



JANUARY 2021 • 52nd Year

hook & winch

FROM THE DESK OF EXECUTIVE DIRECTOR BART GIESLER

Each legislative session is different and this year is no exception. The session “lost” a week of work when there were reports of possible violent protests at Statehouses across the country. There have been legislators and staff test positive from COVID and not been able to go to the Statehouse. Full-time staff and interns are working split shifts at the Statehouse as a precautionary measure. The House has moved their chambers and most of their committee rooms into the Government Center. As a result, they are able to have less committee hearings and because of this, less bills will make it to the floor for debate. The Senate has committee members in one committee room and the public testify via zoom in another room.

Even with all these changes, ITWA is having a great start to the session that ends by the end of April. HB 1150 was amended by Rep. Bob Morris (R- Ft. Wayne) to increase the maximum storage charge for trucks over 30 feet from \$2,000 to \$2,500. This bill has passed and is awaiting action by the Senate. ITWA does not expect the Senate to take up action on the bill until early March, when they start discussing House bills. ITWA wants to thank Rep. Morris for amending HB 1150 in committee, and we also want to thank Parker Wrecker Service for contacting Rep. Morris and educating him on the issue. I have encouraged everyone to contact their legislator and develop a relationship. I think this clearly shows that legislators are willing to listen and help where they can. At the request of ITWA, Rep. Doug Miller from Elkhart amended HB 1498 to give towing companies the “government rate” for newspaper ads that are required to advertise that cars will be sold or auctioned. Newspapers charge different rates across the state and in some cases, ads are as high as \$80 plus for one car. In other places, ads are as little as \$5 per car. If you have any examples of high rates, please share those with us.

Based on information she received attending one of our Chapter meetings in Bloomington, Rep. Peggy Mayfield (Martinsville) has included a provision in HB 1377 dealing with multiple BMV issues. One of the provisions requires the BMV to include “proper procedures to yield the right of way or reduce speed under IC 9-21-8-35” (Move Over Law). ITWA will work with the author and committee chair to see if we can get a hearing on the bill.

Session is dynamic – so by the time you receive this newsletter, things have changed. As a result, we have added a link to the website to get real time updates on all bills we are tracking. Please take time to contact your legislators to support these bills. We have the procedures online for you to find and contact your legislators.



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Fax 219-972-2045
Email: tombertagnolli@gmail.com

President: **Sue Moreland**

Northwest Towing and
Recovery of Muncie
2900 N. Martin Luther King Jr.
Muncie, IN 47303
Phone 765-288-3514
Fax 765-288-1011
Email Sue@northwesttowing.com

Vice President North: **Crystal Rose**

Cheever's Towing
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DeMotte, IN 46310
Phone 219-987-2231
Fax 219-987-2232
Email: crystalrose@netnitco.net

Vice President Central: **Josh Bell**

Froedges
700 Covington
Crawfordsville, IN 47933
Phone 765-362-0966
Fax 765-364-1074
Email: froedgesinc@gmail.com

Vice President South: **Josh Hercamp**

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1130 Industries Road Suite D
Columbus, IN 47203
Phone 812-372-9085
Fax 812-372-9431
Email: 31wrecker@comcast.net

Secretary **Karrie Olive**

Joey's Enterprise Services
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Lafayette, IN 47904
Phone 765-491-3568
Fax 765-471-8571
Email: karrieolive@yahoo.com

Treasurer: **Walt Hamilton**

Walt's Service
1006 W. Covington Road
Crawfordsville, IN 47933
Ph. 765-362-6353
Fax 765-362-4600
Email: waltsservice@sbcglobal.net

Executive Officer: **Bart Giesler**

John Frick & Associates
135 N. Pennsylvania, Ste. 1175
Indianapolis, IN 46204
Ph. 765-288-6041
Fax 317-638-7976
Email: bgiesler@wswi.com

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

Coming up in **November** is a Level 2/3 in Elkhart, IN. This class is a Friday/Saturday course at Moore's Towing, Elkhart.

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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If you're interested in reaching all of our members during 2021 by advertising in our newsletter, just call Bart Giesler at 765-288-6041.

FROM PRESIDENT MORELAND

Well some us finally got to see a little “winter weather” this weekend! Hope everyone is doing well and staying busy. Lots of things going on here at the association as well. We just completed our January Board Meeting, and Bart is busy with all of his legislative work, he has his eyes on a few bills that may actually benefit us this year, and I will let him tell you about those.

The new website is almost ready to go live. I did a preview of the site during our board meeting this weekend, and it was well received.

