



hook & winch

FROM THE DESK OF EXECUTIVE DIRECTOR BART GIESLER

Thanks to the members who have reached out to me and members of the Board about your thoughts on the possibility of changes at the dispatching process for Indiana State Police. There is nothing new to report other than we are still gathering information from other states. As the conversations proceed, we will keep everyone informed.

The legislature has reached the halfway point of the session. ITWA has worked with Rep. Doug Miller (R) – Elkhart on **HB 1438**. The legislation provides that a towing service is subject to the same public notice advertising rates as a government agency if the service: (1) acts as an agent of a government agency; and (2) provides the notice required to dispose of abandoned vehicles or parts. ITWA believes this will lower the cost to place ads that are required by law when selling an abandoned vehicle. The bill has passed the House and is now awaiting Senate action. Sen. Blake Doriot is the Senate sponsor.

Another bill of interest will indirectly apply to the towing industry – **SB 233** Establishes the vision zero task force (task force) to study and make recommendations concerning: (1) the reduction and prevention of fatalities on roads and highways; and (2) other driving safety issues. As we all know, towing is dangerous and if this becomes law, ITWA will work to educate legislators about the dangers that you face.

I recently saw that TRAA is collecting data for struck-by incidents. There have been multiple fatal incidents this year involving responders working on the highway. We must work harder to educate the public and work the scenes more safely to prevent these tragedies.

The Emergency Responder Safety Institute (ERSI) has a nationwide database to collect detailed information about incidents on the roadway where emergency responders or their equipment were struck by a vehicle while operating at a scene. Available at ReportStruckBy.com, the database accepts reports from all roadway responders, including towing and recovery. The goal is to improve the voluntary reporting, tracking, and analysis of struck-by incident data to prevent future incidents.

Any roadway responder can report a struck-by incident to ReportStruckBy.com, whether that incident resulted in **death, injury, or property damage**. Reporting is anonymous and the reporting form takes approximately **3-4 minutes** to complete. All fields are optional so you can report as much as you know and skip what you don't. The site is mobile device responsive for easy reporting from the field or the station. All reports are welcome. ERSI wants as much data as possible on the continuing problem of secondary crashes and struck-by incidents at emergency scenes on the roadway. To report an incident, go to: <https://www.respondersafety.com/struck-by-near-miss/report-a-struck-by-incident/>

We need this information to better educate the public.



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Advertisers needed for 2023 Newsletter:

If you're interested in reaching all of our members during 2023 by advertising in our newsletter, just call Bart Giesler at 765-288-6041.

FROM THE DESK OF PRESIDENT MORELAND

What if I Could Start Over?

I used to wonder what life would be like if I took a different path. I think this is common for people to think this way- at least I hope so! You spend your whole life thinking about what you want to do, what you want to be, where you want to be, and so on, but once you are an adult you never really look at where you are now. I realized that I had not thought about how my life has changed for a long time now, and how I am nowhere near the path I thought I would be on. Life throws us curve balls, and somehow we learn to adapt and change course. As I near retirement age, I am asking myself again, what path I will choose. Do I want to continue doing something with the towing industry, I think so...What it will be is still a work in progress, but I know I want to stay in this lane, perhaps teaming up with some other powerful women in the industry to promote responder safety, training, education, or mentorship to the up and coming women of the industry. I am so thankful for all of the opportunities I have had to network with other strong leaders in the towing world and the lifelong friendships I have made!

Which leads me to my next topic which is the 2023 TRAA Legislative Action Workshop & Hill Day in D.C. I am pleased to inform everyone that Karrie Driscol will be representing ITWA and the State of Indiana on March 7th, 8th and 9th. Karrie will attend an open house with members of Congress and Guest Speakers, attend a workshop on the Overview of Legislative Priorities & Roadside Safety Focus, and learn about the next generation of Technology for saving lives. She will learn more about working with Regulatory Agencies & Finding Common Ground with Safety Groups. I am so pleased that she is able to attend, and look forward to learning about all of the information she will bring back to the Association and Bart to help the Association as we go forward. Karrie will be a part of a great group of industry leaders, and will make friends with people she can network with going forward for life. So proud of you Karrie, thanks for taking time away from your business to represent ITWA!

