



JANUARY 2026 • 57th Year

hook & winch

FROM THE DESK OF EXECUTIVE DIRECTOR SUE MILES

Looking Forward to 2026

Happy New Year, members! As we head into 2026, our industry is facing a crossroads. Between the rise of EVs and new transparency laws, the “standard tow” is a thing of the past. We aren’t just “wrecker drivers,” we are roadside responders and logistics experts. Let’s make 2026 our safest and most profitable year yet.

With the new year comes a new board, and chapter directors. Thanks to all the new directors that have stepped up, we are excited to have some new minds and fresh ideas coming to the association. The new board will be meeting January 28th and I can’t wait to see what they have in store for this year’s events!

I have lined up several content creators each month for our newsletters to keep you up to date on all the industry happenings. I am pleased to say that Ryan Leagre will be heading up our legal column each month, and Brian Riker will be doing a series of articles on Safer Scores. We also have ISP Trooper Brent Hoover back with a monthly article on DOT compliance.

I am always looking for input, if you have any ideas or suggestions, please feel free to reach out to me.

Sue



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FROM THE DESK OF PRESIDENT BILL McCLANAHAN

Hello and Welcome to the New Year!

First of all, thank you for electing me as your President. I am really looking forward to representing you all.

Remember, the rearview mirror is small and the windshield is the future. As a team we will work together to make the association better, for all of us. We all need to dig in a lot harder than we have in the past if we want to make progress. I truly believe we can make a change even at the state level. It's time for a change.

Team Work Makes Dream Work.

I would like to thank Karrie and Angela for their year. They did a great job for what they had to work with.

This is a tough job and it takes all of us working together. So, I hope you can all come out and help when you can.

Thank you all and God Bless! Stay safe! Let's pray for another great year.

Bill McClanahan

RAFFLE WINNERS



Congratulations to the 2025 Cash for Christmas Raffle Winners

1st Place – Cindy Cook
\$2000

2nd Place – Rick Rose
\$1000

3rd Place – Joe's Towing
\$500

CHALLENGING DOT INSPECTIONS

By Brian J. Riker

This is the first in a series of articles from Brian J. Riker, President of Fleet Compliance Solutions, in which he will discuss motor carrier safety regulations, roadside enforcement and how these issues affect your towing business.

Brian J. Riker is the President and Chief Compliance Specialist at Fleet Compliance Solutions, a nationwide motor carrier safety and compliance consulting firm that specializes in non-traditional fleets such as towing and auto transport companies. With more than 30 years' experience as a tower and auto transport company owner, Brian blends real world experience with professional knowledge of the regulations and best practices to help towers stay safe, stay compliant and thrive in business.

I'm sure almost everyone reading this has had an inspection from motor carrier enforcement sometime in their career, probably more than one, and likely at least one they felt was incorrect or unfair. I can say without a doubt there are plenty of instances where an officer may have been incorrect in their understanding of the regulations or what they were looking at on a vehicle.

Fortunately, when this happens, there is a process to challenge the inspection report called DataQ. It is a simple report to file and submit to the Federal Motor Carrier Safety Administration (US DOT) who will then forward it to the reporting agency for review. Now, where this process is troublesome is in several states the request for review goes back to the Officer that issued the violation. Keep this in mind when interacting with these Officers at roadside as your professional demeanor may make all the difference in their willingness to work with you later on, either in Court or during the DataQ process.

It is important to note that if you also receive a citation to accompany your violation report and that citation is later dismissed or amended by a Court your Safety Management System record must also be modified upon request (by filing a Data Q with a copy of the court records) to reflect this change.

