



AGENDA

TOWING INDUSTRY ADVISORY COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY, JUNE 22, 2015 - 10:00 A.M.

COUNCIL CHAMBERS

SECOND FLOOR, CIVIC CENTRE

300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

www.mississauga.ca

Members

Councillor Ron Starr, Ward 6 (**Chair**)

Councillor Matt Mahoney, Ward 8 (**Vice-Chair**)

Mark Bell, Citizen Member

Robert Fluney, Citizen Member

Daniel Ghanime, Citizen Member

John C. Lyons, Citizen Member

Tullio (Tony) Pento, Citizen Member

Armando Tallarico, Citizen Member

Contact: Stephanie Smith, Legislative Coordinator
Office of the City Clerk 905-615-3200 ext. 3795 Fax 905-615-4181

Stephanie.Smith@mississauga.ca

CALL TO ORDERDECLARATIONS OF CONFLICT OF INTERESTPRESENTATIONS – NilDEPUTATIONS

- A. Rhonda Carson, R & G Scrap Removal with respect to the two tier licensing system.
- B. Troy Edwards, Impact Auto Auctions with respect to the two tier licensing system.
- C. Pete Karageorgos, Insurance Bureau of Canada, Ontario Region with respect to the two tier licensing system.

MATTERS TO BE CONSIDERED1. Minutes of Previous Meeting

Towing Industry Advisory Committee meeting minutes from May 4, 2015.

RECOMMEND APPROVAL2. Centralized Vehicle Pound Facility Feasibility Study

Members of the Towing Industry Advisory Committee (TIAC) discuss the Corporate Report June 10, 2015 from the Commissioner of Transportation and Works with respect amendments to the a Centralized Vehicle Pound Feasibility Study.

RECOMMENDATION

- 1. That the report from the Commissioner of Transportation and Works, dated June 10, 2015 entitled “Centralized Vehicle Pound Facility Feasibility Study” be received for information.
- 2. That staff consider comments received from the Towing Industry Advisory Committee regarding the components and timing of the Centralized Vehicle Pound Facility Feasibility Study.

3. Amendments to the Tow Truck Licensing By-law 521-04, as amended, Vehicle Tow Digital Photographs

Members of the Towing Industry Advisory Committee (TIAC) discuss the Corporate Report June 10, 2015 from the Commissioner of Transportation and Works with respect amendments to Amendments to the Tow Truck Licensing By-law 521-04, as amended, Vehicle Tow Digital Photographs.

RECOMMENDATION

That the Towing Industry Advisory Committee provide comments to staff, for inclusion in a future report to General Committee, on the report from the Commissioner of Transportation and Works dated June 10, 2015, entitled "Amendments to the Tow Truck Licensing By-law 521-04, as amended, Vehicle Tow Digital Photographs".

4. Towing Industry Advisory Committee Action List

Members of the Towing Industry Advisory Committee (TIAC) to discuss the Action List for 2015.

OTHER BUSINESS

DATE OF NEXT MEETING – Monday, September 14, 2015

ADJOURNMENT



Towing Industry Advisory Committee
JUN 22 2015

MINUTES

TOWING INDUSTRY ADVISORY COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

MONDAY MAY 4, 2015 - 9:07 A.M.

COUNCIL CHAMBERS

SECOND FLOOR, CIVIC CENTRE

300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

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- Members Present:** Councillor Ron Starr, Ward 6 (**Chair**)
 Councillor Matt Mahoney, Ward 7 (**Vice Chair**)
 Robert Fluney (Citizen Member)
 Daniel Ghanime (Citizen Member)
 Tullio (Tony) Pento (Citizen Member)
 Armando Tallarico (Citizen Member)

- Members Absent:** John C. Lyons (Citizen Member)
 Mark Bell (Citizen Member)

- Staff Present:** Mickey Frost, Director, Enforcement
 Daryl Bell, Manager, Mobile Licensing Enforcement
 Stephanie Smith, Legislative Coordinator, Office of the City Clerk

Contact: Stephanie Smith, Legislative Coordinator
 Office of the City Clerk 905-615-3200 ext. 3795 Fax 905-615-4181
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CALL TO ORDER – 9:07 a.m.

