



# hook & winch

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## FROM THE DESK OF EXECUTIVE DIRECTOR BART GIESLER

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We all have watched a game and the broadcaster talks about how the pitcher hasn't given up a hit and the very next pitch the batter hits a homerun or that the basketball player is automatic at the line and he misses the two (2) free throws. Guess who just jinxed his high school team's regular season win streak? You guessed it...

Following up on last month's article and the message of "not everyone wants to work hard enough to be a champion, I think this month's message is, "Don't take it for granted – it can come and go quickly." As far as the football game, I don't think the players "took it for granted" as the team they were playing was a larger school who was ranked # 2 in the polls (after the game, they moved to #1). During the win streak, the team had been behind before and always found a way to win. We were typically in better shape even though several players played both offense and defense. This year, some of the players may have taken it for granted that someone would step up and make the game changing play, but it just didn't happen. As President Moreland and others step up to bring another Tow Show and Christmas party, please step up and offer assistance. Sue and others are playing both offense and defense to make these events possible.

Speaking of "taking it for granted," there are probably people in your life you take for granted. Take the time to thank them and tell them they are appreciated. This may be your spouse, employee, customer, child or neighbor. Life is tough and none of us can get through it by ourselves.

At the Board meeting during the Tow Show, President Moreland asked for ideas for ITWA to work on – whether it be legislatively or other. If you have any ideas (legislative or other), please let us know. Speaking of the legislature, it is considering its options on how to safely meet for session and still be open to the public. There are various scenarios that are being discussed and the process still needs to work itself out. I would guess that they will start session later than usual and limit the number of bills that get heard in committee. This is a budget year and the state has to pass a budget before July 1 or the state will shut down (unlike the federal government that keeps going while it pretends to be shutdown). However, before all this happens, the election will be coming up in November. Legislators and candidates are more active in the district campaigning, so now is the best time to go out and make a connection. While we may or may not have any legislation this year, establishing these contacts early will pay dividends down the road. When session starts, it is more difficult to track down your legislator, especially when they have never spoken to you before. So I continue to encourage you to reach out to your legislator. If you are unsure on how to do so, that information is on the ITWA website.

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## ITWA MEMBER CLASSIFIEDS

# DO YOU HAVE AN ITEM THAT YOU ARE LOOKING TO BUY OR SELL?

Starting next month we will be listing member ads for free in the newsletter at no cost to our members. Do you have a truck you were going to trade in? Try selling it directly to a member first. Looking for something special to buy? Place a "Wanted ad" and see if any other member may have it for sale.

Send your ads to [sue@northwesttowing.com](mailto:sue@northwesttowing.com) before the 15th of the month to be included in next month's newsletter.

## SAVE THE DATE

### ITWA ANNUAL MEETING AND HOLIDAY PARTY

**DECEMBER 12<sup>TH</sup>, 2020 AT FAIR OAKS FARM**

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*All information is on the ITWA website*

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### Advertisers needed for 2020 Newsletter:

If you're interested in reaching all of our members during 2020 by advertising in our newsletter, just call Bart Giesler at 765-288-6041.

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## *FROM PRESIDENT MORELAND*

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I have written about a subject that is near and dear to my heart this month in a separate column called “The Value of a Man’s Word.” Something that used to be valued, seems to be forgotten by some these days. Be sure to check it out. I also have an insert from our friend Brian Riker, at Fleet Compliance Solutions for you to review. As we near the end of the year, I have had a meeting with the Executive Committee members to recap the Tow Show, discuss the details of the Christmas party in light of the ongoing Covid-19 restrictions in place, and to discuss plans for our tow show next year. Generally just a good time to take a look at where we are at, as an association, and where we want to head in the future.

Of course, we always are looking for ways to improve what we do and what we offer to our members. We have made great strides in bringing the members together this year, and the increased opportunities for fellowship, despite the difficulties and restrictions with the virus. We want to continue to improve in these areas, and offer more training opportunities, for our younger operators. We need to get back to the individual chapter meetings, and encourage our neighbors to join us.

I would love to see the individual committees become active and start working on their designated topics. It takes a little effort to set aside a time to meet and discuss plans, but the results you get for your time, are well worth the investment.

I have a few online message groups set up to communicate with the officers and directors, and this has served us well as a way to talk amongst ourselves when the need arises. One suggestion that was brought up was to start a page in the newsletter for members to advertise trucks or equipment they may have for sale, or items they are looking to buy. We decided to give it a try, so look for it soon in the upcoming newsletters. Maybe it will evolve to a separate page on our new website. If you have a truck that you usually trade in when buying a new truck, why not try to sell it outright to one of the other members? I don’t know if it will work or not, we will see, but we are always looking for fresh ideas. If you have something you would like to advertise in the newsletter, write up an ad and send it to my email. I will make sure it gets put in the next available newsletter. Ads will be inserted at no cost to ITWA members.

