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## **Towing Industry Advisory Committee**

### **Date**

2016/09/20

### **Time**

9:30 AM

### **Location**

Civic Centre, Council Chamber,  
300 City Centre Drive, Mississauga, Ontario, L5B 3C1 Ontario

### **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**

Douglas Meehan, Acting Director, Enforcement  
Daryl Bell, Manager, Mobile Licensing Enforcement  
Stephanie Smith, Legislative Coordinator, Legislative Services

### **Find it online**

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

1. CALL TO ORDER – 9:31 AM
2. APPROVAL OF AGENDA  
Approved (T. Pento)
3. DECLARATION OF CONFLICT OF INTEREST
4. MINUTES OF PREVIOUS MEETING
  - 4.1. Towing Industry Advisory Committee Minutes - May 30, 2016  
Approved (J. Lyons)
5. DEPUTATIONS
6. PUBLIC QUESTION PERIOD - 15 Minute Limit  
(Persons who wish to address the Towing Industry Advisory Committee about a matter on the Agenda. Persons addressing the Towing Industry Advisory Committee with a question should limit preamble to a maximum of two (2) statements, sufficient to establish the context for the question, with a 5 minute limitation. Leave must be granted by the Committee to deal with any matter not on the Agenda.)  
  
Elliott Silverstein CAA spoke to the 2016 Towing Industry Advisory Committee Action List.
7. MATTERS TO BE CONSIDERED
  - 7.1. Amendments to the Tow Truck Licensing By-law 521-04, as amended, for requirements to Accept All Forms of Payment for Towing Services  
  
Daryl Bell, Manager Licensing Enforcement spoke to accepting all forms of payments for towing services and addressed concerns raised regarding transaction fees.  
  
Daniel Ghanime, Citizen Member spoke to the requirements of each tow truck needing a POS machine and that the receipt produced would not have the tow trucks company name listed.

Mark Bell, Citizen Member noted that he has the ability to accept payment over the phone and that he has not received any complaints of not being able to accept payment. Councillor Starr spoke to complaints being received regarding consumers only allowed to pay in cash for towing services.

Members of the Towing Industry Advisory Committee engaged in discussion regarding; Bill 15, what the current Tow Truck Licensing By-law 521-04 states; the need for the by-law to indicate that all forms of payment must be accepted at all times to include; cash, debit and credit cards, the option of all tow trucks to have POS equipment is not feasible and that the public vehicle industry created a mobile application to accept all forms of payment on their smart phone.

#### 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 September 8, 2016 and entitled "Amendments to the Tow Truck Licensing By-law 521-04, as amended, for requirements to Accept All Forms of Payment for Towing Services".

Approved (M. Bell)

Recommendation TIAC-0011-2016

#### 7.2. Amendments to the Tow Truck Licensing By-law 521-04, as amended, requiring Tow Truck Drivers and Owners to have and maintain Workers' Compensation Insurance

Daryl Bell, Manager Licensing Enforcement spoke to the previous direction from the Towing Industry Advisory Committee that all tow truck drivers must carry workers compensation insurance. He noted the cost associated to have and maintain the insurance.

Robert Fluney, Citizen Member spoke to the challenges for tow truck brokers to have their own workers compensation insurance. Mr. Bell noted that the Worker's Compensation Insurance Board (WSIB) would review each case individually.

Mark Bell, Citizen Member spoke to the rights of independent contractors and the drivers' right to refuse workers compensation insurance. He noted the need for staff to clarify what a tow truck driver needs. Councillor Starr spoke to the process of a claim being filed.

Discussion ensued with respect to companies refusing other companies to enter their property unless they have WSIB, posting WSIB certificates in the office, other insurance companies who offer the equivalent insurance and implementation enforcement timelines.

Lisa Goncalves, Abrams Towing spoke to a central registry for insurance certificates and

that drivers should not be kept the workers' insurance certificate in the tow truck.

#### RECOMMENDATION

That the report entitled Amendments to the Tow Truck Licensing By-law 521-04, as amended, Requiring Tow Truck Drivers and Owners to have and maintain Workers' Compensation Insurance be referred back to staff and brought back to a future Towing Industry Advisory Committee.

Approved (M. Bell)

Recommendation TIAC-0012-2016

#### 7.3. Verbal Update on Pound Facilities- Daryl Bell, Manager, Mobile Licensing Enforcement

Daryl Bell, Manager, Mobile Licensing Enforcement provided a verbal update on pound facilities and noted that inspections are currently being done throughout the City. He noted that billing and invoices can only be issued by the listed name on the business license and that towing companies must be operating under the regulated zoning bylaw.

#### 7.4. Regulatory Changes Under the Highway Traffic Act Affecting Tow Truck Operators

Daryl Bell, Manager, Mobile Licensing Enforcement spoke to regulatory changes under the Highway Traffic Act that would affect tow truck operators and that a CVOR would be a requirement starting January 1, 2017.

#### 7.5. Towing Industry Advisory Committee List 2016

Members of the Towing Industry Advisory Committee reviewed the 2016 Action List.

#### 8. OTHER BUSINESS

Mark Bell, Citizen Member spoke to the re-tow rate and noted that he would like to see a flat rate fee of around \$200.00 in Mississauga. Councillor Starr advised that is matter should be discussed at a future Towing Industry Advisory Committee meeting.

#### 9. DATE OF NEXT MEETING - November 22, 2016

#### 10. ADJOURNMENT – 10:34AM (Councillor Mahoney)