



hook & winch

FROM THE DESK OF EXECUTIVE DIRECTOR BART GIESLER

When I wrote my 1st COVID article, it was about the uncertain times we are experiencing. Now that we are in the early stages of the re-opening, there are certain things we can expect. All of the items that government put on “pause” will soon be required. Hopefully, you created a list of items that are still due.

- State and federal income taxes
- Property taxes (real and personal)
- BMV
- Safety test
- Drivers files

This list is not intended to be the complete list, but rather something for you to consider as things return to “normal.” Please start creating your list so when things are re-opened, we know that government will want their money and to enforce regulations.

Speaking of re-opening, part of re-opening means you have to have a plan to keep employees and customers safe. If the state gets a complaint about a business, they will investigate to make sure you have a plan in place.

On the state’s re-opening webpage, the Indiana Builders Association put a sample re-opening plan online. We have also added a link on the website. Here are some highlights of the plan that may be applicable to you:

All managers and supervisors must be familiar with the Plan and be ready to answer questions from employees. Managers and supervisors must set a good example by following this Plan at all times. This involves practicing good personal hygiene and jobsite safety practices to prevent the spread of the virus. Managers and supervisors must encourage this same behavior from all employees.

All employees must follow prevention efforts while at work. In order to minimize the spread of COVID-19 at your jobsites (shop, office, trucks), we all must play our part. Your company needs to institute various housekeeping, social distancing, and other best practices at our jobsites. All employees must follow these.

The following protective measures at all jobsites.

- Any employee/contractor/visitor showing symptoms of COVID-19 will be asked to leave the jobsite and return home.

Continued on Page 4



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Spotlight on Training

If you have a training class scheduled, or know of one that may be of interest to our members, please let us know so we can share with our members.

*Please contact
Sue@northwesttowing.com
to be added to this schedule.*

WreckMaster Level 2/3

June 6-7, 2020 • Louisville, KY
August 1-2, 2020 • Indianapolis, IN

WreckMaster Level 4/5

August 29-30, 2020 • Evansville, IN
September 19-20, 2020 • Indianapolis, IN

WreckMaster Rotator

September 12-13, 2020 • Evansville, IN

*****Please visit the WreckMaster website for training postponements*****

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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.

FROM PRESIDENT MORELAND

I am reminded of this quote that appears in the opening paragraph of Charles Dickens' novel *A Tale of Two Cities*, which opens with:

“It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair ..., we had nothing before us, we were all going direct to Heaven, we were all going direct the other way ...”

The story tells about a time of chaos, conflicts, and despair, as well as happiness and transformation. Welcome to our “new normal.”

We are living in a world where COVID-19 and social distancing requires us to pivot as an organization and transform how we support our membership. The Spring Chapter meetings were cancelled due to the current state of the economy and protecting the well-being of the members. Going forward, we remain positive and optimistic that we will be able to have the Tow Show and Events scheduled for August, only time will tell, but we continue to plan with the full support of our vendors. The only foreseeable glitch would be if the governor does not take us to phase 5 and open up the state on July 4th.

Although we expect all restrictions to be lifted prior to the date of our event, when planning for the show, we have taken into consideration things we should put into place for the safety of our visitors and exhibitors. Plans include making small bottles of hand sanitizer readily available for all, as well as hand sanitizing stations located throughout the exhibits, and other precautionary items as needed. We will be following the recommendations for social distancing and seating arrangements in any areas utilized for meetings, seminars, etc. We will need volunteers to help with various functions, (2 hour increments) so please let me know if you can assist in any way.

As planning continues, we will have meetings in order to conduct planning of duties and other items for the 2020 Tow Show, and are looking into ways of having virtual meetings. Our new website is coming along nicely, we are excited to be offering an online store, as well as other new features that we have not offered before on our website.

Show registrations will be sent out next month, Information and entry forms for the Beauty Contest have been posted on our website, and are available for download. If you cannot attend, please consider sponsoring an event. Sponsorship opportunities will be listed in this newsletter, if you can help, please let me know as soon as possible.

Bart has written a great article this month, so please be sure to read it in its entirety.

Until next time, Stay Safe! Stay Tuned, there's more to come!