I am happy to report that we already have a commitment from WreckMaster for the 2021 Show. They will be sending me information on what we will be able to offer our members soon, and I will share that info, once I get it. I also had a suggestion from a few members asking for a Recovery Billing Class, and I am working on that possibility as well. I love getting all these suggestion, please keep them coming!

Plans for the Christmas Party on December 12th are coming along nicely, Crystal will keep everyone informed on those details. In this newsletter you will see hotel information to get your rooms booked. We do want to keep the gift basket theme going like we did last year, we are asking for 2 gift baskets or items for the silent auction. One for an adult, (lady or man) and one for a child. We want to top our donations from last year if possible. (Last year we had over 60 items) Registration forms for the party will be in you next newsletter. Keep in mind this is a fundraiser for the Survivor Fund.

As always, please feel free to contact me with comments, or suggestions!

Till next month,  
Sue



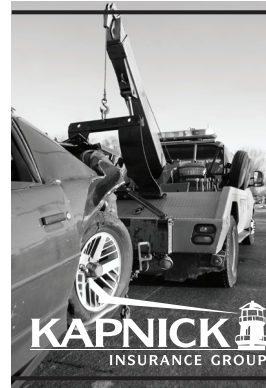
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## *ITWA LADIES AUXILIARY*

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Hello Everyone! What I would like to talk about this month is the 2020 ITWA Christmas Party which is taking place on December 12 at Fair Oaks Farms. But before I get started, I want to commend the Ladies Auxiliary for their energy and enthusiasm. As I write this, it is just one month since the tow show and the ladies are already planning a Christmas party. I want to share with you some of the things the ladies have planned for the party.

We have blocked rooms at the Fairfield Inn for Saturday night. The cut off date is November 12...so book your rooms early.

Registration information for the party will be coming soon.

We have a nice dinner planned. The Farmhouse Holiday Feast Buffet will be served. And of course, there will be a children's meal available for our little ones.

By popular demand, Johnny Magic will be back to entertain us with his magic.

The children will be receiving letters from Santa Claus again this year. And Santa's visit with the children will be a little different this year. Santa will be bringing each child a gift. This is where the parents will be involved. We are asking that each child's parents bring a wrapped gift for Santa to give their child. (without the child knowing you are bringing it of course). This way Santa will be bringing each child "just what he wants!". More details will be coming.

We will be having a silent auction again this year to help fund our Survivor Fund. At the 2019 Christmas party we had over 60 items. Everyone enjoyed the variety of items to bid on. It was the biggest & best auction we have had. This year we ask that each company provide 2 gift baskets or items for the auction: one being for an adult and one for a child. Also be sure to ask your vendors that you do business with to donate. Let them know it is for a fundraiser for the ITWA Survivor Fund. Let's make this year's silent auction even better than last year!

I also want to let those of you with children know that Fair Oaks Farms will be having Santa Clause at the Farm the day of our party. The forest will be lighted with Christmas lights. Santa will be on a wagon telling stories for the kids. He will also be in the Fairfield reading stories. This is a ticketed event. I will have more information soon, as they are still working on the details.

And to the Ladies Auxiliary, thank you for all your great ideas. It is a pleasure to be working with each and every one of you with the goal in mind to promote fellowship amongst our members.

Watch the newsletter for more information next month.

Until next time stay safe and healthy,

Crystal

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September 12, 2020  
Hours of Service Updates  
Brian J. Riker  
For Immediate Release

In response to industry requests for greater flexibility in the Federal hours of service regulations the FMCSA published a final rule updating several key areas of the HOS regulations effective September 29, 2020. Many of these changes are very beneficial to short haul and vocational fleets such as towers, salvage yards and construction companies. Here are the highlights.

### **Short Haul Changes**

Mostly harmonizes the non-CDL and CDL required short haul regulations. The update allows a driver to claim the short haul exception from maintaining a log book (or ELD) when operating a property carrying commercial motor vehicle requiring an CDL if;

- ✓ Leave from and return to the same location and are relieved of duty within 14 hours
- ✓ Stay within a 150 air-mile radius of the work reporting location
- ✓ Has at least 10 consecutive hours off-duty before reporting for their next shift
- ✓ Carrier maintains true and accurate records of dates/times worked for 6 months

It is important to note that short haul drivers required to have a CDL still only get one “big day” in any 5 consecutive days where they are permitted to drive after the 14th and up to the 16th hour since coming on-duty however that day must be recorded on a log sheet or by using an ELD.