APPOINTMENT OF CHAIR

Councillor Mahoney nominated Councillor Starr as Chair for the Towing Industry Advisory Committee. Councillor Starr accepted the nomination.

The following motion was voted on and carried.

Recommendation

That Councillor Starr be appointed as Chair of the Towing Industry Advisory Committee for a term of office to November 30, 2018, or until a successor is appointed.

Approved (A. Tallarico)

Recommendation (TIAC-0004-2015)

APPOINTMENT OF VICE-CHAIR

Councillor Starr nominated Councillor Mahoney as Vice-Chair for the Towing Industry Advisory Committee. Councillor Mahoney accepted the nomination.

The following motion was voted on and carried.

Recommendation

That Councillor Mahoney be appointed as Vice-Chair of the Towing Industry Advisory Committee for a term of office to November 30, 2018, or until a successor is appointed.

Approved (A. Tallarico)

Recommendation (TIAC-0005-2015)

DECLARATIONS OF CONFLICT OF INTEREST -Nil

PRESENTATIONS/DEPUTATIONS – Nil

MATTERS CONSIDERED1. Introduction of Committee Members and Staff

Councillor Starr welcomed committee members back for another four year term and Robert Fluency from Seneca Towing introduced himself.

2. Minutes of Previous Meeting

Towing Industry Advisory Committee meeting minutes from February 17, 2015.

APPROVED (T. Pento)

3. Amendments to the Tow Truck Licensing By-law 521-04, as amended, Permission to Tow a Vehicle Forms

Members of the Towing Industry Advisory Committee (TIAC) discussed the Corporate Report dated March 26, 2015 from the Commissioner of Transportation and Works with respect to amendments to the Tow Truck Licensing By-law 521-04, as amended, permission to tow a vehicle forms.

Daryl Bell, Manager, Mobile Licensing Enforcement noted that the amendment allows staff to remove the current schedule in the By-law to allow for the Permission to Tow Form to be updated and to be made on brightly coloured paper to be identifiable to the public.

Councillor Starr enquired if a sample form could be brought back to the Committee. Mr. Bell noted that the amendment needs to be made to the By-law before a sample can be brought in.

RECOMMENDATION

That the Towing Industry Advisory Committee provide comments to staff, for inclusion in a future report to General Committee, on the report from the Commissioner of Transportation and Works dated March 26, 2015, entitled "Amendments to the Tow Truck Licensing By-law 521-04, as amended, Permission to Tow a Vehicle Forms".

APPROVED (Councillor Mahoney)

Recommendation TIAC-0006-2015

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4. Amendments to the Tow Truck Licensing By-law 521-04, as amended, to Enable Enforcement Through the Administrative Penalty System

Members of the Towing Industry Advisory Committee (TIAC) discussed the Corporate Report April 22, 2015 from the Commissioner of Transportation and Works with respect to amendments to the Tow Truck Licensing By-law 521-04, as amended, to enable enforcement through the Administrative Penalty System.

Mickey Frost, Director, Enforcement noted that this report is for information only and spoke to the current backlog situation of municipal enforcement related matters in the provincial court system. He noted that the Administrative Penalty System was approved on July 3, 2013 and would be implemented in July 2015 for towing matters. He further noted that there would be no difference to the users except that the matter would be heard in 6-8 weeks initially by a screening officer.

RECOMMENDATION

That the report from the Commissioner of Transportation and Works, dated April 22, 2015 and entitled "Amendments to the Tow Truck Licensing By-law 521-04, as amended, to enable enforcement through the Administrative Penalty System" be received for information.

RECEIVED (A. Tallarico)
Recommendation (TIAC-0007-2015)

5. Bill 15 Update

Daryl Bell, Manager, Mobile Licensing Enforcement noted that there is currently no further information to provide to the Committee regarding Bill 15.