So, why is this all important? Even when you feel like the Officer did you a favor and only wrote a violation on the inspection report and didn't issue a fine or citation these violations still affect your safety score. This can result in increased insurance premiums, or in the case of a recent client of mine, a threat to non-renew their insurance because of a perceived deficiency in fleet safety. In this client's case they were not doing anything incorrect, the Officer was applying the incorrect regulation, and I was able to have these violations removed from their record and the Officer received refresher training to prevent any future recurrence. These are just a few of the reasons why it is very important to understand the full impact of a citation or inspection report with violations noted. Often the impact is much greater than just the fine amount and inconvenience of being detained while inspected.

How do I challenge a violation? A good challenge begins with a thorough investigation, which starts with asking the Officer to point out the violation to you so that you can fully understand what they are

claiming. If it is safe to do so, take plenty of pictures of the area(s) in question (both close up and distant) being sure to make it clear you are still at the inspection location. These will allow an in-depth review of the alleged violation to determine if it is in fact a violation. Photos are key to a successful challenge either in Court or through the DataQ process. If you must make repairs or corrections before continuing, or even later at a repair shop, have the condition before and after well documented to support your position that there may not have been a violation.

If a citation was issued along with the inspection report, wait until after trial to file your DataQ challenge. If the citation is dismissed, or amended, then nothing beyond a copy of the court record needs to be submitted to have the report updated. If no citation was issued you can file a DataQ challenge as soon as you have gathered enough supporting documentation to demonstrate that there was no violation at the time of the inspection.

Bottom line, we all make mistakes. It is on you as a professional to know the rules and regulations that govern your business. Knowing what is permissible goes a long way in avoiding inspections with violations, and when incorrectly accused of a violation helping to set the record straight. Insurance companies are watching your DOT safety record closely so it is very important to challenge anything that may be incorrect. Your company's survival may depend on it.

NEW CHAPTER DIRECTORS FOR 2026

Congratulations to all the new chapter directors

Here are the results of the fall elections:

Chapter 1

Brett Bertagnoli / Crystal Rose

Chapter 5

Walter Norton/ Sam Newlin

Chapter 2

Michael Lard / Hannah Goldsborough

Chapter 6

Brittany Pardo

Chapter 3

David Reed / Tracy Suttle

Chapter 7

Mark Furnish / Steve Hawkins

Chapter 4

Daryn Milton

**Also, Congratulations to our newest Director Emeritus,
Tom Bertagnoli!**



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ITWA INTRODUCES NEW MEMBERSHIP LEVELS FOR 2026

Regular Membership - \$365

- Listing in the ITWA Directory
- Attend all meetings and events
- Able to vote at Chapter Meetings
- Able to run for Chapter Director positions
- One ITWA T-shirt, available at Tow Show
- All News Communications

500 Club Membership - \$500

All the benefits of Regular Membership. The \$500 Club is a voluntary contribution of \$135 on top of your regular dues membership of \$365. It helps cover the cost of keeping Indiana up to date on all things legislative that pertain to our industry, most recently fighting NCOIL legislation. The benefits you receive from improved legislation more than cover the additional dues contributed. Please consider supporting ITWA by increasing your annual dues payment to \$500.

Employee Membership - \$50

- Listing in ITWA Directory
- Attend all meetings and events

Membership shall be open to all employees, whether by relationship or by means of their employment who are affiliated with regular or associate members of ITWA.

Associate Membership - \$ 365 (*can upgrade to \$500 Club*)

- Listing in the ITWA Directory
- Attend all meetings and events
- One ITWA T-Shirt, available at Tow Show
- All news communications

Bronze Membership - \$1000

- Listing in ITWA Directory
- Attend all meetings and events
- Able to Vote
- One ITWA T-Shirt, available at Tow Show
- All news communications
- Wall plaque for your business

Silver Membership - \$1500

Listing in the ITWA directory
Attend all meetings and events
Able to vote
One ITWA T-Shirt, available at tow show
Wall plaque for your business
Includes 2 dinner tickets for Tow Show banquet
Includes 2 dinner tickets for annual Christmas Party banquet

