



California Tow Truck Association's

# TOWING REGULATORY OVERSIGHT COUNCIL

towingcouncil.com

## T-ROC MEETING MINUTES

10:00 - 6:00 p.m. November 5th & 8:00 - 1:00 November 6th, 2015  
Citizen Hotel, Sacramento, CA

### CO-CHAIRS

Tracy Koehler, *San Francisco*  
Casey Horvath, *Corona*

### MOTOR CLUB

Craig Baker, *Cupertino*  
Open, *Open*

### PRIVATE PROPERTY

Open, *Open*  
Steve Hendrickson, *San Diego*

### LAW ENFORCEMENT

Glenn Neal, *Vacaville*  
Jody Campbell, *Santa Ana*

### HEAVY DUTY

Dino Tomassi, *Santa Clara*  
Greg Baker, *Northridge*

### LARGE FLEET

Quinn Piening, *Fremont*  
Dave McDanell, *Bakersfield*

### SMALL FLEET

Earl Peterson, *Corning*  
Arlan White, *Colton*

### RURAL

Rick Stewart, *Willow Creek*  
John Coulter, *San Luis Obispo*

### EDUCATION

Robert Inskeep, *Santa Rosa*

### At Large

Jake Ubil, *Roseville*

### ALLIED ASSOCIATIONS

Dan Charlebois, *U.C.M.C.S.*  
Jon Nissley, *O.P.G. (LA)*

1. Call to Order--Roll Call of Council Members
  - a. Tracy Koehler, Greg Baker, Jake Ubil – absent 11/5; Casey Horvath, Greg Baker, Jake Ubil, and Rick Stewart – absent 11/6
2. President's Report – CTTA President Terry Warford
  - a. Executive Director/Office Report postponed (postponed.)
3. Co-Chair Report
  - a. BOD Intake Session report from membership
  - b. Discussion: Rising Workers Comp Rates
4. Discussion: Federal Legislation Report
  - a. FAAAAA preemption of meal and rest periods (HR 3763)
    - i. **MOTION:** Direct staff to contact TRAA re: HR 3763 on fact-finding mission (Passed unanimously)
    - b. "State and Local Predatory Towing Enforcement Act" (HR 2563)
5. Discussion: Upcoming State Legislation
  - a. AB 873 (Jones) – BAR regulation of road side service
  - b. CHP Legislative Proposal re: criminal backgrounds of FSP/RTP drivers
  - c. Litigation re: Credit Card Surcharges
    - i. **MOTION:** Notify the tow industry that federal court decision found Civ. Code sec. 1748.1 unconstitutional and prohibited AG from enforcing (Passed unanimously)
  - d. CHP Proposed Regs re: Fire Extinguishers
    - i. **MOTION:** T-ROC has no comments on these proposed regulations (Passed unanimously)
6. Cross-Utilization Subcommittee Report
7. Regulatory Research Committee Report
8. Discussion: CHP Tow Service Agreement
  - a. 100-mile permit issue (Greg Baker)
  - b. Use of car-carriers to upright overturned vehicles
  - c. Passing of calls to avoid Hours-of-Service violations
  - d. CHP Representatives Present at 9:00 on 11/6 (Captain Kevin Davis/Dennis Davidson)
    - i. CHP Question: CHP requests T-ROC response to the following question, "How should rotators be classified in the TSA?"
      1. **MOTION:** T-ROC is of the opinion that a rotator should be classified as "special equipment" in the TSA when it is being used as a rotator. If used as a tow truck, then a rotator should be classified under the applicable tow truck classification and only charged the Class C or D rate notwithstanding any minimums. Staff directed to draft a letter for distribution to the CHP (Unanimous vote, but passage pending a 3/4 ratification vote).
    - ii. Delivery of T-ROC/CTTA position letter to CHP that lowboy/Landoll trailers should be classified as "special equipment" in the TSA.
    - iii. Delivery of Cross-utilization Subcommittee's questions to the CHP
9. **MOTION:** Use of swear words will result in a \$100 fine to be distributed to the Drivers' Relief Fund (Passed with a majority vote)
10. Approval of Minutes – (Passed unanimously)
11. Adjournment of Meeting