6. Vehicle Central Pound Facility Update

Mickey Frost, Director, Enforcement provided a verbal update regarding the Vehicle Central Pound Facility. He noted that Chris Rouse, Manager of Development North had been seconded to work fulltime on the central pound facility study. He noted that Mr. Rouse would be working on a terms of reference and work plan that would be brought back to a future meeting.

Councillor Parrish enquired about the feasibility of the study and if industry members had been interviewed to see what they preferred and noted that the Citizen Members of TIAC should be interviewed first to see what their direction is.

Mr. Frost noted that at this stage in the study no decisions had been made to what a central pound facility would look like and that Mr. Rouse would interview the Citizen Members before working on the work plan.

Robert Fluney, Citizen Member enquired if the central pound is to cut down on tow truck chasing. Daryl Bell, Manager, Mobile Licensing Enforcement noted that the central pound is not about chasing rather concerns have been raised about storage rates.

Councillor Starr spoke to finding a model that works for everyone, the Committee having a chance to review the terms of reference, Committee input and the need to protect the public.

7. Towing Industry Advisory Committee Action List

Members of the Towing Industry Advisory Committee (TIAC) discussed the Action List for 2015.

RECOMMENDATION

That the action list of the Towing Industry Advisory Committee meeting held on May 4, 2015 provided to the Committee to update on the status of initiatives raised at prior meetings be received.

APPROVED (A. Tallarico)

Recommendation (TIAC-0008-2015)

OTHER BUSINESS

Committee members engaged in conversation regarding Committee input for the central pound facility.

DATE OF NEXT MEETING – Tuesday, June 22, 2015

ADJOURNMENT – 9:30 A.M.

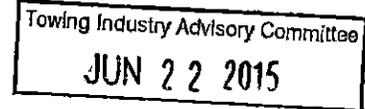


Corporate Report

Clerk's Files

Originator's
Files

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DATE: June 10, 2015

TO: Chair and Members of the Towing Industry Advisory Committee
Meeting Date: June 22, 2015

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Centralized Vehicle Pound Facility Feasibility Study**

- RECOMMENDATION:**
1. That the report from the Commissioner of Transportation and Works, dated June 10, 2015 entitled "Centralized Vehicle Pound Facility Feasibility Study" be received for information.
 2. That staff consider comments received from the Towing Industry Advisory Committee regarding the components and timing of the Centralized Vehicle Pound Facility Feasibility Study.

BACKGROUND: City Council has provided direction to the Enforcement Division of the Transportation and Works Department to conduct a feasibility study concerning the establishment of a Centralized Vehicle Pound Facility (CVPF).

COMMENTS: Project Plan Phases:

Enforcement Division staff have developed a project plan for the CVPF feasibility study. A copy of the draft project plan is attached to this report as Appendix 1.

The project plan comprises three phases. The specific phases, timelines and deliverables of each phase are noted below. More

detailed information of the actions in each phase are outlined in Appendix 1 (attached).

Phase 1 – Research and Initial Consultation (July – September 2015)

- Deliverable: Consultation, research and analysis is concluded

Phase 2 – Consultation and Recommendation (September – November 2015)

- Council makes a decision regarding whether to proceed with a CVPF, including the preferred format, and commits to providing the required resources.

Phase 3 – Implementation (December 2015)

- Commence implementation of Council-approved recommendations related to a CVPF.

Additional Project Plan Information:

In order to undertake a fulsome feasibility study and analysis, staff will be conducting interviews with members of the Towing Industry Advisory Committee (TIAC), Council, representative members of the towing and vehicle impoundment/repair industry, insurance companies and any other interested parties/stakeholders. Staff will also be contacting municipalities with existing CVPF in order to determine how they were established, lessons learned and identifying ongoing issues for consideration.

Staff will also be assessing the locational and physical characteristics of successful CVPFs, identify gaps in the research and conducting additional research where required. Following the research and consultation phases of the study, staff will be undertaking a cost-benefit analysis of establishing a CVPF that will include several operating scenarios.

