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**TOWING ADMINISTRATION ADVISORY COMMITTEE MEETING SUMMARY DRAFT FINAL**  
**April 25, 2024 • 3:30 PM – 5:00 PM**  
**Zoom Meeting Call**

<b>Subcommittee Members</b>	<b>Position</b>	<b>Affiliation</b>	<b>Present</b>
Donny Callahan	Chair	Gerlock Towing	Yes
Steve Koester	Committee Member	Port of Portland	Yes
Amelia Brown	Committee Member	Portland Police Records	Yes
Francis Cop	Committee Member	Multnomah County Sheriff's Office	Yes
Ae Young Lee	Committee Member	Member-at-Large	Yes
Scott Bradley	Committee Member	Member-at-Large	Yes
Robert Riscoe	Committee Member	ODOT	Yes
Eric Chitoubol	Committee Member	City of Portland Fleet Services	Yes
Kerensa Mauck	Committee Member	Multnomah County Fleet Services	No
Todd DeWeese	Committee Member	Bureau of Emergency Communications	Yes
Devin Edwards	Towing Company	Speeds Super Tow	No
Clark Tenny	Towing Company	21 Century	No
Mark Williams	PBOT	Interim Parking and Regulatory Group Director, PBOT	No
Csilla Wischner	PBOT	Regulatory Division	Yes
Tim Moore	PBOT	Towing Administration	Yes
Matthew Erickson	PBOT	Regulatory Division	No
Glen Fullilove	City Attorney	City Attorney's Office	No
Tracy M. Smith	Facilitator	Inhance LLC	Yes
Camerina Galvan	Notetaker	Galvan Consulting LLC	Yes
Vacant	Vice-Chair		N/A

Subcommittee Members	Position	Affiliation	Present
Vacant	PBOT Parking Enforcement		N/A
Vacant	Member-at-Large		N/A
Vacant	Member-at-Large		N/A

**OTHER ATTENDEES:** Paul Walters, Northwestern Towing; James Jerome, Northwestern Towing; Geoff Bowyer, ODOT; Mike Porter, New House Towing.

**WELCOME AND INTRODUCTIONS:** TRACY M. SMITH, FACILITATOR

- Donny Callahan called the meeting to order at 3:33 PM.
- A quorum was met.

**ANNOUNCEMENT FROM COMMITTEE MEMBERS AND WELCOME OF MEMBERS:** DONNY CALLAHAN, CHAIR

- No announcements.

**APPROVAL OF 02/28/2023 MEETING SUMMARY:** DONNY CALLAHAN, CHAIR

- Approved: Final draft February 28, 2023, Meeting Summary
- All action items were completed except for Action Item 21.
  - **ACTION ITEM:** Scott Bradley will follow up with Tim Moore to provide clarity for developing documentation.
- Amelia Brown gave a status update on Action Item 17. She will elevate the request to the lieutenant.

**PUBLIC COMMENTS:** DONNY CALLAHAN, CHAIR

- No public comment.

**PBOT UPDATES:** TIM MOORE, PBOT

- **Snow Event Debrief Update:** PBOT had an agency debrief to review the logistic issues that emerged during the snow event. PBOT developed a new standard operating procedure (SOP) and chain of command with Multnomah County Parking Enforcement and ODOT.
- **Contract Update:** New driver qualifications have been developed. Tim Moore encourages committee members to review the qualifications and send him questions.
- **Tow Truck Emergency Lighting:** This is a reminder that tow trucks must use appropriate lighting. Blue lights are not appropriate. In Oregon, blue lights are reserved for police officers.
- **Towing Rates Update:** PBOT is considering a 15% rate increase at signing and a 15% rate increase each year for four consecutive years to reach a comparable market rate. This includes a CPI increase each year. The rate increase is specifically for Class A and Class B. PBOT is receiving guidance on whether the date will be based on the anniversary of the signing or the fiscal year-end.

- **Mark Williams's Attendance:** Mark Williams is fulfilling two jobs within PBOT and will attend fewer Tow Administration Advisory Committee Meetings.

