Licensing Division
Staff Report for the Towing and Storage Advisory Board
June 9, 2022

Personnel Update

Gabby Machado resigned effective April 30, 2022. We are conducting interviews for replacement.

Statistics

<table>
<thead>
<tr>
<th></th>
<th>New</th>
<th>Renewed</th>
<th>Online Renewal</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tow Trucks</td>
<td>3389</td>
<td>7177</td>
<td>99%</td>
<td>11573</td>
</tr>
<tr>
<td>FY 2022 (1st Qtr)</td>
<td>928</td>
<td>1880</td>
<td>98%</td>
<td>11709</td>
</tr>
<tr>
<td>FY 2022 (2nd Qtr)</td>
<td>854</td>
<td>2334</td>
<td>96%</td>
<td>11797</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>New</th>
<th>New % Online</th>
<th>Renewed</th>
<th>Online Renewal</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tow Companies</td>
<td>997</td>
<td>93%</td>
<td>6798</td>
<td>94%</td>
<td>4339</td>
</tr>
<tr>
<td>FY 2021</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY 2022 (1st Qtr)</td>
<td>309</td>
<td>94%</td>
<td>1685</td>
<td>93%</td>
<td>4397</td>
</tr>
<tr>
<td>FY 2022 (2nd Qtr)</td>
<td>315</td>
<td>94%</td>
<td>1944</td>
<td>95%</td>
<td>4432</td>
</tr>
</tbody>
</table>

Active Tow Company and Tow Truck Population Numbers by Type of Towing

<table>
<thead>
<tr>
<th>Type of Towing</th>
<th>Company</th>
<th>Tow Truck</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consent</td>
<td>1873</td>
<td>3603</td>
</tr>
<tr>
<td>Private Property</td>
<td>173</td>
<td>398</td>
</tr>
<tr>
<td>Incident Management</td>
<td>2003</td>
<td>7858</td>
</tr>
<tr>
<td>Total**</td>
<td>3971</td>
<td>11859</td>
</tr>
</tbody>
</table>

**As of 5/24/2022
<table>
<thead>
<tr>
<th>Vehicle Storage Facilities</th>
<th>New</th>
<th>New % Online</th>
<th>Renewed</th>
<th>Renewed % Online</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2021</td>
<td>149</td>
<td>83%</td>
<td>3101</td>
<td>91%</td>
<td>1890</td>
</tr>
<tr>
<td>FY 2022 (1st Qtr)</td>
<td>66</td>
<td>83%</td>
<td>793</td>
<td>90%</td>
<td>1948</td>
</tr>
<tr>
<td>FY 2022 (2nd Qtr)</td>
<td>36</td>
<td>85%</td>
<td>868</td>
<td>90%</td>
<td>2000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tow Operators</th>
<th>New</th>
<th>New % Online</th>
<th>Renewed</th>
<th>Renewed % Online</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY2021</td>
<td>3705</td>
<td>98%</td>
<td>9274</td>
<td>99%</td>
<td>14746</td>
</tr>
<tr>
<td>FY2022 (1st Qtr)</td>
<td>1065</td>
<td>98%</td>
<td>2272</td>
<td>99%</td>
<td>14912</td>
</tr>
<tr>
<td>FY2022 (2nd Qtr)</td>
<td>985</td>
<td>98%</td>
<td>2196</td>
<td>99%</td>
<td>15129</td>
</tr>
<tr>
<td>FY2021 Consent</td>
<td>1646</td>
<td>99%</td>
<td>2473</td>
<td>99%</td>
<td>4902</td>
</tr>
<tr>
<td>FY2022 (1st Qtr)</td>
<td>474</td>
<td>99%</td>
<td>639</td>
<td>99%</td>
<td>4949</td>
</tr>
<tr>
<td>FY2022 (2nd Qtr)</td>
<td>333</td>
<td>99%</td>
<td>601</td>
<td>99%</td>
<td>5100</td>
</tr>
<tr>
<td>FY2021 Private Property</td>
<td>76</td>
<td>97%</td>
<td>191</td>
<td>100%</td>
<td>313</td>
</tr>
<tr>
<td>FY2022 (1st Qtr) Private Property</td>
<td>22</td>
<td>100%</td>
<td>48</td>
<td>100%</td>
<td>313</td>
</tr>
<tr>
<td>FY2022 (2nd Qtr) Private Property</td>
<td>20</td>
<td>95%</td>
<td>39</td>
<td>97%</td>
<td>309</td>
</tr>
<tr>
<td>FY2021 Incident Management</td>
<td>1983</td>
<td>97%</td>
<td>6610</td>
<td>99%</td>
<td>9531</td>
</tr>
<tr>
<td>FY2022 (1st Qtr) Incident Management</td>
<td>569</td>
<td>98%</td>
<td>1585</td>
<td>99%</td>
<td>9650</td>
</tr>
<tr>
<td>FY2022 (2nd Qtr) Incident Management</td>
<td>483</td>
<td>97%</td>
<td>1556</td>
<td>99%</td>
<td>9720</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vehicle Storage Facility Employees</th>
<th>New</th>
<th>New % Online</th>
<th>Renewed</th>
<th>Renewed % Online</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY2021</td>
<td>725</td>
<td>99%</td>
<td>1667</td>
<td>99%</td>
<td>2537</td>
</tr>
<tr>
<td>FY2022 (1st Qtr)</td>
<td>222</td>
<td>99%</td>
<td>373</td>
<td>99%</td>
<td>2589</td>
</tr>
<tr>
<td>FY2022 (2nd Qtr)</td>
<td>215</td>
<td>99%</td>
<td>403</td>
<td>99%</td>
<td>2668</td>
</tr>
</tbody>
</table>
## Current Projects
Tow and VSF email counts