Sue

Bart Giesler - continued from page 1

- If safety meetings are conducted in-person, attendance will be collected verbally and the foreman/superintendent will sign-in each attendee. Attendance will not be tracked through passed-around sign-in sheets or mobile devices. During any in-person safety meetings, avoid gathering in groups of more than 10 people and participants must remain at least six (6) feet apart.
- Employees must avoid physical contact with others and direct employees/contractors/visitors to increase personal space to at least six (6) feet, where possible.
- The Company understands that due to the nature of our work, access to running water for hand washing may be impracticable. In these situations, the Company will provide, if available, alcohol-based hand sanitizers and/or wipes.

Employees should limit the use of co-workers' tools and equipment. To the extent tools must be shared, the Company will provide alcohol-based wipes to clean tools before and after use. When cleaning tools and equipment, consult manufacturing recommendations for proper cleaning techniques and restrictions.

- If practicable, employees should use/drive the same truck or piece of equipment every shift.
- In lieu of using a common source of drinking water, such as a cooler, employees should use individual water bottles.

Job Site Visitors

- All visitors will be screened in advance of arriving at the office. If the visitor answers "yes" to any of the following questions, he/she should not be permitted to access the jobsite:
 - Have you been confirmed positive for COVID-19?
 - Are you currently experiencing, or recently experienced, any acute respiratory illness symptoms such as fever, cough, or shortness of breath?
 - Have you been in close contact with any persons who has been confirmed positive for COVID-19?
 - Have you been in close contact with any persons who have traveled and are also exhibiting acute respiratory illness symptoms.

Jobsite Exposure Situations

- **Employee Exhibiting COVID-19 Symptoms**

If an employee exhibits COVID-19 symptoms, the employee must remain at home until he or she is symptom free for 72 hours (3 full days) without the use of fever-reducing or other symptom-altering medicines (e.g., cough suppressants). The Company will similarly require an employee that reports to work with symptoms to return home until they are symptom free for 72 hour (3 full days). To the extent practical, employees are required to obtain a doctor's note clearing them to return to work.

- **Employee Tests Positive for COVID-19**

An employee that tests positive for COVID-19 will be directed to self-quarantine away from work. Employees that test positive and are symptom free may return to work when at least seven (7) days have passed since the date of his or her first positive test, and have not had a subsequent illness. Employees that test positive and are directed to care for themselves at home may return to work when: (1) at least 72 hours (3 full days) have passed since recovery; and (2) at least seven (7) days have passed since symptoms first appeared. Employees that test positive and have been hospitalized may return to work when directed to do so by their medical care provider. The Company will require an employee to provide documentation clearing their return to work.

- **Employee Has Close Contact with a Tested Positive COVID-19 Individual**

Employees that have come into close contact with a confirmed-positive COVID-19 individual (co-worker or otherwise), will be directed to self-quarantine for 14 days from the last date of close contact with the carrier. Close contact is defined as six (6) feet for a prolonged period of time.

If the Company learns that an employee has tested positive, the Company will conduct an investigation into co-workers that may have had close contact with the confirmed-positive employee in the prior 14 days and direct those individuals that have had close contact with the confirmed-positive employee to self-quarantine for 14 days from the last date of close contact with the carrier. If an employee learns that he or she has come into close contact with a confirmed-positive individual outside of the workplace, he/she must alert a manager or supervisor of the close contact and also self-quarantine for 14 days from the last date of close contact with the carrier.

ITWA encourages you to spend time putting together a plan – not just a document. A plan is something that is shared with employees – not something that is just on a piece of paper. When things get back to “normal,” that means people suing because procedures were not in place or not followed and they will want to blame someone else. Did they get COVID because you towed their car and didn’t clean it? Did an employee not want to come to work because they wanted a day off to go fishing or was it because they were scared there were not proper safety measures available? A customer who doesn’t want to pay their bill - instead of saying you damaged their car – they will now say you didn’t have a safe way for them to pick-up the car. When all of these hypothetical items occur, it will be when things are “normal” and the fact that we were in crisis mode will not matter. The documented plan is more of an insurance policy against those who want to play “gotcha.”