Short haul drivers not required to have a CDL still retain two “big days” and are allowed to drive up to the 16th hour since coming on duty without requiring a log book or ELD. See 49 CFR 395.1 (e)(2)(B) for more on the non-CDL “big day” rule.

### **Adverse Driving Conditions Change**

The new regulation clarifies what is considered an adverse driving condition to claim this extension of driving time. The previous rule was unclear and only permitted an extension of the 11 hour drive limit by 2 hours, the new rule also extends the 14 hour window as well as the 11 hour driving limit by 2 hours.

The key clarifications to the definition of adverse driving conditions was the inclusion of traffic delays that were or could not be known to the motor carrier or driver prior to dispatch or when resuming driving after a rest break. This will allow a driver to claim the 2 hour extension should they be caught in a severe delay due to an unplanned event

such as a crash blocking the highway. It cannot be used for traffic that is normal, or should have been expected, such as rush hour in a metropolitan area or construction related delays in established work zones.

### **30 Minute Rest Break Change**

The previous rule required a driver to take 30 consecutive minutes of off-duty time before driving after the 8th hour since the start of their tour. The new rule requires a 30 minute interruption before accumulating 8 hours of drive time rather than only counting the elapsed time since the start of the tour.

The interruption of driving time can now be satisfied with 30 consecutive minutes of any non-driving duty status such as off-duty, sleeper or on-duty not driving (fuel, loading, etc). These periods may also be combined to satisfy the 30 minute interruption as long as they are consecutive.

The 30 minute drive time interruption (break) does not apply to drivers claiming the short haul exception and not required to complete a log book or use an ELD.

### **Split Sleeper Berth Break Changes**

Previously to satisfy the 10 hour break requirements using a sleeper berth the driver had to either take at least 8 hours in the sleeper followed by an additional two hours of off-duty time with only the shorter period pausing the 14 hour clock. The new rule allows a driver to “pause” their 14 hour clock by taking at least 7 consecutive hours of rest in the sleeper berth and up to an additional 3 hours of rest as off-duty or sleeper berth at a later time. To use the new split break option a driver must;

- ✓ Take two periods of rest with neither being less than two hours
- ✓ Take at least 7 consecutive hours in the sleeper berth
- ✓ Together the two periods must add up to 10 hours
- ✓ When used together neither period counts against the 14 hour window
- ✓ Team drivers may count up to three hours riding in the passenger seat either immediately before or after a 7 hour sleeper berth period as off-duty time towards their 10 hour break

It is important to note that both the driving time limit (11) and 14 hour duty window must be recalculated from the end of the first of the two periods used to satisfy the split break requirements.

### **Questions or Comments**

These regulatory changes are applicable to any motor carrier of property that engages in interstate commerce including private fleets, towing companies and other operators of commercial vehicles. Additionally, 35 of 50 states adopt federal regulations by reference which will make these changes applicable to intrastate carriers in accordance with state laws as they are adopted either automatically or through legislative or administrative actions. It is highly likely that your operation will be affected by these regulatory changes.

This press release is not intended to be legal guidance and is for informational purposes only. Please contact a competent professional to verify how these regulations apply to your individual situation or operation.

Please direct any questions or comments to [brian.riker@fleetcompliancesolutions.net](mailto:brian.riker@fleetcompliancesolutions.net)

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## DOT CHAT

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Hello and welcome back! If you are new to the column I would like to take a minute and bring you up to speed on who I am. My name is Brent Hoover. I am a Master Trooper with the Indiana State Police. October marked my 15th year with the ISP. I am assigned to the Commercial Vehicle Enforcement Division or CVED for short. My primary daily duty is to enforce the State and Federal Regulations for CMVs in the State of Indiana. I am certified to complete Part A and B Inspections, as well as General Haz-mat and Cargo Tank inspections. I am also a Part B Instructor for the National Training Center, which means I teach new inspectors how to inspect and document Level 1 Inspections. I have competed twice in the North American Inspectors Championships. I am the current administrator of the CVED Facebook page where I post about tips and tricks to improve your pre-trip inspections and to avoid common roadside violations.

As we discussed last month, FMCSA has announced new changes to the current Hours of Service for CMV drivers. The towing industry has had to follow these hours of service just like others, but have had some exemptions in times of emergencies. What we will be discussing covers the normal everyday tows that are not defined as an emergency call out. There will be four areas of changes coming 9/29/20.

The next HOS change that is coming is the use of the 30-minute break.

Let us compare the old with the new!