**FY 2022**

<table>
<thead>
<tr>
<th>Month</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>September</td>
<td>267</td>
</tr>
<tr>
<td>October</td>
<td>275</td>
</tr>
<tr>
<td>November</td>
<td>190</td>
</tr>
<tr>
<td>December</td>
<td>199</td>
</tr>
<tr>
<td>January</td>
<td>205</td>
</tr>
<tr>
<td>February</td>
<td>173</td>
</tr>
<tr>
<td>March</td>
<td>252</td>
</tr>
<tr>
<td>April</td>
<td>244</td>
</tr>
<tr>
<td>May*</td>
<td>131</td>
</tr>
<tr>
<td>Total</td>
<td>1,936</td>
</tr>
</tbody>
</table>

*As of May 23, 2022
Customer Service Division
Staff Report for the Towing and Storage Advisory Board
June 9, 2022

Personnel Update

The Customer Service Division has hired two Customer Service Representatives (CSR) IIIs who began their onboard training on May 2nd. There is currently a job posting for an additional Customer Service Manager and for three CSR IVs.
Personnel Updates:

- Karen Cox retired January 31, 2022, after 17 years with TDLR and over 30 years working in State Government which include stints at the Texas Workforce Commission, Texas Department of Transportation, and the Texas Railroad Commission. She was promoted to Senior Prosecutor in, January 1, 2019, where she helped oversee and mentor attorneys within the Enforcement Division. She also helped develop and facilitate our expert witness training program utilized by the Health Professions Program. She will be greatly missed, but we wish her well in her retirement.

- On February 15, 2022, Robert Nino was promoted to the Investigations Team Lead Supervisor position for the South Region. Robert has worked for TDLR for over 14 years with vast knowledge and experience on case investigations, sting operations and working on very complex cases. Robert also assisted in the training and mentoring on newly hired investigators. Robert has had nearly 38 years of experience as an investigator and auditor with both federal and state government, as well as private industry.

- On May 1, 2022, Jessica Hurtado was promoted to Senior Prosecutor. Jessica has been with TDLR for over 4 years and has experience with a number of our programs including all the Health Related Programs, Transportation Programs, and most recently with our Criminal History Evaluation Team. Prior to joining TDLR, she spent time with the Texas Ethics Commission, Texas Workforce Commission, as well as some time in private practice.

- On May 15, 2022, Jack Phillips was promoted to the Investigations Team Lead Supervisor position for the North Region. Jack has worked for TDLR for over 7 years, previously serving as an Inspector. Jack has served Texans for over 28 years, including working for the Attorney General’s and Texas Department of Criminal Justice. Jack is also a proud United States Veteran, serving 6 years in the United States Army and as a Reserve in the Texas National Guard as both a Combat Engineer and a Legal Specialist.
Statistics Fiscal Year 2022:

Shown below are the Complaints Received, Enforcement Performance Measures, and Key Statistics for the Towing (TOW) and the Vehicle Storage Facility (VSF) programs and for all TDLR programs combined through March of Fiscal Year 2022:

Complaints Received by Source

<table>
<thead>
<tr>
<th>Source</th>
<th>TOW</th>
<th>VSF</th>
<th>TDLR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consumer</td>
<td>1,585</td>
<td>483</td>
<td>7,727</td>
</tr>
<tr>
<td>Criminal History</td>
<td>904</td>
<td>143</td>
<td>10,374</td>
</tr>
<tr>
<td>Departmental</td>
<td>21</td>
<td>209</td>
<td>1,348</td>
</tr>
<tr>
<td>Total Complaints Received</td>
<td>2,510</td>
<td>835</td>
<td>19,449</td>
</tr>
</tbody>
</table>