Gold Membership - \$2500

Listing in the ITWA Directory
Attend all meetings and events
Able to vote
One ITWA T-Shirt, available at tow show
All news communications
Wall plaque for your business
Includes 2 diner tickets for Tow Show banquet
Includes 2 dinner tickets for annual Christmas Party banquet
Includes 1 night hotel up to \$150 for Tow Show
Includes 1 night hotel up to \$150 for annual Christmas Party banquet

You Might Be A Tower IF..... (2026 Edition)

- You think “The Great Outdoors” is a 4-lane highway with a 10-foot shoulder.
- Your idea of a “fancy dinner” is anything you can eat with one hand driving.
- You’ve ever used a J-hook to hang your Christmas lights.



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ITWA WOMEN'S AUXILIARY

With the beginning of the New Year, it is a good time to talk about what the Women's Auxiliary is all about and what our expectations are for 2026.

The Women's Auxiliary was started in August of 2019 with the mission to promote fellowship among the ITWA members and to provide financial aid and support for ITWA through various events and fundraisers. Since that date we have promoted and assisted with the annual Tow Show and Christmas Party. We have also hosted fundraisers for the Allen Hercamp Scholarship Fund and the Sonny Henline Survivor Fund.

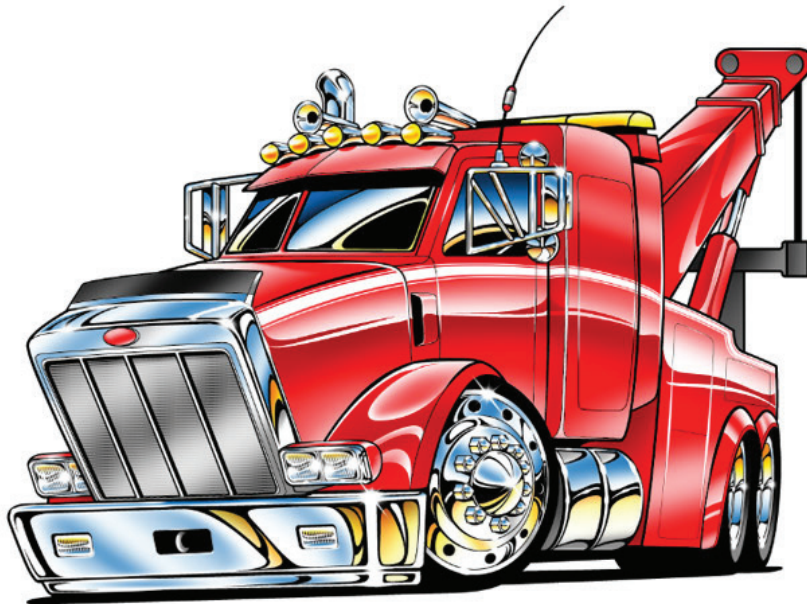
As we look forward to the arrival of the new year, we look forward with hope and expectancy. A definition for HOPE is "the desire for a certain thing to happen." A definition for EXPECTATION is "a strong belief that something will happen." The definition for EXPECTANCY is "a state of thinking or hoping that something pleasant will happen." For the year 2026 we are thinking, hoping and looking forward to continuing to make a difference for ITWA.

ITWA Women's Auxiliary is continually looking for women who can assist, introduce new ideas, and support our current programs. If you have any questions or are interested in joining, please contact Crystal Rose at TX 219-712-4894 or email crystalrose@netnitco.net.

We would love to have you join us!

My hope is that everyone stays safe and healthy in the New Year,

Crystal



Updated Tips for Securing Insurance Coverage for Towing Services



My name is Ryan Leagre and I am an attorney at Plews Shadley Racher & Braun LLP. I represent towing companies in various capacities, including helping them recover the costs of responding to large accidents and navigating statutes and ordinances that regulate the industry.

