



# hook & winch

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## **FROM THE DESK OF EXECUTIVE DIRECTOR BART GIESLER**

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In last month's *Hook & Winch*, I was thinking about giving an election forecast but decided against it. I was getting conflicting information from everywhere – from the national pollsters to local pollsters. I had Republicans say that they didn't think that some of their candidates were going to win. I had others say they thought it would be a Republican tidal wave. I had Democrats tell me they were in great shape and expected gains. In the end, what do we actually know as I write my article this month?

Governor Holcomb cruised to victory. Even with his large margin, there are several Republicans who are unhappy with his executive orders and mask mandates. This will be something to watch during the upcoming session as the legislature is expected to look into the Governor's Executive Orders and how long those orders can last. After a certain period of time, should the legislature have to ratify the orders? While I think some legislators will want this authority, others will realize that in uncertain times, there can only be one leader and trying to govern by committee is not always the best process.

The House Republicans went into the election with a supermajority and the consensus was that they may lose a couple of seats. Instead, they won several seats and only lost one incumbent and now hold a 71-39 supermajority. The reason the supermajority is important is that the minority party cannot withhold a quorum to meet. Without this ability, the minority party loses their biggest piece of leverage they have in the process. The House Republicans spent millions on races in Hamilton County which historically has been a strength for Republicans. It is too early to tell if this is an anti-Trump sentiment or if the suburban districts are changing.

The Senate Republicans also had a supermajority going into the election. In the end, they lost one incumbent and now control 39-11. While there were a few Senate seats that were viewed to be in play, none of these races developed. As a result of the election and retirements, there will be 4 new Senate members next session (out of 50) and there will be 15 new House members (out of 100).

One of my favorite expressions is "be careful what you wish, it might just come true." While the Republicans in the statehouse won the majority of the races that they wished for, the problem is that now they have to try to draw maps and try to make even more members happy. If the Republicans get "greedy" and try to draw safe seats for 71 Representatives and 39 Senators, they run the risk of losing seats in the future as there are only so many

*Continued on Page 4*



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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** before the 15th of the month to be included in next month's newsletter.

## WreckMaster Training Schedule

**On April 10-11, 2021**, there will be a WreckMaster Level 2/3 at Interstate Delaware & South in Indianapolis. Matt Bartlett is the host contact.

**On May 15-16, 2021**, there will be a WreckMaster level 4/5 at Ken's Westside Service & Towing in Bloomington. Ken Parrish is the host contact.

We are tentatively planning a Level 6/7 for **June 25-27**. This class will be jointly hosted by Matt Bartlett and Ken Parrish. The exact location hasn't been determined as of yet.

**On August 6-7, 2021** there will be a WreckMaster Class at the Indiana Tow Show. Plans are still being worked out, it will either be a level 2/3 or 4/5 class. More information coming soon.

*Stay tuned for additional classes to be added soon for next year.*

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## **FROM PRESIDENT MORELAND**

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Well, as you know the Christmas Party for 2020 has been cancelled. We had high hopes of having a successful party this year, but with the resurgence of COVID our plans got changed in a hurry. We are still hoping to conduct a virtual meeting on the 12th, and hold a virtual raffle drawing, pending approval by the gaming commission.

Even though the party was cancelled, I want you to know we are still hard at work for the members. We have put together a calendar for 2021 featuring the winners from the 2020 Tow Show Beauty Contest. The calendar's will be hitting your mail boxes soon!

Members of the legislative committee, along with Bart participated in a virtual meeting with INDOT to discuss OW/OL Permits. Ken Parrish, Joey Driscoll and I have been working on a training program that we want to introduce to the members for 2021, as well as planning a Wreckmaster class to be held at the 2021 Tow Show and an INTME Class. Lots of ideas are being discussed as we work on plans for the upcoming year.

We are shifting our energy to planning for the Tow Show in August. We will look for ways to incorporate some of the things that we would have done at the Christmas Party into the Tow Show. As you know, there are many moving parts to the Tow Show, and I am asking for volunteers to help with the planning and implementation of the various functions. If there was something you liked from last year, that you want to see again, please let me know. Likewise, if there was something you didn't like please let me know that as well.

With the holidays fast approaching, please take time to enjoy your family. This year will undoubtedly be different than those in the past. I want you all to know that I will miss spending time with my "tow family", and wish you all the best this holiday season!

Sue



truly safe seats that can be drawn. While the Democrats did want to make gains during the election, they may end up being grateful for unanswered prayers.

The latest rumor (there will be plenty yet to come) is that the legislature will go back in session January 4th and take up a COVID liability relief package. If the COVID numbers are still bad, they may recess for a while to get a better handle of how to adjust to the restrictions that COVID will impose.

I received a call from a member who had a driver ticketed in Michigan for not having the proper license. As it turns out, the driver did have the right license, but the officer in Michigan incorrectly interpreted Indiana's for hire designation. I want to thank Trooper Hoover who quickly replied to my questions and some members I talked to about how to handle the appeal process. Even though these members didn't know the company in question, they took time to help a fellow member. This is what the Association is about – helping others who need help.

Even though we had to cancel the Christmas Party, that doesn't mean that people didn't put in lots of work to plan for the party. Please send thanks to the Committee for their work. By working together, we can accomplish so much.