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First Call Towing & Recovery	Koester's	Tommy's Diesel Shop
Froedge's Inc.	Mike's Auto Wrecking	Toot-N-Tellem
Furnish Towing & Recovery	Newcomer Service, Inc.	Walt's Service
G & M Wrecker Service	Northwest Towing and Recovery	Wilson's 24 Hour Towing
Grahams Wrecker Service	Paddock Wrecker Service	Woodmar Auto Care & Towing
Green Wrecker Service	Parker Service	Zore's
H & K Wrecker Service	Pauls Auto Repair & Towing	

ITWA LADIES AUXILIARY

In these unprecedented times I hope this finds everyone “weathering the storm” and looking forward to better times as we settle in to a “new normal.” As we all know, Governor Holcomb has a 5 stage plan to gradually get Indiana back to normal. If all goes as planned, by the time you read this we should be in stage 3. If we have no setbacks by July 4, Indiana should be back to normal, at least our “new normal” which is perfect timing for the Indiana Tow Show. Just what we need to rejuvenate us and our industry.

You may ask, how is it that we planned to have a tow show in a year that brings challenges like no one has seen before? Well, at our 2019 Christmas Party, the majority of the attendees requested that the tow show be brought back. In response to this, the Ladies Auxiliary decided to coordinate a 2020 Indiana Tow Show. We immediately got to work in January with preliminary plans. At that time, little did anyone know we were heading into a year of uncertain times and never before challenges. The mission in mind for this tow show was to promote fellowship and socialization amongst the towing community. This is a resilient group of ladies, who with much thought and consideration has decided to move forward with the show for August 21-22.

Now for some exciting highlights about the show. There will be a Tow Truck Beauty Contest, so be sure to come out with your trucks all shined up and ready to compete. There will be lots to see and learn as vendors will showcase the services they provide and the products they sell, along with some vendors demonstrating equipment. At the Rotator Challenge you will have a chance to try out your rotator skills. At noon on Saturday, the Ladies Auxiliary will be hosting “The Power of the Purse,” our fundraiser for the scholarship fund. On both Friday and Saturday nights there will be food and entertainment available for your enjoyment. And the finale on Saturday night will be the Light Show. So be sure to bring out your trucks for the light show as we light up the sky at Fair Oaks Farms.

Continued on Page 9

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2020 TOW SHOW

Marriott Hotel

Reservation Instructions

Thank you for choosing to have your Event with us!

Here's your reservation link your guests can use to make reservations:

Book your group rate for Indiana Towing and Wrecking Association

<https://www.marriott.com/event-reservations/reservation-linkmi?id=1581101732004&key=GRP&app=resvlink>

You will find the information for your online reservation link below. If you have questions or need help with the link, please do not hesitate to ask.

We appreciate your business and look forward to a successful event.

EVENT SUMMARY:

Indiana Towing and Wrecking Association

Start Date: Friday, August 21, 2020

End Date: Sunday, August 23, 2020

Last Day to Book: Thursday, July 23, 2020

Hotel(s) offering your special group rate:

Fairfield Inn & Suites Fair Oaks Farms for \$139 USD - \$149 USD per night

***Book your group rate for
Indiana Towing and Wrecking Association***

**Please Visit ITWA website
to click links to reserve your room**

Ladies Auxiliary - continued from page 7

We would appreciate vendor/sponsor packets be returned as soon as possible, as we are working with Fair Oaks Farms on the details of this great exciting event! Please watch for attendee information and registration forms in next month's newsletter. And don't forget to book your rooms. Any questions or concerns, I can be reached at 219-712-4894.

Till Next Time...Please Stay Safe and Healthy

Crystal

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 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.

Well the month of May is officially upon us. For us in the Hoosier state that means a lot of things. One of those biggest events in Indiana is the Indy 500. You may be wondering why I am talking about "the greatest spectacle in racing." What are some things that you notice at the races besides the crowds, the overpriced food and beverages, fast cars, loud fans? If you are like me you notice the first responders behind the scenes. The police, fire, EMS and of course the tow trucks at the track make up the complete safety net.

With the COVID -19 Pandemic it has made things a little different this year. For the first time in my lifetime the Indy 500 will not happen in the month of May. Many spring time activities and events have been pushed back or even canceled out right. Shelter in place orders have kept the essential employees out and about and I think we can all notice a down turn in traffic flow. This for the most part has made our jobs a little safer. But with that said we have already had several Troopers struck this year.