Speaking of safety, I was please to make friends this month with Cindy Lodice, who has been working tirelessly since her brother was killed by a DUI driver while he was working on the side of the road. Cindy has created the Flagman Safety program which is a National Slow Down Move Over initiative designed to reduce serious injuries and fatalities of all first responders, highway safety workers and the motoring public. Check out their website at www.flagmansafety.com. Cindy has created the flagman logo and plans to introduce the program to the kids while still in school such as the MADD people did when they first started out.

Lastly, as we begin working on plans for the 2023 Tow Show, I would like to introduce our featured speaker this year for the ladies luncheon, Michelle Sukow. Michelle owns a heavy duty Towing and Truck Repair business in Minnesota, and has her own podcast called "Tow-Tally She Said". Michelle is a wonderful motivational speaker and friend, and I am so pleased that she will be joining us this year. Ladies, please plan to attend the luncheon. You will definitely want to meet Michelle!

Till Next Time,

Sue

Training Ideas

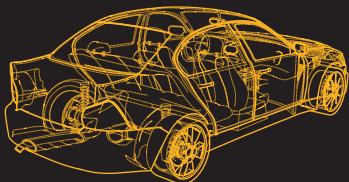
ITWA needs your input on what training programs are needed. Here are some ideas:

**Heavy Duty Training Class • ERSCA Class
Hazwoper Class • EV Training (other than ESA)
Wreckmaster • Wes Wilborne**

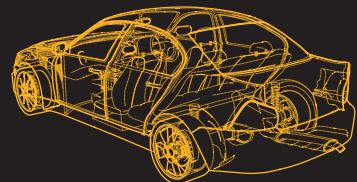
**If you have attended one of these trainings, please let us know what your thoughts were.
If you have other ideas, we would love to hear from you.**

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ITWA LADIES AUXILIARY

Have you ever been asked what the ITWA has to offer?