Tow Show plans are coming along nicely. I have received phone calls from TowTimes, American Towman, and Stor-Loc, as well as other vendors asking about vendor packets and details already. Vendor packets will be going out in February.

The training committee is busy working on plans for the show, and they have a commitment from AAA to sponsor the meals for the guys doing the Wreckmaster class at the show.

Diana Bell is going to do a fundraiser quilt to be auctioned off at the Tow Show. We will design the quilt from Company T- Shirts that will be submitted to Diana, who will make the design and actually construct the quilt. The proceeds from that auction will go to the Survivor Fund.

I have secured our entertainment for the Show, and am glad to welcome back my friends, Cook and Bell for our Saturday night entertainment.

Still need lots of help, and I have plenty of jobs for anyone that is willing to take something on. Please volunteer if you can!

As always, if you have ideas or concerns, please feel free to contact me at any time.

Till next time,

Sue



CORRECTION


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ITWA LADIES AUXILIARY

I hope this finds everyone safe and healthy.

The plans for the 2021 Indiana Tow Show are moving right along. As I mentioned in the last newsletter, we would like to have more members involved in the planning of the show.

Here are some areas where we could use some help. Please let us know if you have any ideas or suggestions and if you would be willing to work on any of these.

- Opening Ceremony
- Candlelight Vigil
- Speakers /Topics
- Kids Activities
- Ladies Luncheon
- T-Shirt Design

We can also use help at the show with these items.

- Vendor Set Up
- Parking
- ITWA Booth
- Silent Auction
- Selling 50/50 Raffle Tickets

Please let us know where you can help to make this a great show!

Crystal

*Volunteers
Needed!*

BILLS OF INTEREST

Here is a partial list of bills of interest with an abbreviated digest. For a full list of bills, please go to the ITWA website:

HB 1150 - OVERWEIGHT DIVISIBLE LOADS - Provides that a person who transports a vehicle or combination of vehicles with an overweight divisible load is subject to overweight divisible load permitting. Provides that the department of transportation may not issue a permit for an overweight divisible load if the owner or operator of the vehicle has not provided the department of state revenue with full payment for the permit prior to transporting the overweight divisible load. Provides that the costs for storage of an abandoned vehicle with a length of at least 30 feet may not exceed \$2,500.

HB 1498 PUBLICATION OF LOCAL GOVERNMENT NOTICES - Allows a political subdivision to publish legal notices on a legal notice web site instead of in a newspaper. Provides that a towing service acting as an agent of a government agency that provides the notice required to dispose of abandoned vehicles or parts is subject to the same public notice advertising rates as a governmental agency.

HB 1377 BUREAU OF MOTOR VEHICLES - Requires a law enforcement agency that receives a notification of a stolen license plate to forward the notification to the bureau of motor vehicles (bureau). Requires the bureau to mark the license plate as stolen and not reissue the license plate. Requires the bureau to include procedures for: (1) approaching and driving through a roundabout; and (2) yielding the right-of-way to certain vehicles (Move Over Law); with standards for classroom and in-car driver education curriculum.

SB 1/ HB 1002 CIVIL IMMUNITY RELATED TO COVID-19 - Provides civil tort immunity for damages arising from COVID-19 on the premises owned or operated by a person, on any premises on which the person or an employee or agent of the person provided property or services to the individual, or during an activity managed, organized, or sponsored by the person, except for an act or omission that constitutes gross negligence or willful or wanton misconduct (including fraud and intentionally tortious acts). Defines “COVID-19 protective product” and provides civil tort immunity for harm that results from the design, manufacture, labeling, sale, distribution, or donation of a COVID-19 protective product, except for an act or omission that constitutes gross negligence or willful or wanton misconduct (including fraud and intentionally tortious acts). Prohibits class action suits.

SB 400 STATEWIDE ELECTRONIC LIEN AND TITLE SYSTEM - Requires the bureau of motor vehicles (bureau) to implement a statewide electronic lien (this lien is a financial lien – not a mechanic lien) and title system (system) to process: (1) vehicle titles; (2) certificate of title data in which a lien is notated; and (3) the notification, maintenance, and release of security interests in vehicles; through electronic means instead of paper documents.

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Indiana's New Oversize Overweight Permitting System Scheduled to Go Live on Monday, Feb. 8.



Important Deadlines and Information on Emergency OSW Permits

Transition Information

On Feb. 8, customers will start applying for OSW permits using a brand-new system that features new ways to input destinations and the option to choose a pre-approved route or one of the system's alternate routes to receive permits immediately.