We need to keep our heads on a swivel as the orders are lifted and people are coming out of hibernation and will be back out on the roadways. With that traffic will be increasing once again and accidents will resume their normal pace. I hope and pray that you all have a safe 2020. Please look out for one another and keep a look out.

As always I am here to answer any and all questions. I will not be able to attend the Tow Show in August due to possibly being assigned to work the First ever Indy 500 in August...Hot hot hot....I hope that I can get out of it and visit with all you fine folks.

My email is bhoover@isp.in.gov if you all have any questions...please send some questions I am running out of topics!

DOR-MCS INTERNATIONAL REGISTRATION PLAN

May 6, 2020

Dear Motor Carrier Customer:

In October 2019, the Indiana Department of Revenue's (DOR) Motor Carrier Services (MCS) began rolling out updates to our International Registration Plan (IRP) system. We are pleased to announce that a new update is scheduled to go live on June 14.

This update will include enhanced search and transaction features. One of the major changes involves uploading Excel documents. There will be new upload templates and requirements for uploading files. Due to security restrictions, Excel files may not contain macros. In addition, all transaction editing and validation will be done by the user within the system.

The new release includes several customer-requested features such as:

- New menu options;
- The ability to add and view comments for transactions;
- The ability to view in-process transactions and delete transactions from the list;
- The ability to delete a vehicle from a transaction (if it is not involved in any other active transactions); and
- A new Excel template for each transaction type to ensure users have the most recent version available and reduce rejected uploads.

In order to ease the transition to the new system, you will have access to:

- A field-by-field definition of each upload template should you need to change any internal applications that interface with our system.
- A generic account that will allow you to explore system upgrades and practice transactions online or through Excel uploads (for fleets with 100+ vehicles).
- Daily WebEx sessions after the launch for you to continue to learn, ask questions, and share your experiences and feedback.

Details explaining how to access these resources will be in a notification on our website and in a future email.

Look for periodic updates, details and links to more information and training materials online at **motorcarrier.dor.in.gov**.

If you have questions regarding these changes, you may email **IN_IRP_Modernization@dor.in.gov**.

LOAN FORGIVENESS UNDER THE PPP

Please note – Congress is in the process of making changes to the forgiveness portion of the law. They are considering changes to the percentage required on minimum payroll and extending the time allowed for expenses to be included in the forgiveness category. If Congress does act – we will add to the website.

If you received a loan under the Paycheck Protection Program, it can be forgiven if you follow all the rules. Unfortunately, the rules are still being developed and tweaked. There will be lots of information – some will be fact and other will be inaccurate. Please make sure you talk to your accountant and banker to make sure you follow the rules so the loan is forgiven – if not – it has to be repaid.

The following are highlights from an May 11, 2020 article in *Forbes* by Neil Hare:

1. What is my liability exposure around the loans and forgiveness?

Specifically, before submitting a PPP application, all borrowers should review carefully the required certification that “[c]urrent economic uncertainty makes this loan request necessary to support the ongoing operations of the Applicant.” Borrowers must make this certification in good faith, taking into account their current business activity and their ability to access other sources of liquidity sufficient to support their ongoing operations in a manner that is not significantly detrimental to the business.

This somewhat ambiguous standard has made many small businesses nervous that they will not meet this “good faith” test, and will have to repay the loan or worse, suffer penalties—perhaps even criminal penalties. So, what should you be worried about with the “good faith” standard?

First, the stern warning from Secretary Mnuchin about audits and liability were aimed at large companies, many of whom are public, that do have other sources of capital; it was not directed at small, independently owned companies. The guidance further explains that companies that have received over \$2 million in loans will be automatically audited by the SBA and Treasury to determine if this standard was met.

If your business obtained under \$500,000 or perhaps even under \$1,000,000 in PPP loans, it is highly unlikely this audit will occur and you will face any liability. It is important to remember, it is your lender who will review documentation after 8 weeks to determine forgiveness based on use of funds; 75% for payroll and 25% for rent, utilities, and interest payments. Lenders are working towards an easy mechanism to approve forgiveness of most loans “at the push of button” and forsake lengthy reviews.