Key Statistic

<table>
<thead>
<tr>
<th>Statistic</th>
<th>TOW</th>
<th>VSF</th>
<th>TDLR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases opened</td>
<td>658</td>
<td>401</td>
<td>6,473</td>
</tr>
<tr>
<td>Cases closed</td>
<td>811</td>
<td>374</td>
<td>6,457</td>
</tr>
<tr>
<td>Average time to close (days)</td>
<td>265.07</td>
<td>312.78</td>
<td>216.96</td>
</tr>
<tr>
<td>% of cases resolved within 6 months</td>
<td>39.83%</td>
<td>34.49%</td>
<td>57.29%</td>
</tr>
<tr>
<td>% of cases resulting in disciplinary action</td>
<td>6.41%</td>
<td>11.23%</td>
<td>10.67%</td>
</tr>
<tr>
<td>Cases pending at end of March 2022</td>
<td>779</td>
<td>492</td>
<td>6,646</td>
</tr>
</tbody>
</table>

Source of cases opened through March of Fiscal Year 2022

Case Outcomes

<table>
<thead>
<tr>
<th>Outcome</th>
<th>TOW</th>
<th>VSF</th>
<th>TDLR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commission Orders</td>
<td>4</td>
<td>0</td>
<td>14</td>
</tr>
<tr>
<td>Default Orders</td>
<td>20</td>
<td>10</td>
<td>201</td>
</tr>
<tr>
<td>Agreed Orders</td>
<td>40</td>
<td>42</td>
<td>408</td>
</tr>
<tr>
<td>Penalties Assessed</td>
<td>$71,700.00</td>
<td>$61,550.00</td>
<td>$1,472,575.00</td>
</tr>
<tr>
<td>Penalties Collected</td>
<td>$30,825.00</td>
<td>$35,525.00</td>
<td>$833,384.00</td>
</tr>
<tr>
<td>Average Penalty Assessed on Orders</td>
<td>$1,120.31</td>
<td>$1,183.65</td>
<td>$2,363.68</td>
</tr>
<tr>
<td>Licenses Revoked (Disciplinary)</td>
<td>2</td>
<td>3</td>
<td>33</td>
</tr>
<tr>
<td>Licenses Suspended</td>
<td>2</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Licenses Denied/Revoked (Criminal History)</td>
<td>8</td>
<td>0</td>
<td>106</td>
</tr>
<tr>
<td>Cease &amp; Desist Orders</td>
<td>0</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td>Informally Resolved*</td>
<td>745</td>
<td>320</td>
<td>5,768</td>
</tr>
</tbody>
</table>
**Informally Resolved break down**

<table>
<thead>
<tr>
<th>Category</th>
<th>TOW</th>
<th>VSF</th>
<th>TDLR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insufficient Evidence</td>
<td>335</td>
<td>122</td>
<td>1,985</td>
</tr>
<tr>
<td>Percentage of cases closed for Insufficient Evidence</td>
<td>41.31%</td>
<td>32.62%</td>
<td>30.74%</td>
</tr>
<tr>
<td>Warning Letter</td>
<td>149</td>
<td>169</td>
<td>1,684</td>
</tr>
<tr>
<td>Complaint Withdrawn</td>
<td>14</td>
<td>3</td>
<td>66</td>
</tr>
<tr>
<td>Informally Resolved</td>
<td>18</td>
<td>10</td>
<td>241</td>
</tr>
<tr>
<td>OTHER (CH Evaluations, reviews Applications/Renewals, Business closed, etc.)</td>
<td>229</td>
<td>16</td>
<td>1,792</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>745</td>
<td>320</td>
<td>5,768</td>
</tr>
</tbody>
</table>

---

**Top TOW Alleged Violations at Opening through March of Fiscal Year 2022**

<table>
<thead>
<tr>
<th>Alleged Violation</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Without authority illegal tow</td>
<td>291</td>
</tr>
<tr>
<td>Criminal History</td>
<td>183</td>
</tr>
<tr>
<td>Towed without proper signage</td>
<td>49</td>
</tr>
<tr>
<td>Charged more than allowed for tow</td>
<td>45</td>
</tr>
<tr>
<td>No tow company license</td>
<td>24</td>
</tr>
<tr>
<td>Failed to have proper information on ticket</td>
<td>20</td>
</tr>
<tr>
<td>Lacks honesty, trustworthiness, and integrity</td>
<td>18</td>
</tr>
<tr>
<td>Did not tow in safe or competent manner</td>
<td>11</td>
</tr>
<tr>
<td>Did not provide complete list of fees</td>
<td>11</td>
</tr>
<tr>
<td>Private Property Tow failed to offer to drop vehicle</td>
<td>10</td>
</tr>
<tr>
<td>Failed to issue ticket</td>
<td>10</td>
</tr>
<tr>
<td>Ticket missing name and license number of operator</td>
<td>10</td>
</tr>
</tbody>
</table>