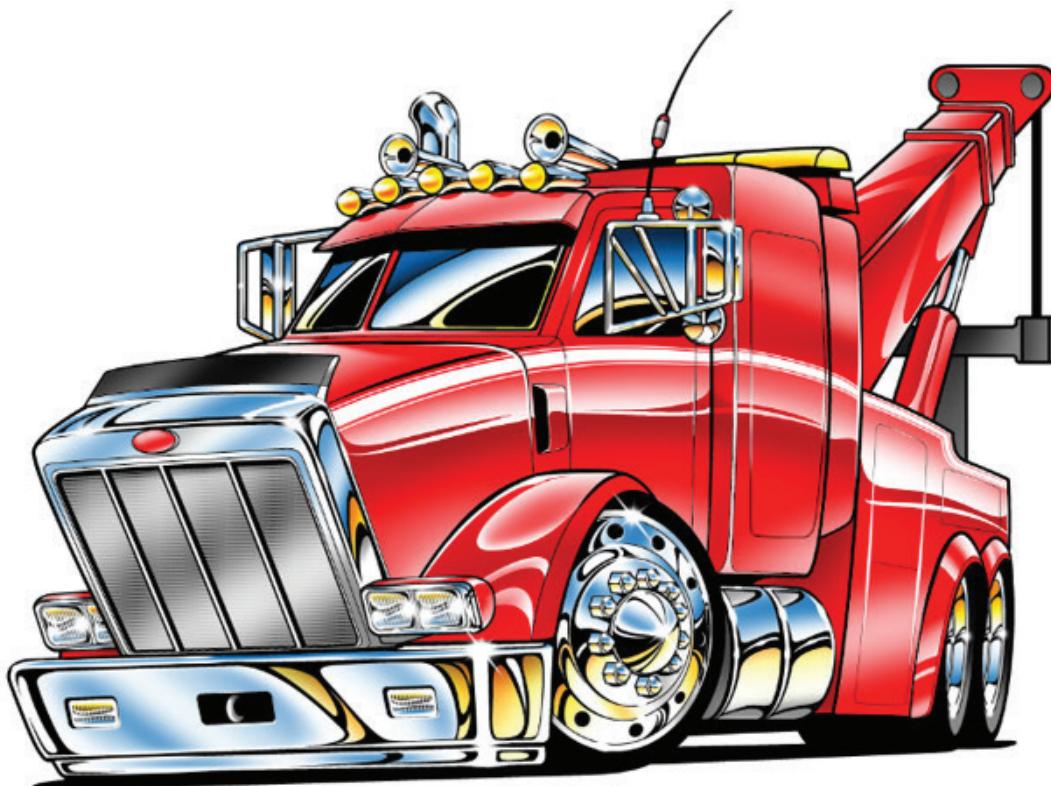
There are quite a few, but for me personally, it is the fellowship. When we sat around the table several years ago tossing around the idea of restarting the ladies auxiliary, there were stories from days gone by of sitting around socializing and watching the kids grow up in the industry together. I am glad that now I get to be a part of that. For me, the ladies auxiliary and tow association, as a whole, have given me inspiration and new ideas to conquer the problems facing not just our business, but the industry as a whole. It is very easy to get caught up and lost in our day-to-day lives, especially when we run 24/7 always on call. It is easy to feel robotic at times and feel like you are fighting a losing battle. When we come together and share our victories and woes we realize that we are not alone. We have created a support system. I frequently reach out to others in the industry, who through the association have become my friends. Michelle Sukow will be speaking about at the upcoming ITWA ladies luncheon about Creating a Dynamic Inner Circle. We are very excited that she has agreed to come speak with us.

As we prepare for this year's upcoming events think about your Inner Circle. Who are the people that you look to for support, who have your back, people that provide inspiration, people who challenge you to be your best and overcome those obstacles that are in your way. Are these people that could also benefit from joining the ITWA? As an organization we need to continue to build our circle as well, so if you know of someone who is not a member talk to them about joining.

The ITWA Ladies Auxiliary will be hosting their annual Ladies Luncheon at the Boone County Fairgrounds Saturday, August, 19th, 2023 at noon during the Indiana Tow Show. We will have more details in the near future about this year's events.

Karrie Driscoll

ITWA Secretary



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INTRODUCING MICHELLE SUKOW



Featured Speaker at the 2023 Ladies Luncheon

Multi-passioned business owner at HDM Towing & Truck Center, Mental Fitness Mentor / Midlife Champion / Speaker/Podcaster Helping others take back control of their lives & navigating Mental Fitness in a 24/7 World

ITWA is proud to announce that we will be hosting Michelle Sukow as the featured speaker at our 2023 Indiana Tow Show Ladies Luncheon.

There's a saying that goes, "You can't keep a good woman down," meaning that a determined person will succeed or a competent person will always recover from setbacks. That pretty much describes Michelle Sukow, owner of HDM Towing & Truck Center, Lake Mills, WI, who has been in the towing business for over 20 years, through thick and thin, in one form or another.

The position Sukow is in today is on top of the world. Following a divorce, she hit the reset button and is now sole owner of HDM Towing (formerly Topel Truck Center). Now, she's on a roll, and notes that 2022 was her best year ever. She owns a quick lube business, as well as a laundromat. Sukow blogs and has shared a lot about her personal travails, and she also conducts webinars to help others set goals, handle stress, manage careers, and thrive after unsuccessful relationships. Sukow recently launched the industry's first women in towing podcast titled, "Tow-Tally She Said".