Furthermore, while this “good faith” standard does need further clarification, the fact remains that the government instituted the shutdown that every American business had to abide by. This forced closure of our economy made the future uncertain and, as we are now seeing, that remains so. Therefore, even if your business had other sources of capital like a line of credit, it will be extremely difficult for your bank or the government to determine under those circumstances that the average business was not acting in “good faith” when showing the need for a PPP loan.

This being said, it is probably a good idea to document the state of your business and your need on or around the date you applied for the PPP loan. If you are a retailer or restaurant, the simple fact of being shut down should suffice, and for any business, the reality of lost future sales, canceled orders, and uncertainty about the length

of the shutdown should suffice to show “good faith.” Just remember, the government and the banks want these loans forgiven, so presuming you used the funds appropriately, that should be the case.

2. When do I have to start tracking the use of the PPP funds?

At this point, the use of funds must begin upon receipt and extend out eight weeks in order for the loan to be forgiven. You cannot sit on the money. It is a common complaint about the program that businesses don’t want to use the funds to pay their employees to do nothing and want to wait until they reopen or have further certainty about the shutdown. This is a valid concern that makes sense, but this requirement can only change with an act of Congress, which is unlikely to occur. Use the money upon receipt.

3. Do I have to use at least 75% of the PPP loan on payroll?

Yes. As outlined above, for better or for worse, the intent of the PPP program was to keep workers on the payroll and off unemployment. Business owners should have the freedom to use the funds as they see fit on other major expenses like rent, but Congress opted for payroll. While business groups and associations are lobbying to reduce the percentage used on payroll to 50%, you can’t count on that and should assume the status quo. For complete forgiveness, ensure you are using at least 75% of the funds on payroll.

4. If I laid off workers, do I need to rehire the same employees to meet the payroll requirement?

No. Your bank will not check to see if you hired the same employee back, but simply that your payroll amount is the same or greater than the 2019 average upon which the loan amount was based. If you do extend an offer to an employee who rejects it, you may want to ensure the correspondence is in writing for future reference. But, even if that employee rejects your offer for reemployment, your obligation to use the PPP funds on payroll remains based on the 2019 numbers.

5. Do I need to hire the same position or keep employees in the same jobs?

No. Again, your lender will be looking at the amount you spent on payroll, not who fills what job. This is a good way to make use of the funds in a positive way. For example, instead of rehiring that sales rep, you could hire a web developer to revamp your website. Or you could shift roles and responsibilities of existing employees to meet the needs of your changing business model. Just note that the position must be a full-time employee and not a contractor in order to count towards forgiveness.

6. What if I don’t use the funds for payroll or rent, utilities, or interest payments?

While many groups are lobbying to change the allocations for how the funds should be used, it is best to assume those rules will not change. The rules allow for some variance between the approved and non-approved expenses due to miscalculations or an unforeseen issue, such as an employee quitting. That variance will be converted into the two-year note at 1% interest with a six-month deferral of the first payment. But, the borrower is certifying on the PPP loan application that they will use at least 75% on payroll and the other 25% on rent, utilities, and interest payments. So, if you do not use the funds accordingly, it will raise questions from your lender and potentially from the SBA and Treasury as well, something that you do want to avoid.

Note – ITWA was asked if fuel expenses are considered utility expenses. When we asked a law firm, there were uncertain. As we get more information, we will let you know.

7. What documentation should I use with my lender to show the money was spent according to the

regulations?

The easiest solution would be to reach out to your payroll provider, such as ADP, to prepare reports showing the funds were used for payroll. It should be as simple as that. In addition, provide bills and canceled checks for your rent, mortgage, utilities, or interest payments if you used the funds for those purposes. If you don't use a payroll company, then follow the outline of a Schedule C form with backup documentation to show how the money was spent. This can include canceled checks, bank transfers, and the payment of acceptable expenses. You should reach out to your payroll provider now and start documenting these expenses. If possible, it is also advisable to keep PPP funds in a separate bank account and make all forgivable expenses out of this dedicated account.