The research and consultation phase of the study is anticipated to take approximately three to four months (Phase 1), with the detailed analysis phase of the study (Phase 2) taking approximately two months.

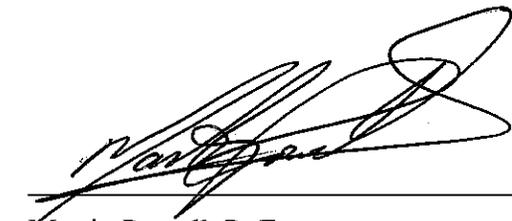
Once this analysis is complete (conclusion of phase 2), staff will report to TIAC and Council with recommendations on the feasibility of establishing a CVPF, and if feasible, recommendations on the format. If Council approves the establishment of a CVPF, staff will make initial recommendations for changes necessary to existing City policies, procedures and/or by-laws based on the Council-approved format. If approved, implementation would commence in December 2015.

The timing included in the project plan is aggressive. However, staff are cautiously optimistic that this timetable can be met based on the available information at this time. Should barriers to meeting this timetable arise, staff will report to TIAC and Council.

FINANCIAL IMPACT: Funding was included in the 2015 Regulatory Services operating budget to perform the CVPF feasibility study. Should the implementation of a CVPF be feasible and should Council approve a format, additional funding may be required in future operating and capital budgets. The financial impact of the CVPF will be clearer on conclusion of the feasibility study.

CONCLUSION: City Council has directed staff to conduct a feasibility study concerning the establishment of a CVPF. The study will begin in July 2015 and an initial recommendation is anticipated to be presented to TIAC and Council by December 2015.

APPENDIX: Appendix 1: Centralized Vehicle Pound Facility Project Plan



Martin Powell, P. Eng.
Commissioner of Transportation and Works

Prepared By: Chris Rouse, Project Manager – Centralized Vehicle Pound Facility Review, Mobile Licensing Enforcement

Centralized Vehicle Pound Facility Project Plan

Phase 1 – Research and Initial Consultation (July – September 2015)

- Arrange and hold meetings with members of TIAC and Council;
- Identify and quantify the issues with current practices, processes and procedures regarding impound facilities;
- Contact municipalities with existing CVPF and conduct interviews regarding how they were established, lessons learned, how they operate, and identify any ongoing issues;
- Assess the locational and physical characteristics of successful Central Vehicle Pound Facilities;
- Identify any gaps in existing CVPF research and conduct additional research, as required; and,
- Request Council permission to begin industry and public consultation (September 14, 2015 TIAC Meeting).

Phase 2 – Consultation and Recommendation (September – November 2015)

- Conduct industry and public notification and consultation;
- Identify the various operating scenarios for a CVPF in Mississauga;
- Conduct a cost/benefit analysis of a CVPF under various operating scenarios;
- Research and prepare responses to issues and concerns raised during consultation; and,
- Make recommendation to TIAC and Council regarding the feasibility and format of a CVPF (November 3, 2015 TIAC Meeting).

Phase 3 – Implementation (December 2015)

- If a CVPF option is approved by Council, make initial recommendations for changes that will be necessary to existing City Policies and/or By-laws.



Corporate Report

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Towing Industry Advisory Committee
JUN 22 2015

DATE: June 10, 2015

TO: Chair and Members of the Towing Industry Advisory Committee
Meeting Date: June 22, 2015

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Amendments to the Tow Truck Licensing By-law 521-04, as amended, Vehicle Tow Digital Photographs**

RECOMMENDATION: That the Towing Industry Advisory Committee provide comments to staff, for inclusion in a future report to General Committee, on the report from the Commissioner of Transportation and Works dated June 10, 2015, entitled "Amendments to the Tow Truck Licensing By-law 521-04, as amended, Vehicle Tow Digital Photographs".