"I'm super passionate about towing," says Sukow, who is active in Wisconsin and national towing, and has earned numerous awards, most recently the Women in Trucking organization's Top Woman-Owned Business of 2021. "I'm very proud of that," says Sukow, acknowledging that "it's not easy being a woman-owned business in a male dominated industry."

Michelle will be speaking about "Your Inner Circle and the Importance of it." Please mark your calendars now for our annual Ladies Luncheon on Saturday, August 19th, 2023.

BMV ELECTRONIC TITLING UPDATE

From BMV Stakeholder Update

The purpose of this communication is to provide visibility and transparency to the process and to gain your input as the BMV builds and launches e-titling in Indiana. We have sought to include folks from varied roles within the automotive titling industry and are grateful for your participation!

We are actively searching for additional members to represent auctions, insurance, and floor planners. If you know someone who might be interested, please have them email ELTHelpDesk@bmv.in.gov.

Work in Progress

- BMV team members are compiling potential functionality for e-titling through the following:
 - Conducting market research by reviewing published considerations/guidance from the American Association of Motor Vehicle Administrators (AAMVA).
 - Reaching out to jurisdictions who have implemented some form of e-titling to learn about their programs including the implementation plan, best practices, and lessons learned.
- BMV team members are also working to identify a partner to assist or lead the agency in capturing the requirements necessary to build an e-titling solution.

Electronic Signature Update

In previous discussions, several stakeholders expressed the desire to capture electronic signatures on all documents that may accompany the Certificate of Title when submitting a title application to the Indiana BMV. At present, the BMV will accept electronic signatures on all documents, except two that require a wet signature: the Odometer Disclosure Statement and the Power of Attorney.

- **Power of Attorney:** Based on initial research, we expect to be able to convert this to electronic signature for the vehicle owner, their attorney-in-fact, and the notary. Look for more detailed information regarding these processes in Spring 2023.
- **Odometer Disclosure Statement:** Research into the acceptance of electronic signatures on the Odometer Disclosure Statement is currently underway. In December of 2019, the National Highway Traffic Safety Administration (NHTSA) released a ruling in the Federal Register that outlined strict requirements for entities that wished to capture this signature electronically. NHTSA has been asked for clarification in the interpretation of the new requirements outlined in 49 CFR Part 580, but an estimated response time for that request is not known. At this time, Indiana's intent is to build an e-titling solution that will allow for the electronic capture of all signatures. More information will be available after NHTSA provides clarification.

DOT CHAT WITH BRENT HOOVER



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. I have started my 19th 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.

This month has been hard to come up with a topic as no one has really reached out with any questions. I hope that everyone is well, and I missed not getting to hang out at the Christmas party this year.

This month I will reach back in my photo collection to find this jewel.



I hope that you noticed the 4x4 piece of wood being used as a replacement for the broken rear impact guard end. Inspectors are now being instructed to not issue a CVSA Decal for a trailer with a Rear Impact guard in violation.

So if you conduct DOT inspections please make sure to check the rear impact guard and please reference 393.86 for the requirements for rear impact guards.

As always please be safe and contact me if you have any questions.

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

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ADDITIONAL BILLS OF INTEREST

HB 1015 WORKSITE SPEED CONTROL PILOT PROGRAM (PRESSEL J)

Requires the Indiana department of transportation (department) to establish the worksite speed control pilot program (pilot program) for the purpose of enforcing worksite speed limits. Requires that the department: (1) work with the state police department to administer the pilot program; and (2) enter into an agreement with the state police department to share information regarding the pilot program. Permits the department to contract with a third party vendor to assist in implementing the pilot program. Provides that an individual who is recorded by a worksite speed control system may not be assessed a civil penalty unless the violation is at least 11 miles per hour above the established worksite speed limit. Replaces the term "work zone" with "worksit" throughout the relevant statutes.