---

**Top TOW Violations Resulting in Disciplinary Action through March Fiscal Year 2022**

<table>
<thead>
<tr>
<th>Violation</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Without authority or illegal tow</td>
<td>12</td>
</tr>
<tr>
<td>Charged more than allowed for tow</td>
<td>7</td>
</tr>
<tr>
<td>Criminal History</td>
<td>7</td>
</tr>
<tr>
<td>Towed without proper signage</td>
<td>7</td>
</tr>
<tr>
<td>Lacks honesty, trustworthiness, and integrity</td>
<td>5</td>
</tr>
<tr>
<td>Failed to cooperate with Department</td>
<td>4</td>
</tr>
<tr>
<td>Failed to maintain insurance</td>
<td>3</td>
</tr>
<tr>
<td>Failed to provide notice of rights</td>
<td>3</td>
</tr>
<tr>
<td>No tow operator license</td>
<td>3</td>
</tr>
<tr>
<td>Failed charge identical to fee structure</td>
<td>3</td>
</tr>
</tbody>
</table>
Top 10 VSF Alleged Violations at Opening through March Fiscal Year 2022

<table>
<thead>
<tr>
<th>Alleged Violation</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failed to timely send or publish notice</td>
<td>84</td>
</tr>
<tr>
<td>Did not establish or follow drug policy</td>
<td>81</td>
</tr>
<tr>
<td>Did not maintain required records for 2-years</td>
<td>66</td>
</tr>
<tr>
<td>Failed to secure to prevent theft</td>
<td>49</td>
</tr>
<tr>
<td>Facility not completely enclosed by 6-foot fence</td>
<td>40</td>
</tr>
<tr>
<td>Charged unauthorized fee</td>
<td>31</td>
</tr>
<tr>
<td>Required information not on invoice or receipt</td>
<td>31</td>
</tr>
<tr>
<td>Failed to release with proper documents and money</td>
<td>30</td>
</tr>
<tr>
<td>Failed to include required information on notice</td>
<td>28</td>
</tr>
<tr>
<td>Vehicle not available for release</td>
<td>28</td>
</tr>
</tbody>
</table>

Top VSF Violations Resulting in Disciplinary Action through March Fiscal Year 2022

<table>
<thead>
<tr>
<th>Violation</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failed to timely send or publish notice</td>
<td>12</td>
</tr>
<tr>
<td>Unlicensed Company</td>
<td>6</td>
</tr>
<tr>
<td>Charged impound without services or date</td>
<td>5</td>
</tr>
<tr>
<td>Did not cooperate with Department inspection</td>
<td>4</td>
</tr>
<tr>
<td>Owner could not get identification documents from car</td>
<td>3</td>
</tr>
<tr>
<td>Lacks honesty, trustworthiness, and integrity</td>
<td>3</td>
</tr>
<tr>
<td>Charged unauthorized fee</td>
<td>3</td>
</tr>
<tr>
<td>Failed to include required information on notice</td>
<td>3</td>
</tr>
<tr>
<td>Did not establish or follow drug policy</td>
<td>2</td>
</tr>
<tr>
<td>Did not accept cash, debit, and credit</td>
<td>2</td>
</tr>
<tr>
<td>Insurance violations</td>
<td>2</td>
</tr>
<tr>
<td>Failed to provide tow ticket</td>
<td>2</td>
</tr>
<tr>
<td>Overcharged for daily storage</td>
<td>2</td>
</tr>
<tr>
<td>Owner could not get personal items from car</td>
<td>2</td>
</tr>
</tbody>
</table>

Statistics Fiscal Year 2021:

Shown below are the Complaints Received, Enforcement Performance Measures, and Key Statistics for the Towing (TOW) and the Vehicle Storage Facility (VSF) programs and for all TDLR programs combined for **Fiscal Year 2021**:

<table>
<thead>
<tr>
<th>Complaints Received by Source</th>
<th>TOW</th>
<th>VSF</th>
<th>TDLR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consumer</td>
<td>2,204</td>
<td>819</td>
<td>12,463</td>
</tr>
<tr>
<td>Criminal History</td>
<td>1,358</td>
<td>134</td>
<td>18,896</td>
</tr>
<tr>
<td>Departmental</td>
<td>25</td>
<td>143</td>
<td>1,296</td>
</tr>
<tr>
<td>Total Complaints Received</td>
<td>3,587</td>
<td>1,096</td>
<td>32,655</td>
</tr>
</tbody>
</table>

Enforcement Division
Key Statistic

<table>
<thead>
<tr>
<th></th>
<th>TOW</th>
<th>VSF</th>
<th>TDLR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases opened</td>
<td>1,213</td>
<td>492</td>
<td>10,121</td>
</tr>
<tr>
<td>Cases closed</td>
<td>1,105</td>
<td>446</td>
<td>9,335</td>
</tr>
<tr>
<td>Average time to close (days)</td>
<td>285.03</td>
<td>344.05</td>
<td>209.86</td>
</tr>
<tr>
<td>% of cases resolved within 6 months</td>
<td>43.98%</td>
<td>30.94%</td>
<td>60.00%</td>
</tr>
<tr>
<td>% of cases resulting in disciplinary action</td>
<td>6.97%</td>
<td>11.88%</td>
<td>13.41%</td>
</tr>
<tr>
<td>Cases pending at end of FY2021</td>
<td>933</td>
<td>465</td>
<td>6,627</td>
</tr>
</tbody>
</table>

Source of cases opened for Fiscal Year 2021

Case Outcomes

<table>
<thead>
<tr>
<th></th>
<th>TOW</th>
<th>VSF</th>
<th>TDLR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commission Orders</td>
<td>10</td>
<td>3</td>
<td>44</td>
</tr>
<tr>
<td>Default Orders</td>
<td>36</td>
<td>10</td>
<td>455</td>
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<tr>
<td>Agreed Orders</td>
<td>67</td>
<td>48</td>
<td>711</td>
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<tr>
<td>Penalties Assessed</td>
<td>$133,125.00</td>
<td>$128,900.00</td>
<td>$2,570,716.00</td>
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<tr>
<td>Penalties Collected</td>
<td>$68,275.00</td>
<td>$82,225.00</td>
<td>$1,140,068.95</td>
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<tr>
<td>Average Penalty Assessed on Orders</td>
<td>$1,178.10</td>
<td>$2,113.11</td>
<td>$2,124.56</td>
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<tr>
<td>Licenses Revoked (Disciplinary)</td>
<td>8</td>
<td>10</td>
<td>103</td>
</tr>
<tr>
<td>Licenses Suspended</td>
<td>2</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Licenses Denied/Revoked (Criminal History)</td>
<td>19</td>
<td>2</td>
<td>240</td>
</tr>
<tr>
<td>Cease &amp; Desist Orders</td>
<td>0</td>
<td>0</td>
<td>19</td>
</tr>
<tr>
<td>Informally Resolved**</td>
<td>986</td>
<td>384</td>
<td>7,976</td>
</tr>
</tbody>
</table>

**Informally Resolved break down

<table>
<thead>
<tr>
<th></th>
<th>TOW</th>
<th>VSF</th>
<th>TDLR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insufficient Evidence</td>
<td>511</td>
<td>197</td>
<td>2,765</td>
</tr>
<tr>
<td>Percentage of cases closed for Insufficient Evidence</td>
<td>46.24%</td>
<td>44.17%</td>
<td>29.62%</td>
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<tr>
<td>Warning Letter</td>
<td>105</td>
<td>148</td>
<td>1,768</td>
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<tr>
<td>Complaint Withdrawn</td>
<td>14</td>
<td>3</td>
<td>132</td>
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<tr>
<td>Informally Resolved</td>
<td>33</td>
<td>6</td>
<td>404</td>
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<tr>
<td>OTHER (CH Evaluations, reviews Applications/Renewals, Business closed, etc.)</td>
<td>323</td>
<td>30</td>
<td>2,907</td>
</tr>
<tr>
<td>**TOTAL</td>
<td>986</td>
<td>384</td>
<td>7,976</td>
</tr>
</tbody>
</table>
## Top TOW Alleged Violations at Opening for Fiscal Year 2021