To prepare for the new OSW permitting system, DOR and INDOT asks that customers take note of the following dates:

After 4 p.m. EST, Monday, Feb 1:

- The current OSW system will NOT accept new permit applications.
- Customers will need to reapply for incomplete permits in the new system starting Feb. 8.

After 4 p.m. EST, Monday, Feb 1. through Monday, Feb. 8:

- No new OSW permits will be issued except in the event of an emergency (see info on right).

After 4 p.m. EST, Monday, Feb. 1 through 4 p.m. EST on Thursday, Feb. 4

- Customers will only be able to view, pay and print permits already applied for in the current system.



Gear Up for the New System

Want to know how the new system will work? Watch the [online demonstration](#) and reading the [comprehensive online user guide](#) or the [quick start guide](#) before the new system goes live on Feb. 8.



Emergency Permit Information

Emergency permits will be issued subject to approval and require immediate payment (no escrow accounts) for the following reasons only:

- Unexpected equipment failure that will shut down a manufacturing process;
- Train derailment;
- Breakdown or threatened breakdown of electric, gas, water, or telephone public utility facilities; or
- In response to a situation that poses an immediate danger to life or health (e.g., a smokestack damaged by high winds is threatening to fall).

Allow additional time for emergency permits as routes will be developed manually.



ITWA QUILT FUNDRAISER for the SURVIVOR FUND

ITWA is collecting company t-shirts to put into a quilt that will be auctioned off at the 2021 ITWA Tow Show in August.

Diana Bell has graciously agreed to design and make the quilt for ITWA. It will consist of 36 panels, one of which will be reserved for ITWA. She will accept the first 35 shirts she receives. ***Deadline for submission is March 31, 2021.***

Please send a company t-shirt and a check for \$25, made out to ITWA, to:

Diana Bell
c/o Froedges Towing
700 Covington Street
Crawfordsville, IN 47933

Let's flood Diana with t-shirts for this great cause!

DOT CHAT



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.

Welcome to 2021!!!! The New Year is an excellent time to rethink and reevaluate. I would like to take a few minutes and share something that we should all know.... Cell phone usage.

In July of 2020, the State of Indiana enacted a Hands-Free law. The law is posted below.

IC 9-21-8-59 Use of telecommunications device while operating a moving motor vehicle.

Sec. 59. (a) Except as provided in subsections (b) and (c), a person may not hold or use a telecommunications device while operating a moving motor vehicle.

(b) A telecommunications device may be used in conjunction with hands free or voice operated technology.

(c) A telecommunications device may be used or held to call 911 to report a bona fide emergency.

What I would like for tow operators to know is that they are not exempt under the law for normal driving and talking on the cell phone. I have personally seen several tow truck drivers in my area in violation. Not only is this now a law in Indiana but it is also a Federal law as well.

392.82 Using a hand-held mobile telephone.

(a)(1) No driver shall use a hand-held mobile telephone while driving a CMV.

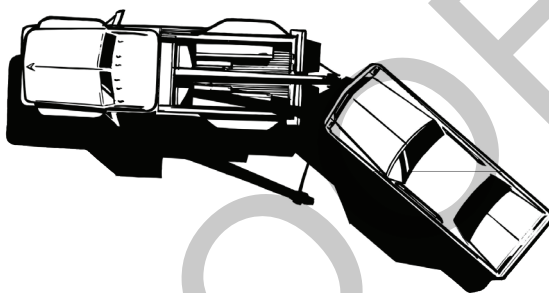
(2) No motor carrier shall allow or require its drivers to use a hand-held mobile telephone while driving a CMV.

Companies and Drivers that are caught using a cell phone in a CMV can result in civil penalties to the company and the drivers. So please make sure that you are following these laws and regulations so that you can stay safe.

If you have any other questions please feel free to contact me at bhoover@isp.in.gov

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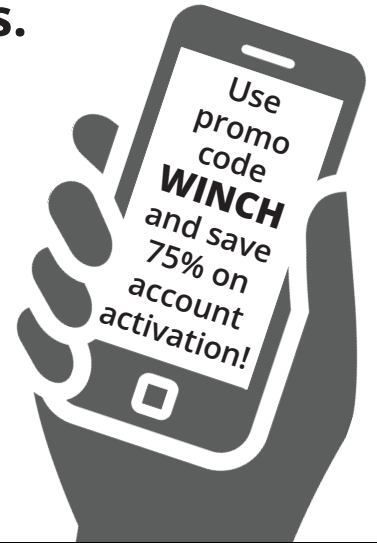
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