

Towing Industry Advisory Committee

Date

September 14, 2015

Time

9:33 AM

Location

Council Chamber

2nd Floor

300 City Centre Drive

Members Present

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

Members Absent

Armando Tallarico, Citizen Member

Staff Present

Mickey Frost, Director, Enforcement

Daryl Bell, Manager, Mobile Licensing Enforcement

Stephanie Smith, Legislative Coordinator

Contact

Karen Morden, Legislative Coordinator, Legislative Services

905-615-3200 ext. 5471

Email karen.morden@mississauga.ca

Find it online

<http://www.mississauga.ca/portal/cityhall/towingindustryadvisory>

CALL TO ORDER - 9:33 AM**DECLARATIONS OF CONFLICT OF INTEREST** - Nil**PRESENTATIONS** - Nil**DEPUTATIONS**

- A. Item 2 and Item 3 Elliott Silverstein, Manager, Government Relations, CAA South Central Ontario

Mr. Silverstein provided background information on CAA and spoke to the seven (7) year minimum driving requirement of tow truck drivers in Mississauga, noting that the requirement has caused companies to have an inadequate number of drivers to meet the needs of customers, that it would prevent new drivers from entering into the tow truck industry, and requested an exemption from this stipulation for CAA tow truck drivers.

Mr. Silverstein spoke to the training required by the City, noting that CAA drivers receive extensive training from CAA and meet the requirements under the Commercial Vehicle Operating Registry (CVOR), and requested that a freeze be imposed on the training requirements proposed by the City until such time as the training requirements under Bill 15 is announced by the Province.

Mr. Silverstein further commented on the proposed requirement of tow truck drivers to take digital photographs of towed vehicles, noting that the requirement could place tow truck drivers in danger and that the legal and privacy issues should be addressed regarding the storage and destruction of these files.

Councillor Starr advised that the aforementioned matters had been vetted through the Towing Industry Advisory Committee (TIAC) and commented that the City is instrumental in improving requirements and safeguards and the need to protect the public.

Robert Fluney, Citizen Member inquired as to the number of tow trucks that CAA operates in Mississauga, to which Mr. Silverstein replied that there were four or five, primarily providing light service to their customers.

RECOMMENDATION

That the deputation by Elliott Silverstein, Manager, Government Relations, CAA South Central with respect to the Two-Tier Licensing System and Amendments to the Tow Truck Licensing By-law 521-04, as amended for the training of Tow Truck Drivers be received and referred to staff for further review.

Referred (Councillor Mahoney)

Recommendation TIAC-0016-2015

B. Michelle Forget, 3D Flatbed regarding the two tier licensing system.

Ms. Forget provided background information on her company, 3D Flatbed, noting that she employs six (6) local people to primarily haul freight, equipment and cars from salvage companies on behalf of insurance companies. Ms. Forget further commented that 3D Flatbed trucks are not for hire, do not attend accident scenes, do not offer roadside assistance, and requested an exemption to the two-tier licensing provision. Ms. Forget advised that she rents a yard in the City to meet the contractual agreements, but is unable to obtain a tow truck licence for her company in the Mississauga.

RECOMMENDATION

That Michelle Forget, 3D Flatbed with respect to the Two Tier Licensing System be received and referred to staff for further review.

Referred (M. Bell)

Recommendation TIAC-0017-2015

MATTERS CONSIDERED

1. Minutes of Previous Meeting

Towing Industry Advisory Committee meeting minutes from June 22, 2015.

Approved (R. Fluney)

2. City of Mississauga Towing Licensing By-law 0521-04

Letter dated August 26, 2015 from the Teresa Di Felice, Director, Government and Community Relations and Driver Training, CAA with respect to City of Mississauga Towing Licensing By-law 521-04 section 4(1) (a) (i).

Please note that this matter was referred to TIAC by General Committee on September 9, 2015.

This matter was dealt with during Deputation A.

3. Amendments to the Tow Truck Licensing By-law 521-04, as amended for the Training of Tow Truck Drivers

Corporate Report dated August 26, 2015 from the Commissioner of Transportation and Works with respect to the amendments to the Tow Truck Licensing By-law 521-04, as amended for the training of Tow Truck Drivers.