Old HOS * PRE 9/29/2020*	New HOS *POST 9/29/2020*
If more than 8 consecutive hours have passed since the last off-duty (or sleeper berth) period of at least half an hour, a driver must take an off-duty break of at least 30 minutes before driving.	Requires a 30 – minute break after 8 hours of <b>driving time</b> (instead of on-duty time) and allows on-duty/not driving periods to qualify as breaks.

So, in the new hours of service we would only add up the total driving time and not the total of on duty and driving. Plus, we see that any time not driving of 30 minutes will satisfy the break requirements.

But when would you fall into needing to take a 30-minute break?

If you meet one of these criteria

- Exceed your local air mile radius of 150 (172) air mile radius in the day
- Are running a logbook for the day i.e.: long distance hauls, not returning to home terminal

If you have any further questions about this topic or other topics feel free to email me at [Bhoover@isp.in.gov](mailto:Bhoover@isp.in.gov)



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# THE VALUE OF A MAN'S WORD

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By Sue Moreland

I have decided to take a different approach this month and talk about something that I feel strongly about, and was stressed upon me by my father and grandfather growing up. I believe this was once something that was highly valued in our industry, but lately, seems to be taken lightly by some we currently do business with.

***Rockefeller, Jr. once said: "I believe in the sacredness of a promise, that a man's word should be as good as his bond; that character—not wealth or power or position—is of supreme worth."***

Back in Rockefeller's day, a promise and a handshake was the traditional way of doing business. If a person went back on their promise, they would lose all trust and no one would do business with them.

Today, contracts and written agreements replaced the old way of doing business. This speaks to the lack of trustworthiness of people that the legal system has to get involved to enforce promises between parties.

Recently, with all the turmoil concerning the tow show, I dealt with vendors that gave me their word, and stayed true to their word, and for that I was grateful. These are men that have my utmost respect, and I value the relationships I have with them deeply. Finding an honorable man, someone who will act on principle, even if it is not in his best interest, is a rare thing. If you are lucky enough to meet someone like this make him your friend for life.

When doing some research for this article, I found that the actual quote is "A man is only as good as his WORD."

Your word is your:

Responsibility

Integrity

Honor

Trust

Loyalty

Truth

Professionalism

Style

Consistency

Dependability

Without your word, you're nobody!

When a man breaks his word, he destroys credibility, with himself.

Say you will do something, you do it

Make a date or meeting, you arrive on time

Give a promise, you keep it

Start a project, you finish it

Men of their word are known to be **trusted, superior, and reliable**. A man who breaks his word is known to be **weak, unreliable, and inferior**.

Your actions have consequences, respect is hard to gain, easy to lose.

Benefits of keeping your word:

Stronger, more loyal relationships

A sense of identity

A richer family and social life

Be more trusted in your social circles

More social opportunity

There is very little downside to keeping your word. Keeping your word is like money in the bank. Every time you keep your word, it's like putting money in the bank. Your reputation is that you're reliable, honest, and trustworthy. When you need a favor, people will be happy to help, because they understand your character and if they ask you for something, you'll keep your promises.

You can always say NO.

It's better to say no, than to break your word. At least you're honest. Saying no means you won't break your word.

As you go about your daily business, keep these words in mind as they relate to your actions and the actions of those you deal with.

***It's up to you who you want to be... Start by trying a little harder to keep your word.***

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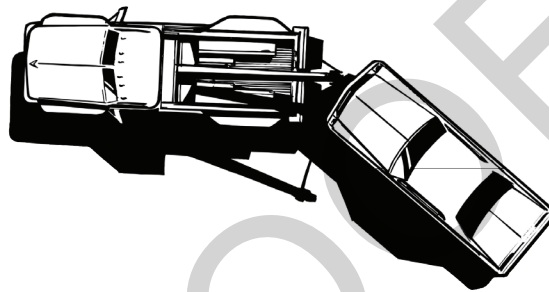
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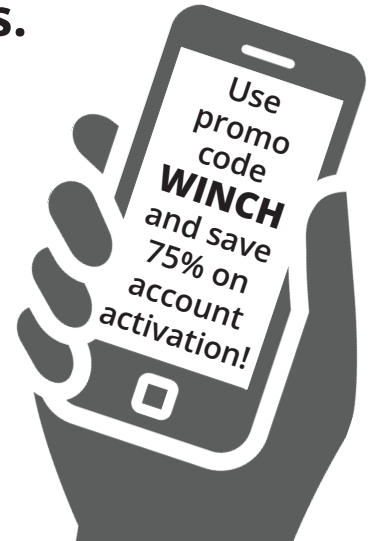
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