



MINUTES

TOWING INDUSTRY ADVISORY COMMITTEE

TUESDAY, FEBRUARY 19, 2013 – 9:04 AM

COUNCIL CHAMBERS
SECOND FLOOR, MISSISSAUGA CIVIC CENTRE, MISSISSAUGA, ONTARIO
www.mississauga.ca

Members Present: Councillor Ron Starr, Ward 6 (**Chair**)
John C. Lyons (Citizen Member) (**Vice Chair**)
Councillor Nando Iannicca, Ward 7
Mark Bell (Citizen Member)
Daniel Ghanime (Citizen Member) (Arrived at 9:10am)
Tullio (Tony) Pento (Citizen Member)
Daniel R. Wallace (Citizen Member)

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

Stephanie Smith, Legislative Coordinator
Office of the City Clerk 905-615-3200 ext. 3795 Fax 905-615-4181
Stephanie.Smith@mississauga.ca

CALL TO ORDER – 9:04 a.m.

DECLARATIONS OF DIRECT (OR INDIRECT) PECUNIARY INTEREST - Nil

MATTERS CONSIDERED

1. Minutes of Previous Meeting

That the minutes of the Towing Industry Advisory Committee meeting held on December 10, 2013 be approved as presented.

Approved (N. Iannicca)

2. Amendments to the Tow Truck Licensing By-law 521-04, as amended, Identification Markings on Tow Trucks

Daryl Bell, Manager, Mobile Licensing Enforcement spoke to the matter of identification markings on tow trucks and noted previous concerns raised by Towing Industry Advisory Committee (TIAC) members. He outlined that the bylaw had been amended to include: approval by the Licensing Manager, that the tow truck company name in a contrasting colour and not less than 8cm in height and that the licensing number be placed on both fenders.

Members of TIAC engaged in discussion and raised concerns with the requirement of having the municipal license number on both front fenders and being 15cm high due to lack of space on the vehicle and the required placement of the number.

Recommendation

1. That a by-law be enacted to amend Section 33(8) of the Tow Truck Licensing By-law 521-04, as amended, to include the requirement for the towing company name, in contrasting colour, to appear on the body of a tow truck in a location which is clearly visible to the public;
2. That Section 33(8) of the Tow Truck Licensing By-law 521-04, as amended, be deleted and replaced with the following:

“have attached to or painted on both sides of the body of the Tow Truck in a location close to the middle of the body panels or as near as possible and as approved by the Licence Manager, in letters and figures of contrasting colour to

the colour of the vehicle and not less than eight centimetres (approximately three inches) in height the name and telephone number of the business as shown on the Owner's Business Licence."

3. That a by-law be enacted to amend Section 33(10) of the Tow Truck Licensing By-law 521-04, as amended, to include requirements for the municipal licence number to be painted or attached to both fenders.
4. That Section 33(10) of the Tow Truck Licensing By-law 521-04, as amended, be deleted and replaced with the following:

"have affixed to the Tow Truck rear window, on the upper driver's side, the Owner's Plate issued for that Tow Truck and have the municipal licence number painted or attached to both front fenders in letters and numbers of not less than eight centimetres high (approximately three inches). The number shall include a designation of ML as a precursor to the number."

Approved (N. Iannicca)

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

Daryl Bell, Manager, Mobile Licensing Enforcement spoke to the matter of restrictions to obtain a tow truck driver's license and referred to Appendix 1 in the Corporate Report that outlined non-acceptable criminal code convictions. He noted that a two year time frame would be given to drivers to obtain a pardon. It was also noted that it would be required for drivers to provide a drivers abstract containing no more than 6 demerit points.

Mark Bell, Citizen Member inquired if a Criminal Record Search (CRS) is required to go back 5 years to receive a pardon. Daryl Bell noted that new drivers and existing drivers are required to provide a clean CRS of any convictions five years prior to the application.

Daniel Wallace, Citizen Member sought clarification regarding drivers abstract containing 4 major demerit points and 6 minor demerit points. Mr. Bell noted that a two year time frame would be provided for drivers to clean their driver's abstracts and the requirements are for new and existing drivers.

Daniel Ghanime, Citizen Member noted his support with providing a CRS but expressed concern with the drivers abstract's guidelines and with tow truck drivers receiving unfair minor driving infraction tickets from the Peel Region Police. Councillor Iannicca and Starr spoke to the police's responsibilities and duties and requested any issues be raised with staff.

Daniel Wallace raised concerns with driving infractions that could result in losing a tow truck license and requested that the decision of renewal of a license be left up to the Manager of Licensing. Mr. Bell responded that this is on conviction only and that tow truck drivers are professional drivers and that the report is providing straight forward guidelines.

Daniel Ghanime suggested that the City of Mississauga have their own point system for drivers to follow and outlined various driving infractions that could be considered for non-renewal.

Councillor Starr noted that this issue needs to be finalized and that the industry recognizes that the City of Mississauga needs professional drivers on the road. He noted that City staff are held to the same standards as presented to the Committee.

Councillor Iannicca noted that the City of Mississauga has the responsibility of protecting the public and noted the duty of care that the City is required to provide.

Recommendation

TIAC-0002-2013

1. That the report from the Commissioner, Transportation and Works, dated January 30, 2013 titled Amendments to the Tow Truck Licensing By-law 521-04, as amended, for the Licensing of Tow Truck Drivers, be received.
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 licensing of tow truck drivers.

Received (N. Iannicca)

4. Status of Towing Moratorium

Daryl Bell, Manager, Mobile Licensing Enforcement noted that the current towing moratorium is still in effect until the Tow Truck Licensing By-law 521-04, as amended, for the Licensing of Tow Truck Drivers is approved.

Members of the Towing Industry Advisory Committee (TIAC) noted their support of the moratorium to remain in place as the current practise of issuing new tow truck licenses needs to be evaluated.

Recommendation

TIAC-0003-2013

That the Towing Industry Advisory Committee recommends a continuation of a moratorium on the issuance of new tow truck plate licenses and that the matter be reviewed in one year.

Approved (N. Iannicca)

5. Action List – Towing Industry Advisory Committee Meeting Held on December 10, 2012

Members of the Towing Industry Advisory Committee (TIAC) reviewed the action list.

Recommendation

TIAC-0004-2013

That the action list of the Towing Industry Advisory Committee meeting held on December 10, 2012 provided to the Committee to update on the status of initiatives raised at prior meetings be received.

Received (N. Iannicca)

OTHER BUSINESS

Mark Bell spoke to matter of the re-tow rates and dolly rates and requested that staff look into the re-tow rates.

Councillor Starr enquired if all towing companies are covered by WSIB and requested staff to look into policies and procedures surrounding this matter. He further requested staff to review if tow truck companies that have agreements with pound facilities and why vehicles are being towed out of City boundaries.

Councillor Iannicca requested that staff review the feasibility of a central City owned pound.

ADJOURNMENT - 9:54 am