**DISCUSSION: TOPIC SUBMISSION: WINTER STROM DEBRIEF: DONNY CALLAHAN, CHAIR**

- Goeff Bowyer shared that the agency debrief identified flaws in the snow tow memo from when the tow was requested to when Aries or AutoReturn assigned the tows. It was a programmatic-focused discussion to diagnose technical issues.
- Tim Moore added that the agencies discussed how to triage the identified issues. PBOT and ODOT compete for resources during snow events and must work together. If tow drivers feel unsafe on the scene, Tim Moore urges them not to do it.
- Donny Callahan shared his company's experience during the snowstorm. He received a call from the Aries that pressured him to tow a snowplow on Cornell Rd. Other tow companies were pressured to complete that tow after he declined for safety reasons.
- Mike Porter shared his experience with a call for a tow on the road to Oregon Health Science University. His equipment is not suited for narrow roads in the hills.
- Tim Moore assures PBOT will keep requesting tows, especially for a snowplow, until the vehicle is cleared. If the tow company refuses to fulfill the request out of safety or a shortage of towers, PBOT will not suspend the tow company from the contract or fine them. Tim Moore cannot control AutoReturn's approach.

**DISCUSSION: TOPIC SUBMISSION: MONTHLY TOWING REPORTS: DONNY CALLAHAN, CHAIR**

- Donny Callahan asked why monthly reports stopped being produced and if they would be implemented again. Tim Moore feels some of the information shared in the monthly reports contained the proprietary information of other companies. It's his understanding that the report was for accountability and competition.
- Mike Porter shared that the report solved concerns about favoritism and reassured that the system was fair.
- Tim Moore offered to provide reports on industry totals, industry averages, passes, and average response times to everyone and produce a report specifically for each company. He believes it's inappropriate for him to share a company's data widely with other companies.
- Paul Walters commented in the Chat: When towers handled the rotation, that makes sense. With the third party, it makes it fairer.
- Tim Moore feels it would be a liability for PBOT to share company data widely. He told the towers that they could share the information amongst themselves.
  - **ACTION ITEM:** Tim Moore will receive guidance from the city attorney to determine if the data is proprietary information.
- Donny Callahan said this is public information and a way to ensure the dispatch system works accurately and tows are distributed evenly. Tim Moore disagrees that it is public information.
- Csilla Wischner asked in the Chat if AutoReturn sends out the calls equally. Tim Moore assured that 99% of the calls are automated. Companies go through the rotation automatically according to the rotation and pass rules. The purpose of transitioning to AutoReturn was to eliminate the human element. For the most part, the system is automated. A tow will be sent to another company

outside the district when the call is passed or if the call lingers for days or hours. In these cases, PBOT may dispatch it. PBOT sets up mission tows ahead of time, breaking the auto-dispatch in those cases.

- Paul Walters added in the Chat: I have been told that ODOT has called out-of-state companies before contacting the people within the city limits with the appropriate equipment. That is an issue that needs to be addressed.
  - Time Moore responded that ODOT is statewide and has other areas they can serve. PBOT has no bearing on that.
  - Geoff Boyer shared that ODOT looks at the estimated time of arrival (ETA). If the call is from outside Multnomah County, they use ODOT rotation. They use the tow rotation if the call is from within Multnomah County. They go off the list if they have exhausted the contracted tow companies or if they get an ETA of 1.5 hours or more. In that case, they call different companies, and the fastest response is often from TLC in Washington State.
- Paul Walters commented in the Chat: I'm thinking of a specific call when my customer called us for a wreck they had on I-84 between I-5 and 205. We told them we were on our way, and the ODOT representative said that this other company out of the area should be the one to come down, not a Portland company.
  - **ACTION ITEM:** Tim Moore will connect Geoff Bowyer and Paul Walters via email.
  - **ACTION ITEM:** Geoff Bowyer will research the issue raised by Paul Walter and connect with him to discuss it offline.

**DISCUSSION: TOPIC SUBMISSION: ADD CONDITIONS FOR ELECTRIC VEHICLE STORAGE TO THE CONTRACT: MIKE PORTER, NEW HOUSE TOWING**

- Mike Porter shared that an electric vehicle's (EV) lithium battery will catch fire and cannot be put out if compromised. Towers have been instructed to build barricades that contain the 15,000-degree fires. He stated the contract should allow towing companies to store EVs in the barricades. The storage is an additional expense for towing companies.
- EVs are an estimated 15%-20% of the vehicles in tow lots.
- Eric Chitoubol shared [an article from DEQ](#).
- Other jurisdictions have passed legislation requiring towers to build lockers or store EVs far from other vehicles without additional compensation.
- Towers should assume that any EV in a wreck has been compromised. A hissing or bubbling noise indicates that the battery has been compromised.
- Tim Moore stated this should be pursued and asked the following questions:
  - How do we determine whether EVs qualify for special storage?
  - Do all EVs pay a higher rate?
  - How is it tracked?
  - How do we vet that it is being applied correctly?
- Mike Porter suggests entering a note into Aries if a battery is hissing or bubbling and taking photos.