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## ITWA LADIES AUXILIARY

As you all know by now, the decision was made to cancel this year's Christmas Party.

Governor Eric Holcomb signed an executive order targeting the increased spread of COVID-19. This order is in effect until December 15. Fair Oaks Farms is in the red status which limits social gatherings to no more than 25 people. Due to the Governor's order and the increase of the virus in Newton County and the surrounding area, the decision was made to cancel the 2020 ITWA Christmas Party. Although we are disappointed to not be able to join together to celebrate the holidays, we do have next year to look forward to.

We already have some preliminary plans for the 2021 ITWA Tow Show scheduled for the weekend of August 6-7. We will be working on the show full swing soon after the holidays. Many volunteers will be needed. Please plan to help wherever you can.

Also the ITWA Christmas Party will be back in 2021. We have the Fair Oaks Ball Room in its entirety, booked for December 11, 2021.

So, as you can see, the Ladies Auxiliary will never give up on their mission of promoting fellowship. COVID-19 may have put the brakes on our plans for this year, but we are driving forward with plans for 2021!

To each and every one....Happy Holidays!

Crystal

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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 16th 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.

Well after all this time it has finally happened!!! I got an email question!!! The topic of the question was Indiana's For Hire Endorsement. The State of Indiana decided that it would no longer issue Chauffeur's License effective December 31,2016. So basically, the For Hire is the new title for the Endorsement on the operators' license.

### **Indiana Operator's License with a For-Hire endorsement**

- Driver eligibility requirements
  - 18 years of age
  - Have held a valid driver's license for more than 1 year
  - Successfully pass written test
- A holder of For-Hire endorsement may operate:
  - A motor vehicle that:
    - **Has a registered gross weight of at least 16,000 pounds, but no more than 26,000 pounds, and**
    - **Operated for the purpose of transporting property for-hire**
- How is the For-Hire endorsement indicated on the Indiana Operator's license?
  - Front – Under Endorsements it is shown as END:2
  - Back – Endorsements: 2 For-Hire non-CMV
    - Non-CMV means Non-CDL

**9-24-8.5-5**

**9-24-8.5-6**

I want to point out a couple of things to be mindful of. First the weight of the vehicle can play a major role in deciding if you need the For Hire or a CDL.

The For- Hire mentions "Registered Gross Weight 16,000-26,000 lbs."

The CDL Requirements for Class B state GVWR 26,001 or more or GVW 26,001 or more. Meaning if the Truck + Load = 26,001 or more, then a Class B CDL is required.

I hope this may help you in the future! If you have any questions, feel free to email me!

Bhoover@isp.in.gov

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## **TRAAC FILES COMMENTS ON TWO KEY PROPOSED REGULATORY CHANGES**

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Brian J. Riker

TRAAC LAN® Representative & President of Fleet Compliance Solutions, LLC

November 9, 2020

*TRAAC Working for You*

Washington, DC – The Towing and Recovery Association of America, Inc.® (TRAAC) filed comments today on two proposed regulatory changes that will have a significant effect on the towing industry. As the only voice of the towing industry on a national level, TRAAC is constantly monitoring various Federal Agencies as well as Congress for anything that could impact the towing industry.

What may surprise you is that one of these two proposed changes comes from the Substance Abuse and Mental Health Services Administration (SAMHSA) which is not typically an Agency that the transportation industry would be overly concerned with. The other proposal comes from a more traditional Agency to monitor, the Federal Motor Carrier Safety Administration (FMCSA).

First, SAMHSA has requested comments on changes to the Federal Workplace Drug Testing Guidelines with the intention of creating a regulation that would allow hair testing to be used in place of the current method of urinalysis. TRAAC opposes this for a number of reasons including the validity of the test, potential discriminatory racial bias, and a cost factor estimated to be four times the current cost of urine-based drug testing.

In a four-page letter submitted to SAMHSA, TRAAC details why this proposal is detrimental to small businesses, especially in the towing industry. Their comments, among all others, can be viewed at [www.regulations.gov](http://www.regulations.gov) by entering SAMHSA 2020- 0001-0002 into the search bar.

Second, FMCSA has proposed a pilot program to collect substantial data on the safety of allowing drivers under age 21 to operate commercial motor vehicles in interstate commerce. This is in addition to the under 21-year-old military pilot program that is already under way which allows drivers under age 21 with certain military experience to operate commercial vehicles in interstate commerce.

TRAAC has filed comments in support of this proposal as it will allow for collection of invaluable safety performance data that will, in their opinion, support the safe operation of commercial vehicles by drivers under age 21. TRAAC believes this will allow for their members to access a larger pool of qualified labor as tow truck operators and road service technicians.

TRAAC contends that there should not be some arbitrary distance or age limit placed upon operators of commercial motor vehicles simply because they engage in interstate commerce. These limits place an extreme burden on operators of commercial vehicles that are based on or near state borders. Their comments, among all others, on the under 21 pilot program can also be viewed at [www.regulations.gov](http://www.regulations.gov) by entering FMCSA 2018-0346-1124 in the search bar.

*You can support TRAAC's legislative efforts on behalf of the whole U.S. towing and recovery industry by joining as a member at [www.traaconline.com/join-now](http://www.traaconline.com/join-now).*

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