HB 1050 VARIOUS MOTOR VEHICLE MATTERS (PRESSEL J)

Provides that a carrier subject to certain imposed motor vehicle taxes is exempt from submitting to the department of state revenue (department) quarterly reports of the operations of commercial motor vehicles giving rise to the carrier's tax liability as the department may require under certain circumstances. Provides that a carrier that is exempt from the quarterly reporting requirements: (1) must continue to file a quarterly return to obtain a promotional use credit; (2) is required to keep books and records; and (3) is exempt from certain requirements regarding an annual permit, a cab card, and an emblem. Defines "lawful status". Repeals the term "credential". Defines "physical credential". Provides that the bureau of motor vehicles (bureau) may issue a driver's license, permit, or identification card to an individual granted parole in the United States under 8 U.S.C. 1182(d)(5). Provides for when a credential issued by the bureau of motor vehicles (bureau) must be in the form of a physical credential or a mobile credential. Provides for the form of the mobile credential. Requires a person who drives a vehicle approaching a disabled stationary vehicle with flashing hazard warning signals to do either of the following, while proceeding with due caution: (1) Yield the right-of-way by making a lane change into a lane not adjacent to that of the disabled stationary vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle. (2) Reduce the speed of the vehicle to a speed at least 10 miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe. Provides that a person who does not yield the right-of-way or reduce the speed of the person's vehicle commits a Class B infraction. Provides that the term "driver training school" does not include a business enterprise that educates or trains a person or prepares a person to operate a commercial motor vehicle. Makes additional changes.

HB 1173 UTILITY SCALE BATTERY ENERGY STORAGE SYSTEMS (PRESSEL J)

Provides that a person may not: (1) construct a new utility scale battery energy storage system (BESS); or (2) expand the capacity of an existing BESS by more than 10% of the system's existing capacity; without the prior approval of the department of homeland security (department). Provides that a new BESS, or an expansion of an existing BESS, must comply with the: (1) National Fire Protection Association's standard concerning stationary energy storage systems (NFPA 855); and (2) certain specified standards that are incorporated by reference in NFPA 855. Requires the fire prevention and building safety commission (commission) to adopt rules before July 1, 2024, to specify standards for the construction and operation of a BESS. Provides that the commission's rules must: (1) be consistent with NFPA 855; and (2) take effect not later than July 1, 2024. Provides that the commission's rules must include the following: (1) Standards for: (A) chemical spill prevention and control; and (B) appropriate setbacks from surface water resources; for the construction and expansion of a BESS. (2) Standards and procedures for a training program that must be: (A) completed annually by full-time firefighters; and (B) offered annually to volunteer firefighters; who are members of a fire department that is responsible for providing fire protection services in an area in which a BESS is located. Provides that in establishing the standards and procedures for the training program, the commission shall consult with the board of firefighting personnel standards and education. Requires the department to issue to the interim study committee on energy, utilities, and telecommunication, not later than July 31, 2023, a report regarding the progress of the commission in adopting the required rules.

HB 1204 ENFORCEMENT OF WEIGHT LIMITS FOR OVERWEIGHT LOADS (KARICKHOFF M)

Provides for when the department of state revenue (department) may assess a civil penalty for a vehicle or load that is in excess of the legal weight or dimensional limits. Provides for the penalties the department may charge for a violation.

SB 316 COMPUTER AIDED EMERGENCY DISPATCH SYSTEMS (WALKER K)

Provides that the statewide 911 board (board) may conduct a feasibility study on potential ways in which the computer aided dispatch (CAD) systems used by public safety answering points (PSAPs) in Indiana could be made interoperable to facilitate the standard dispatch of EMS resources based on using the EMS resource that represents the closest and most appropriate EMS resource to respond to an emergency. Provides that the board may submit a report on the study to the following not later than July 1, 2024: (1) The executive director of the legislative services agency to distribute to members of the general assembly. (2) The department of homeland security. (3) The integrated public safety commission. (4) The Indiana department of health. Sets forth information that may be included in the report. Provides that these provisions expire January 1, 2025.



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