As the ITWA relaunches its monthly newsletter, I thought it would be a good idea to revisit one of my favorite topics: insurance coverage. Back in early 2023, I provided five tips for securing insurance coverage for towing services. Here's a revamped list of those five tips:

Tip #1 – Immediately Collect Insurance Information. There are potentially three types of available coverage for each accident: physical damage, liability, and cargo. You should immediately collect the following information for each type of coverage: (i) insurer's and policyholder's name; (ii) type of coverage; and (iii) policy number. You should also obtain the contact information for the insurance agent. This is in addition to all the other information you usually obtain, such as the driver's name, license #, DOT #, and company contact information. Bonus points if you can get the driver to sign a consent form authorizing you to tow the vehicles.

Tip #2 – Verify Coverage as Soon as Possible. Once you have collected the driver's insurance information, you should verify that the coverage is valid and active. Submit the claim to the insurer and confirm coverage is available. One way to do this for commercial trucking operators is to visit the FMCSA website (at <https://fmsca.dot.gov/SMS/Search/INdex.aspx>) and input their DOT#. Then click on the "Licensing and Insurance" link, which eventually takes you to a page that provides information on the company's active insurance.

Tip #3 – Properly Itemize and Describe Your Services. Make sure your invoices are properly itemized, showing how the charges were calculated and the applicable rate. You should also submit a narrative describing the services you provided and explaining why each piece of equipment was needed. Take lots of pictures—before, during, and after the work is done.

Tip #4 – Send Notices to Owners and Lienholders. You are required under I.C. 9-22-1-19 to conduct a search to ascertain the name of the owner and lienholders of vehicles within 3 days of towing the vehicle, and then to mail a notice to those individuals by certified mail within 3 days of obtaining their name. If you do not do this, they will challenge your ability to recover storage costs. Keep copies of your search results and notices and save them with your other documentation related to that job.

Tip #5 – Be Willing to Initiate Legal Action. Some insurers will deny coverage without a basis, refuse to respond, or make low-ball settlement offers. If initial negotiations are unsuccessful, you should consider recording a Title 32 Lien (see September 2022 article) or filing a lawsuit. This often moves the claim to different adjusters who are more mindful of the risks of litigation.

If you have any questions about insurance coverage or other legal matters related to the towing industry, please send me an email (rleagre@psrb.com) or give me a call (317-637-0700).

The information contained in this article is provided for information purposes only and should not be construed as legal advice on any subject matter.



DOT UPDATE FROM ISP MASTER TROOPER BRENT HOOVER



My name is Brent Hoover. I am a Master Trooper with the Indiana State Police. October marked my 21st 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 as well as Size and Weight enforcement 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, Passenger Vehicle Inspections, Performance Base Brake Test and Portable Scale Service Tech.

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 am a Certified Master Instructor through the National Training Center. 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.

With the New Year, I would like to give some helpful reminders for you all in the towing industry on things that I have come across in 2025.

Things to keep in mind when operating Tow trucks in Indiana:

Trucks must have Signage and Proper Name and DOT Numbers as well as Phone Numbers – 390.21

Drivers must have Proper Licensing and Medical Cards

Proper License Plates

IFTA License

Hours of Service

Proper Emergency Lighting Colors – Amber and White – IC 9-21-7-11

Proper Accent Lighting - Amber Visible to front and Red to rear – IC 9-21-7-10

Light Bars on Towed Vehicles to display Brake, Tail and Turn Lights – 393.9

Proper Load Securement, Front and Rear – 393.128

Each Securement must be adjustable – 393.112

Break Away Chains on Tow bars as well as Secured to Tow Bars – 393.70

Current Annual Inspections – 396.17

Proper Safety Equipment – 393.95

Fire Extinguishers

Triangles

Spare Fuses

Proper Weight on Axles and Gross Weights – IC 9-20-4-1

80K Gross

34K Tandem axles

These are just a few items to think about this year, and I look forward to diving a little deeper into the laws and regulations.

Brent N. Hoover, Master Trooper

Cell: 812-631-8626

Email: bhoover@isp.in.gov

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