

Minutes

Towing Industry Advisory Committee

Date: February 10, 2020
Time: 9:30 AM
Location: Civic Centre, Council Chamber
300 City Centre Drive, Mississauga, Ontario, L5B 3C1

Members Present	Councillor Ron Starr Councillor Carolyn Parrish Councillor George Carlson Robert Fluney Daniel Ghanime John C. Lyons Tullio (Tony) Pento Armando Tallarico	Ward 6 (Chair) Ward 5 Ward 11 (Vice-Chair) Citizen Member Citizen Member Citizen Member Citizen Member Citizen Member
Members Absent	Mark Bell	Citizen Member

Staff Present
Samuel Rogers, Director, Enforcement
Michael Foley, Manager, Mobile Licensing Enforcement
Alexandra Schwenger, Policy Analyst
Jonathan De Iuliis, Researcher
Angie Melo, Legislative Coordinator, Legislative Services

1. CALL TO ORDER - 9:36 AM

2. APPROVAL OF AGENDA

Approved (Armando Tallarico)

4. MINUTES OF PREVIOUS MEETING

4.1 Towing Industry Advisory Committee Draft Minutes - December 16, 2019

Approved (Robert Flunney)

5. PRESENTATIONS

3. DECLARATION OF CONFLICT OF INTEREST - Nil

8. MATTERS TO BE CONSIDERED

8.1 Re-tows and Collision Tow Rates

Michael Foley, Manager, Mobile Licensing Enforcement, provided an overview of the collision re-tow rate; highlighting the following

- refresher on section 28 of the bylaw (re-tow rates from vehicle pound facilities)
- Impact comparison of when consumers know where they want the vehicle taken vs. when the consumer doesn't know where they want the vehicle taken
- staff reviewed rates from sixty three tow service providers to determine the value of re-tow rates, and explained the value
- staff reviewed the history of the current rate and noted that the last review was conducted in 2011 and explained the increase based on the inflation rate.

Mr. Foley, noted that staff are seeking the Towing Industry Advisory Committee's input for staff to prepare a recommendation report to the Towing Industry Advisory Committee and subsequently to Council on what is an appropriate re-tow charge, if the consumer does not direct the tow and the vehicle is held at the pound facility.

Councillor Parrish inquired regarding what other jurisdictions are charging and noted that she would need more data in order to make a decision. Jonathan De Luliis, provided the re-tow rates charged by other municipalities and noted that each tow service provider in Toronto has its own rates and that the City of Toronto does not determine the re-tow rates and that the re-tow rates are not regulated by the by-law.

Michael Foley, Manager, Mobile Licensing Enforcement, explained other municipalities' practices of what tow and re-tow rates are allow and/or limited.

Councillor Starr agreed that we need more data to determine whether rates can be increased reasonable based on what other jurisdictions.

Armando Tallarico, Citizen Member spoke in support of increasing the re-tow rate.

Tullio Pento, Citizen Member, noted that tow averages need to be identified based on whether the tow is an accident tow or contract tow; the increase of operating costs to tow service providers, and spoke in support of increasing the re-tow rates.

Councillor Parrish suggested that she send staff a series of question before next meeting in order for staff to provide more detailed information that is fair to the drivers and protection for the consumer.

Sam Rogers, Director, Enforcement commented on the discussion noting that the intent of bringing this subject matter for discussion was to obtain feedback from the Committee on key factors that the Committee would like staff to assess and report back on.

Councillor Parrish added that she would like to see more details on the rates and practices for the City of Toronto.

Councillor Carlson suggested that the rates be reviewed every couple of years to make necessary rate adjustments

Robert Flunney, Citizen Members, agrees the re-tow rates should continue to be regulated and is in support of increasing re-tow rates.

Councillor Starr directed staff to report back to the Towing Industry Advisory Committee with more statistical data from other municipalities, especially the City of Toronto.

8.2 Vehicle Pound Storage Rates

Michael Foley, Manager, Mobile Licensing Enforcement requested feedback from the Towing Industry Advisory Committee on what an appropriate storage rate should be set at, in anticipation for bringing a report to make changes to the by-law.

Members of the Committee engaged in discussion on the appropriate rate to be charged for storage of cars, light trucks and trailers. John Lyons, Tullio Pento, and Armando Tallarico, Citizen Members, spoke in support of an increase of the rates, noting that operating costs have increased significantly.

Robert Flunney, Citizen Member, commented on the practices of vehicle pound facilities that are causing the consumer significant fees with the difficulty in retrieving their vehicles within a reasonable time frame. Mr. Flunney, noted that he is in agreement to raise the fees for trailers; however, not for cars/light trucks.

Armando Tallarico, Citizen Member spoke regarding inflated storage rates to insurance companies, noting that it's not the storage rates but rather the false injury claims etc., and suggested that the rates be increased to \$85.00 per day for cars/light trucks and \$125.00 per day for heavy vehicles, effective today in the interim, until staff report back on this matter.

Councillor Parrish noted that she is in support of the increase and directed staff to prepare a report on storage rates and provide comparators on what is being charged in the surrounding municipalities for consideration at the next Towing Industry Advisory Committee meeting.

Sam Rogers, Director, Enforcement, noted that the purpose for raising this matter to the Committee is to receive feedback on whether storage rates ought to be regulated, noting that the City of Toronto does not. Mr. Rogers, further noted that consideration be made to strengthen enforcement's ability to investigate complaints from the consumer and insurance companies, against storage pound facilities.

Robert Flunney, Citizen Member, spoke of the importance of regulating storage fees and spoke in favour of rates continuing to be regulated.

Daniel Ghanime joined the meeting at 10:10 am.

RECOMMENDATION TIAC-0001-2020

1. That a by-law be enacted to amend, Section 2(1) to Schedule 27 of By-law 1-06, as amended, to increase the following storage fees on an interim basis, as follows:
 - a) Storage Fee in excess of eighty five (\$85.00) per twenty-four hour period, plus applicable taxes for a passenger vehicle, light duty van, trailer or truck not exceeding six thousand (6000) pounds (2721 kg) in towing weight.
 - b) Storage Fee in excess of one hundred and twenty five (\$125.00) per twenty-four hour period, plus applicable taxes for a vehicle, van, truck or trailer, exceeding six thousand (6000) pounds (2721 kg) in towing weight.
2. That Transportation and Works staff be directed to report back to the Towing Industry Advisory Committee in April 2020 identifying the fair value for storage of vehicles in Vehicle Pound Facilities.

Carried

8.3 Vehicle Pound Moratorium

Michael Foley, Manager, Mobile Licensing noted that staff is following up on the suggestions on the staff report presented to the Towing Industry Advisory Committee at its last meeting and that the direction at that time was to allow the Committee an opportunity to review the suggestions to be discussed at the next Towing Industry Advisory Committee. Mr. Foley, Manager, Mobile Licensing, provided an overview of those suggestions.

John Lyons, Citizen Member would like to present some additional suggestions and would bring them forward at a future meeting.

Robert Flunney, Citizen Member, spoke in agreement of the suggestions of pound facilities be required to maintain surveillance of their facilities.

Councillor Starr directed staff to bring this matter back to the next Towing Industry Advisory Committee.

8.4 Towing Industry Advisory Committee Work Plan 2020

Items will be updated based on discussions and directions on each matter.

11. ADJOURNMENT - 10:33 (John Lyons)

DRAFT