8. When can I apply for forgiveness?

Most lenders will begin processing forgiveness applications at seven weeks from fund disbursement. It is advisable to reach out to your banker now to confirm this and to double-check on what documentation your particular lender will want to see. Again, the lender will make the decision on forgiveness.

Conclusion

While some regulatory clarification and changes to the PPP program are still needed, the overall requirements and structure of the program are straightforward and are unlikely to change. For most businesses, the need for the funds is clear and if the money is used on payroll as intended, it will be forgiven without any liability concerns. It is by no means the perfect system, but for those companies receiving the funds, it should be a good source of capital in the short term. It is time, however, for all companies to start thinking about additional sources of capital as the pandemic continues to impact our economy.

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WRECKMASTER'S

10 TIPS TO HELP REDUCE EXPOSURE OF THE COVID-19 VIRUS

- 1** If you're not feeling well stay home.
- 2** Wear a mask whenever social distancing is not possible.
- 3** Wash your hands as often as possible or use a high alcohol content hand sanitizer.
- 4** Avoid touching your face. Especially your eyes, nose, and mouth.
- 5** Carry disinfectant cleaner and paper towels or disinfectant wipes in your truck to wipe down any and all surfaces of the interior of your truck.
As well as other items like your cell phone and pens or anything that a passenger may touch.
- 6** If coughing or sneezing, do so into a tissue and immediately dispose of it.
Or into the crotch of your elbow and wash or disinfect your hands right away.
- 7** Avoid shaking hands with customers, and loaning them things such as your cell phone or pens.
- 8** Use gloves, a towel, or a disinfectant wipe when touching the door handles and interiors of customer's vehicles.
Always clean your hands afterwards.
- 9** When possible and appropriate, avoid allowing passengers into your truck.
When accepting passengers, you should require that they wear a mask and disinfect all of the interior that they may have touched on their departure..
- 10** If you feel feverish, begin coughing, or feel short of breath, immediately contact your health provider to report your condition.

SAVE THE DATE

Indiana Tow Show
August 21-22, 2020

Fair Oaks Farms Conference Center
Fair Oaks, Indiana

*Friday Night Cook-Out & Opening Ceremony
Street Party with live show featuring Cook & Belle on Friday Night
Vendor demonstrations
Candlelight Vigil Honoring Fallen Towers
Move Over Safety Awareness
Ladies Luncheon
Rotator Rodeo Challenge
Beauty Contest
Light Show
Kids Mini Rodeo
50/50 Raffle Drawings Friday and Saturday Nights
Tons of Exhibitors inside and out
More details to come...*

Plan to come early and stay all weekend long. Show will be featured in *Tow Times* Magazine's, Tow Show listing starting next month, so plan to make your hotel reservations early. Space at show hotel is limited to 99 rooms.

Show Host Hotel:
Fairfield Inn & Suites by Marriott Fair Oaks Farms
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Alternate hotels next exit 5 miles away, I 65 exit 115, State Rd. 114:

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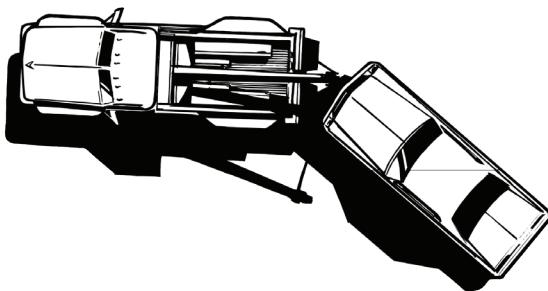
*Limited time offer valid for new Speedway SuperFleet Mastercard applications received from 1/1/2020 through 12/31/2020. New approved accounts will earn 15 cents per gallon rebate on Speedway fuel purchases in the first three months after account setup. Rebates are cents per gallon based on the number of gallons purchased at Speedway locations per calendar month. The maximum promotional rebate in any one-month period, regardless of billing terms, is \$300. Rebates are subject to forfeiture if account is not in good standing.

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Austin Insurance	270-444-6818	ONI Risk Partners	217-477-5396
Auto Data Direct	850-877-8804	Pacific General Insurance	800-888-0545
Environmental Remediation Services, Inc.	866-489-7062	Pence, Brooks, Bolander & Shepherd	317-462-9204
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