, and Mr. Alvarez can attend any of the Board's meetings. His committee will not be able to meet today because three of the committee members are absent. Mr. Hodge will look into the matter and report at the next meeting.

Mr. Foster suggested that the committee compare the public relations consulting proposal from Powell Tate to proposals from other PR firms. He also stressed that budgetary concerns be strongly considered in light of the Governor's directive regarding the Commonwealth's budgetary shortfall. Mr. Foster recommended that the committee seek advice from Pam Goheen, Director of Information at DMV.

Second Signature Ad Hoc Committee:

Mr. Seibert read the minutes in Mr. Sawyers' absence. At the last General Assembly session, some legislators lead an effort to repeal the ability of localities to enact ordinances to require the second signature for removing trespassing vehicles. The chairman asked that the committee come up with comprise. The committee came up with two:

- 1) One will allow a locality to adopt an ordinance that would require or allow a 48 hour grace period for vehicles that need inspection stickers or other special needs.
- 2) Locality would have the ability to enact an ordinance that requires towing companies who provide such service, to notify the board of their involvement.

**New Business:**

Mr. Miner asked the Board to send out a letter to all the jurisdictions in Virginia, to inform them of our existence. There are some localities that are not aware of this Board.

Mr. Hodge asked that Cary Coleman's committee send out the letter.

**Action item:**

See attached letter from Mr. Edward Johnson.

**Old Business:**

None

**Next Meeting:**

The next meeting will be held at the Comfort Inn on 11-13-2007, at 9:30 a.m.

**Adjourned:**

Ron Miner made the motion to adjourn at 1:45 p.m. The motion were seconded by Mr. Coleman, all were in favor of the motion.