<table>
<thead>
<tr>
<th>Alleged Violation</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Towed without authority or illegal tow</td>
<td>486</td>
</tr>
<tr>
<td>Criminal History</td>
<td>320</td>
</tr>
<tr>
<td>Charged more than allowed for tow</td>
<td>102</td>
</tr>
<tr>
<td>Towed without proper signage</td>
<td>96</td>
</tr>
<tr>
<td>Lacks honesty, trustworthiness, and integrity</td>
<td>59</td>
</tr>
<tr>
<td>Did not tow in safe or competent manner</td>
<td>43</td>
</tr>
<tr>
<td>No tow company license</td>
<td>30</td>
</tr>
<tr>
<td>Failed to issue ticket</td>
<td>25</td>
</tr>
<tr>
<td>Failed to take to licensed Vehicle Storage Facility</td>
<td>20</td>
</tr>
<tr>
<td>Failed to offer to drop vehicle</td>
<td>19</td>
</tr>
<tr>
<td>Expired tow company license</td>
<td>19</td>
</tr>
<tr>
<td>Failed to have proper information on ticket</td>
<td>19</td>
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</table>

## Top TOW Violations Resulting in Disciplinary Action for Fiscal Year 2021

<table>
<thead>
<tr>
<th>Violation</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charged more than allowed for tow</td>
<td>15</td>
</tr>
<tr>
<td>Without authority or illegal tow</td>
<td>15</td>
</tr>
<tr>
<td>Criminal History</td>
<td>14</td>
</tr>
<tr>
<td>Employed unlicensed person</td>
<td>9</td>
</tr>
<tr>
<td>Lacks honesty, trustworthiness, and integrity</td>
<td>7</td>
</tr>
<tr>
<td>No tow operator license</td>
<td>7</td>
</tr>
<tr>
<td>No tow company license</td>
<td>6</td>
</tr>
<tr>
<td>Failed to comply with an order</td>
<td>5</td>
</tr>
<tr>
<td>Towed without proper signage</td>
<td>4</td>
</tr>
<tr>
<td>Charges not related to tow</td>
<td>3</td>
</tr>
<tr>
<td>Failed to issue ticket</td>
<td>3</td>
</tr>
<tr>
<td>Failed to take to licensed Vehicle Storage Facility</td>
<td>3</td>
</tr>
<tr>
<td>Failed to have each truck permitted</td>
<td>3</td>
</tr>
</tbody>
</table>
Top 10 VSF Alleged Violations at Opening
for Fiscal Year 2021

<table>
<thead>
<tr>
<th>Alleged Violation</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failed to timely send or publish notice</td>
<td>83</td>
</tr>
<tr>
<td>Charged unauthorized fee</td>
<td>57</td>
</tr>
<tr>
<td>Vehicle not available for release</td>
<td>44</td>
</tr>
<tr>
<td>Failed to release with proper documents and money</td>
<td>44</td>
</tr>
<tr>
<td>Charged impound without services or date</td>
<td>38</td>
</tr>
<tr>
<td>Failed to maintain required records for 2 years</td>
<td>36</td>
</tr>
<tr>
<td>Failed to include required information on notice</td>
<td>35</td>
</tr>
<tr>
<td>Did not accept cash, debit, or credit cards</td>
<td>35</td>
</tr>
<tr>
<td>Unlicensed company</td>
<td>33</td>
</tr>
<tr>
<td>Overcharged for daily storage</td>
<td>26</td>
</tr>
</tbody>
</table>

Top VSF Violations Resulting in Disciplinary Action
for Fiscal Year 2021

<table>
<thead>
<tr>
<th>Violation</th>
<th>Count</th>
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</thead>
<tbody>
<tr>
<td>Charged impound without services or date</td>
<td>12</td>
</tr>
<tr>
<td>Failed to include required information on notice</td>
<td>11</td>
</tr>
<tr>
<td>Lacks honesty, trustworthiness, and integrity</td>
<td>7</td>
</tr>
<tr>
<td>Failed to timely send or publish notice</td>
<td>7</td>
</tr>
<tr>
<td>Failed to maintain required records for 2 years</td>
<td>7</td>
</tr>
<tr>
<td>Unlicensed company</td>
<td>4</td>
</tr>
<tr>
<td>Did not cooperate with Department Inspector</td>
<td>4</td>
</tr>
<tr>
<td>Charged unauthorized fee</td>
<td>4</td>
</tr>
<tr>
<td>Did not establish or follow drug policy</td>
<td>3</td>
</tr>
<tr>
<td>Overcharged for daily storage</td>
<td>3</td>
</tr>
<tr>
<td>Nonconsent tow ticket incomplete</td>
<td>3</td>
</tr>
<tr>
<td>Vehicle not available for release</td>
<td>3</td>
</tr>
<tr>
<td>Failed to secure vehicle to prevent theft</td>
<td>3</td>
</tr>
</tbody>
</table>

Case Highlights:

- **Grizzly Recovery, LLC - TOW20210003198, TOW20210005804, TOW20210006546, and VSF20210013418**

A Default Order was issued on February 24, 2022. Respondent was assessed a $7,000 administrative penalty for refusing to drop a vehicle when the vehicle wasn't fully hooked up, performing tows other than allowed by law, performing tow operations without an active insurance policy, and for operating an unlicensed VSF. Respondent has not complied with this Order.
• **Gerardo Chavarria, Jr. - TOW20200008661**

A Default Order was issued on March 3, 2022. Respondent was assessed a $2,000 administrative penalty for performing tow operations while not licensed. Respondent has not complied with this Order.