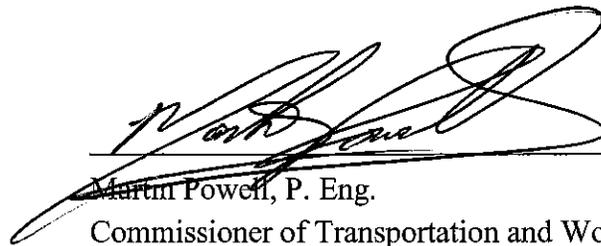
BACKGROUND: Staff have received numerous complaints of vehicles receiving further damage after a vehicle is towed from an accident scene. The issues of vehicle damage and perceived fraud from the towing industry have been identified by the Province's Anti-Fraud Squad and is to be captured under the province's legislation *Bill 15 Fighting Fraud and Reducing Automobile Insurance Rates Act, 2014*.

COMMENTS: Staff have reviewed the concerns raised by insurance companies and vehicle owners about vehicles receiving further damage after being towed from an accident scene. Staff have found that there is no way to substantiate the claims and as a result staff are not in a position to take action under the by-law. Staff are of the opinion that with today's technology the industry is in a position to provide protection to the

consumer and reduce allegations of fraud with the use of digital photographs. The analogy "a picture is worth a thousand words" accurately portrays the reasons behind the recommendation to require digital photographs to be taken of a vehicle from all angles before the vehicle is seized. The photo evidence can be stored for extended periods, provides protection for the consumer and can be used to address any allegations against tow truck drivers regarding further damage to the vehicle.

FINANCIAL IMPACT: No direct financial impact would be experienced by the City of Mississauga.

CONCLUSION: Staff recommend that the Tow Truck Licensing By-law 521-04, as amended, be amended to include requirements that a digital photograph be taken from all angles of a vehicle before a vehicle is seized and towed, that the photo information be stored for a minimum period of six months and that the digital photograph be made available to Enforcement staff on request.



Martin Powell, P. Eng.

Commissioner of Transportation and Works

Prepared By: Daryl Bell, Manager, Mobile Licensing Enforcement

Towing Industry Advisory Committee Action List

Issue	Last Discussed on	Who	Status
Gross Vehicle Weight Rating (GVWR)	June 18, 2012	Enforcement Office	COMPLETED
Dual-Wheel Trucks	June 18, 2012	Enforcement Office	COMPLETED
Accident tow rate – amending flat rate	October 22, 2012	Enforcement Office	COMPLETED
Compliance and enforcement of Licensed Vehicle Impound Facilities (VPF)	May 5, 2015	Enforcement Office	In progress
Bi-yearly Ontario Drivers Abstract and a Peel Regional Police criminal record search for all drivers	October 22, 2012	Enforcement Office	COMPLETED
Any company applying for a Tow Truck Owner's License must also show proof of an approved Vehicle Impound Facility which is located within the boundaries of the City of Mississauga	June 18, 2012	Enforcement Office	COMPLETED
Proof of insurance credentials	October 22, 2012	Enforcement Office	COMPLETED
Drivers complete the following – criminal record search every 6 months, drivers abstract every 6 months, and WSIB	October 22, 2012	Enforcement Office	COMPLETED
Towing Practices and Policies for the Peel Regional Police	June 18, 2012	Enforcement Office	COMPLETED
Capping the Number of Tow Truck Licenses	February 28, 2012	Enforcement Office	COMPLETED
Training/qualifications for drivers	May 6, 2014	Enforcement Office	To be brought back to a future meeting
Central City pound facility	February 19, 2013	Enforcement Office	COMPLETED
By-law review – Towing out of City boundaries	February 19, 2013	Enforcement Office	COMPLETED
By-law review – WSIB/Insurance requirements	February 19, 2013	Enforcement Office	To be brought back to a future meeting
Auto clubs operating without owning a pound facility	December 1, 2014	Enforcement Office	COMPLETED

Towing Industry Advisory Committee
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Towing Industry Advisory Committee Action List

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Bill 15 Update	May 4, 2015	Enforcement Office	On-going
Off-Road Recovery	February 17, 2015	Enforcement Office	COMPLETED
Tow Truck Forms	May 4, 2015	Enforcement Office	COMPLETED