- Tim Moore would like a recommendation from the committee. He suggested that a group of committee members research what other jurisdictions have done and bring forth a recommendation to include in the PPI contract. This matter is urgent, given that the contract is in draft form.
- The [Energy Security Agency](#) provides expert guidance around storing EVs. They pay the tow companies \$150 per call and provide EV training.
- **ACTION ITEM:** Donny Callahan will develop and share a recommendation for EV storage with Tim Moore and Csilla Wischner.

**DISCUSSION: TOPIC SUBMISSION: OMBUDS OFFICE CONTRACT RECOMMENDATIONS: TIM MOORE, PBOT**

- The OMBUDS office made [two recommendations](#) for the contract.
- Recommendation One: When it is difficult to prove ownership of a vehicle, the vehicle will be moved from a tow lot to a city lot. The city will then release the vehicle.
  - Scott Bradley asked who decided to release the vehicle.
    - Response: Tim Moore assured that these cases are few and far between. The OMBUDS person who represents the City Auditor will make the decision. On rare occasions, the Parking Enforcement or Street Services Coordination Center staff will work with the towers and PBOT to ensure folks can retrieve at least their belongings.
  - Mike Porter is concerned that releasing a vehicle without proof of ownership increases the likelihood of releasing vehicles without insurance, which would be a liability for the city.
    - Response: Tim Moore affirms that there is some liability for the city. There will likely be a requirement to provide proof of insurance and a driver's license.
  - Scott Bradley asked how PBOT would cover the expense associated with the tow and the storage.
    - Response: This situation is unavoidable. The city will pay for the towing storage cost, including the initial tow to the tower's lot and any additional tow to a city-owned facility. Tim Moore is concerned that the expense must be justified internally if these situations become more frequent. It may require the officers or attorneys to decide on the risk factors, and the customer will incur the cost. The logistics are undefined. PBOT will ensure the tow companies don't incur the expenses.
  - Paul Walters commented in the Chat: We don't have a big issue with the collections aspect of it as it's not something we practice, but situations arise in which it may be necessary, like a big job that requires substantial resources.
    - Response: For the sake of time, Paul Walters' comment was not addressed.
  - **ACTION ITEM:** Tim Moore will discuss with PBOT management the concerns raised for Recommendation One. Subsequently, he'll draft language into the contract to ensure the cost is covered, a cost recovery method is established, and not all vehicles can be retrieved from the city.
- Recommendation Two: Requires tow companies involved in city-ordered tows to agree to forego additional fees beyond the auction price.

- Tim Moore asked the committee, "Do you pursue collection on those items? How often? How much of your income is that? How would it impact your business?"
  - Response: Tow companies use collections and fought hard as an industry to recuperate the expense incurred from abandoned vehicles. Oregon law states that the registered owner of the vehicle is responsible for the disposal of the vehicle. The tow company uses collections to cover the expenses. There is no collection if a flag is put on the vehicle at DMV.
  - Mike Porter feels the recommendation is a mistake. Collections are one of the ways that the industry is compensated for the cars they're towing.
- What is the motivation for the language?
  - Response: OMBUDS is concerned that some people don't have the monetary means to resolve the issue.
  - Mike Porter disagrees with the justification.
- Csilla Wischner shared that as a city agency, they must follow specific steps and give people the benefit of the doubt.
- Scott Bradley asked the towers if a cap on fees is more appropriate.
  - Response: Mike Porter shared that when the lean notice goes out, that is the bill at the time of auction. Towers can't charge more.
- Rob Roscoe commented in the Chat: As someone not associated with the towing industry, I feel it's unfair to hamstring their ability to recover the cost in what is, in most cases, an entirely preventable scenario.
- Donny Callahan is concerned that insurance companies will forgo paying the claims if the recommendation is implemented.
- The conversation will be continued at the next meeting.
  - **ACTION ITEM:** Tim Moore will connect with Paul Walters regarding his comment in the Chat.
  - **ACTION ITEM:** Tim Moore will connect with others individually regarding recommendation two.

**THE MEETING WAS ADJOURNED AT 5:04 PM.**

**NEXT MEETING:** The next meeting will be Tuesday, May 25, 2023, 3:30 PM – 5 PM.

Submitted by Camerina Galván, Notetaker, Galvan Consulting LLC.