• **Alaa Eid Yousef d/b/a Express Auto - VSF20200010824**

An Agreed Order was issued on December 14, 2021. Respondent accepted a $3,500 administrative penalty, revocation of their VSF license, and revocation of their personal VSF employee license. This was a flipping case involving Respondent using dishonest conduct to cause a vehicle owner to sign documents which caused the vehicle to be transferred from Respondent’s regulated VSF to an unregulated body shop. Respondent has complied with this Order.

• **Robert Alvarado d/b/a A &A Repair - VSF20200015831 and VSF20210008820**

An Agreed Order was issued on December 14, 2021. Respondent accepted a $1,125 administrative penalty for failing to separate the tow fees from storage fees and for failing to identify the categories of the charges. Respondent has complied with this Order.

• **Jenny L. Woodward d/b/a 24/7 Hr Day & Night Garage & Wrecker Service - VSF20200008851**

An Agreed Order was issued on March 31, 2022. Respondent accepted a $1,650 administrative penalty for performing VSF operations while their VSF license was expired and for failing to have an active insurance policy for their VSF. Respondent has complied with this Order.
Field Inspections Division
Staff Report for the Towing and Storage Facility Advisory Board
June 9, 2022

Personnel Updates
North Region Manager Ron Gericke separated from the agency effective March 15, 2022, to enjoy retirement. We wish him luck and thank him for his many years of service to the people of Texas!

On April 1, 2022, Leo Talens joined TDLR as an inspector in the East Region. Welcome Leo!

Current Projects
In September 2021, the new Field Inspections Director was made aware of an outstanding internal audit finding related to timely inspection of Vehicle Storage Facilities. As a result, he directed the division to begin work to clear 559 backlogged inspections from Fiscal Years 2018 through 2021. As of April 5, the Field Inspections division has eliminated all backlogged VSF inspections through the end of FY 2021.

Statistics

<table>
<thead>
<tr>
<th>Vehicle Storage Facility Inspections (Year to Date)</th>
<th>FY 2021</th>
<th>FY 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>September</td>
<td>30</td>
<td>177</td>
</tr>
<tr>
<td>October</td>
<td>58</td>
<td>287</td>
</tr>
<tr>
<td>November</td>
<td>41</td>
<td>151</td>
</tr>
<tr>
<td>Quarter 1</td>
<td>129</td>
<td>615</td>
</tr>
<tr>
<td>December</td>
<td>58</td>
<td>158</td>
</tr>
<tr>
<td>January</td>
<td>81</td>
<td>139</td>
</tr>
<tr>
<td>February</td>
<td>37</td>
<td>147</td>
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<tr>
<td>Quarter 2</td>
<td>176</td>
<td>444</td>
</tr>
<tr>
<td>March</td>
<td>91</td>
<td>131</td>
</tr>
<tr>
<td>April</td>
<td>87</td>
<td>65</td>
</tr>
<tr>
<td>May</td>
<td></td>
<td></td>
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<tr>
<td>Quarter 3</td>
<td></td>
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</tr>
<tr>
<td>June</td>
<td></td>
<td></td>
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<tr>
<td>July</td>
<td></td>
<td></td>
</tr>
<tr>
<td>August</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quarter 4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Year-to-Date/Year End</td>
<td>483</td>
<td>1,255</td>
</tr>
</tbody>
</table>
REGULATORY PROGRAM MANAGEMENT
Staff Report for the Towing and Storage Advisory Board
June 9, 2022

Statistics

January 1st, 2022 to May 1st 2022, RPM received around 1,100 contacts. Contacts include industry contact seeking guidance on towing and VSF laws and rules, citizens with questions on towing and VSF laws and rules, and other industries seeking guidance from TDLR.

RPM is also continuing to monitor the web traffic to the industry compliance section of the towing and VSF website. When the pages went active in August 2019, the industry compliance section totaled around 1% of web traffic to the towing and VSF web pages. In the months since we have seen the industry compliance section climb to around 6% of traffic on the towing and VSF web pages.