Daryl Bell, Manager, Mobile Licensing Enforcement spoke to the proposed amendments to the training requirements of tow truck drivers in Mississauga, noting that the training is based on the By-law requirements, standards set by the *Accessibility for Ontarians with a Disability Act (AODA)*, and that renewed training would be completed every five (5) years to ensure tow truck drivers are up to date with the current Tow Truck Licensing By-law 521-04, as amended. Mr. Bell further noted that the taxicab industry, under the Public Vehicle Licensing By-law 420-04, as amended, are currently required to complete this training and the implementation for the tow truck industry would meet the same standards.

Mr. Fluney inquired as to whether the training would be provided by the City to which Mr. Bell advised that technical training would not be provided by the City, but would be covered under Bill 15, and that the City's training would be focused on the Tow Truck Licensing By-law including customer service, sensitivity, and defensive driving among other key topics.

Daniel Ghanime, Citizen Member expressed support of the training for tow truck drivers that would be equal to the training of taxicab drivers.

RECOMMENDATION

1. That the report from the Commissioner of Transportation and Works dated August 26, 2015 and entitled "Amendments to the Tow Truck Licensing By-law 521-04, as amended for the Training of Tow Truck Drivers" be received for information.

2. That staff incorporate comments received from the Towing Industry Advisory Committee and prepare a report to be considered by General Committee on the recommended changes to the requirements for the training of tow truck drivers.

Approved (R. Fluney)

Recommendation TIAC-0018-2015

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

Corporate Report dated August 26, 2015 from the Commissioner of Transportation and Works with respect to the amendments to the Tow Truck Licensing By-law 521-04, as amended, Vehicle Tow Digital Photographs.

Daryl Bell, Manager, Mobile Licensing spoke to the proposed amendment to the By-law, noting that the cost to take and store digital photographs would be minimal, the ease of taking photographs with drivers' smartphones, and the need to protect both the public and the tow truck drivers from allegations. Mr. Bell further commented that the retention of photos would be for six (6) months and that the seizure fee would be increased from \$280 to \$290 to cover any storage costs.

Mr. Fluney inquired as to who would be responsible for the photographs, to which Mr. Bell advised that both the tow truck driver and the towing company would be responsible. Mr. Bell further noted that the vehicle tow digital photographs would provide company owners with the tools to ensure their drivers are accountable, that the company can protect itself and their drivers from allegations of wrong-doing.

Mark Bell, Citizen Member expressed concern for the safety of drivers in taking photographs on the roadways, to which Daryl Bell advised that the report could be amended to allow for vehicles to be taken to a safe location to take the photograph and further commented that photographs should be taken for every tow vehicle, not just accidents.

Discussion amongst Members included concerns for driver safety, responsibility and liability of storing photographs, the possibility of taking the photographs at the vehicle impound facility, and the penalty for not following the By-law.

Councillor Starr advised that staff would move forward to implement the amendment to the By-law pertaining to digital photographs and requested that this matter come back to

the Committee for review in one year, after implementation,

RECOMMENDATION

That the matter regarding the corporate report dated August 26, 2015 from the Commissioner of Transportation and Works with respect to Amendments to the Tow Truck Licensing By-law 521-04, as amended, Vehicle Tow Digital Photographs be received and that the matter be reviewed in one year.

Approved (J. Lyons)

Recommendation TIAC-0019-2015

5. Towing Industry Advisory Committee Action List

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

RECOMMENDATION

That the action list of the Towing Industry Advisory Committee meeting held on September 14, 2015 provided to the Committee to update on the status of initiatives raised at prior meetings be received.

Received (J. Lyons)

Recommendation TIAC-0020-2015

6. Start Time of Meetings

Committee Members discussed the regular start time for Towing Industry Advisory Committee meetings and recommended that future meetings begin at 9:30 am.

RECOMMENDATION

That the regular start time of the Towing Industry Advisory Committee meetings be changed to 9:30 am.

Approved (Councillor Starr)

Recommendation TIAC-0021-2015

OTHER BUSINESS

Daniel Ghanime, Citizen Member spoke to amending the per kilometre rate from the various CRCs, to which Councillor Starr advised that staff would review the matter and report back at a future meeting.

DATE OF NEXT MEETING - Monday, December 14, 2015, 9:30 AM, Council Chambers, Civic Centre; 300 City Centre Drive, Mississauga L5B 3C1

ADJOURNMENT - 10:31 AM