Current Projects

RPM is continuing its analytic process to better monitor, review, and answer questions that come to the department, either directly or through internal channels. The program assists RPM in determining common issues as they arise to create better, more specific training for the industry and internally to TDLR staff. RPM hopes the process will help us better understand the needs of the industry, and the ability to provide consistent answers to questions.

RPM, along with the web development team is monitoring traffic to the TDLR website to attempt to determine the areas most visited. This information, along with the new web-site compliance section, will allow RPM to further determine the areas most visited so we determine the greatest need for trainings.

RPM is continuing to work with General Counsel and other department in the agency to implement changes to statute due to update rules to remove redundancies and for overall program improvement, including the towing and VSF forms.

RPM is continuing to implement Sunset Recommendations from the report issued June 2021 for the 87th Legislative Session.

- Development of data driven analytics for programs and risk-based modeling has been a focus within RPM.
- RPM has instituted a data collection system for consumer and licensee inquiries to improve TDLR’s customer service experience and Outreach.
- Tow and VSF analytics will continue to be developed and reviewed for process improvements as data is assembled.
Outreach

RPM has initiated an internet-based training due to limitations on in person contact and travel during the pandemic. The trainings take place over zoom and cover updates to the laws and rules and provide a platform for the industry to ask questions. A larger training is conducted once a month and generally has around 20 members of the industry from across the state. RPM is also offering the training to small groups or individual companies upon request and has conducted several of these covering specific questions they have and covering the laws and rules.
EDUCATION AND EXAMINATION DIVISION
Staff Report for the Towing and Storage Advisory Board
June 9, 2022

Statistics

### Tow Operators Continuing Education

(As of April 30, 2022)

<table>
<thead>
<tr>
<th></th>
<th>SEP</th>
<th>OCT</th>
<th>NOV</th>
<th>Q1</th>
<th>DEC</th>
<th>JAN</th>
<th>FEB</th>
<th>Q2</th>
<th>MAR</th>
<th>APR</th>
<th>MAY</th>
<th>Q3</th>
<th>JUN</th>
<th>JUL</th>
<th>AUG</th>
<th>Q4</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2022</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total New Course Approvals Issued</td>
<td>9</td>
<td>2</td>
<td>2</td>
<td>13</td>
<td>6</td>
<td>3</td>
<td>8</td>
<td>17</td>
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<td>11</td>
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<td>-</td>
<td>41</td>
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<tr>
<td>Total Course Count (end of month)</td>
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<td>60</td>
<td>61</td>
<td>61</td>
<td>66</td>
<td>61</td>
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<td></td>
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<td>Total New Course Approvals Issued</td>
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<td>2</td>
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<td>18</td>
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<td>Total Course Count (end of month)</td>
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<td>57</td>
<td>54</td>
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</table>

### Tow IM/PP Training Program Curriculum FY 2022

(As of April 30, 2022)

<table>
<thead>
<tr>
<th></th>
<th>SEP</th>
<th>OCT</th>
<th>NOV</th>
<th>Q1</th>
<th>DEC</th>
<th>JAN</th>
<th>FEB</th>
<th>Q2</th>
<th>MAR</th>
<th>APR</th>
<th>MAY</th>
<th>Q3</th>
<th>JUN</th>
<th>JUL</th>
<th>AUG</th>
<th>Q4</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2022</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Total New Curriculum Approvals Issued</td>
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<tr>
<td>Total Curriculum Count (end of month)</td>
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<td>FY 2021</td>
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<tr>
<td>Total Curriculum Count (end of month)</td>
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## CE Monthly Invoices
(As of March 31, 2022)

<table>
<thead>
<tr>
<th>FY 2022</th>
<th>SEP</th>
<th>OCT</th>
<th>NOV</th>
<th>Q1</th>
<th>DEC</th>
<th>JAN</th>
<th>FEB</th>
<th>Q2</th>
<th>MAR</th>
<th>APR</th>
<th>MAY</th>
<th>Q3</th>
<th>JUN</th>
<th>JUL</th>
<th>AUG</th>
<th>Q4</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>CE Invoices Mailed</td>
<td>25</td>
<td>23</td>
<td>27</td>
<td>75</td>
<td>26</td>
<td>27</td>
<td>26</td>
<td>79</td>
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<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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<td>180</td>
</tr>
<tr>
<td>CE Invoices Fees to be Collected</td>
<td>$3,720</td>
<td>$4,275</td>
<td>$3,890</td>
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<td>$3,555</td>
<td>$4,415</td>
<td>$3,295</td>
<td>$11,265</td>
<td>$3,825</td>
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<td>$26,975</td>
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</tbody>
</table>