

Licensing Division

Staff Report for Board the Towing and Storage Advisory Board September 13, 2023

Statistics

Tow Truck	New	New % Online	Renewed	Online Renewal	Population
FY 2022	3500	98%	7658	95%	12038
FY 2023 (1 st Qtr)	804	94%	2103	93%	12092
FY 2023 (2 nd Qtr)	811	94%	2411	95%	12083
FY 2023 (3 rd Qtr)	945	94%	2039	95%	12298

Tow Companies	New	New % Online	Renewed	Online Renewal	Population
FY 2022	1176	93%	6964	94%	4439
FY 2023 (1 st Qtr)	273	94%	1700	93%	4411
FY 2023 (2 nd Qtr)	257	94%	1967	95%	4390
FY 2023 (3 rd Qtr)	314	94%	1886	95%	4409

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

Type of Towing	Company	Tow Truck
Consent	1901	3764
Private Property	170	406
Incident Management	1962	8145
Total**	3952	12315

**As of 08/28/2023

Vehicle Storage Facilities	New	New % Online	Renewed	Renewed % Online	Population
FY 2022	175	83%	3245	91%	1985
FY 2023 (1 st Qtr)	36	83%	827	90%	1983
FY 2023 (2 nd Qtr)	33	85%	834	90%	1967
FY 2023 (3 rd Qtr)	38	85%	771	90%	1979

Tow Operators	New	New % Online	Renewed	Renewed % Online	Population
FY2022	3894	98%	9396	99%	15256
FY2023 (1 st Qtr)	879	98%	2323	99%	15149
FY2022 (2 nd Qtr)	994	98%	2300	99%	15364
FY2022 (3rd Qtr)	959	98%	2073	99%	15456
FY2022 Consent	1773	99%	2505	99%	5159
FY2023 (1 st Qtr)	373	99%	626	99%	5068
FY2023 (2 nd Qtr)	477	99%	657	99%	516
FY2023 (3rd Qtr)	477	99%	593	99%	5260
FY2022 Private Property	81	97%	185	99%	318
FY2023 (1 st Qtr) Private Property	30	100%	53	100%	327
FY2023 (2 nd Qtr) Private Property	17	95%	38	97%	324
FY2023 (3rd Qtr) Private Property	21	95%	37	97%	324
FY2022 Incident Management	2040	97%	6706	99%	9779
FY2023 (1 st Qtr) Incident Management	476	98%	1644	99%	9754
FY2023 (2nd Qtr) Incident Management	500	97%	1605	99%	9871
FY2023(3rd Qtr) Incident Management	461	97%	1443	99%	9872

Vehicle Storage Facility Employees	New	New % Online	Renewed	Renewed % Online	Population
FY2022	899	99%	1668	99%	2737
FY2023 (1 st Qtr)	170	99%	378	99%	2672
FY2023 (2 nd Qtr)	207	99%	411	99%	2681
FY2023 (3 rd Qtr)	158	99%	365	99%	2603

Current Projects

Tow and VSF Email counts

FY23	Emails
Sep	198
Oct	223
Nov	198
Dec	236
Jan	433
Feb	498
Mar	548
Apr	375
May	422
Jun	519
July	494

EDUCATION AND EXAMINATION DIVISION

Staff Report for Towing and Storage Advisory Board

September 13, 2023

Statistics

Tow Operators Continuing Education

(As of July 31, 2023)

FY 2023	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	Total
Total New Course Approvals Issued	2	4	0	6	7	8	4	19	6	4	2	12	5	7	-	12	49
Total Course Count (end of month)	55	55	55	55	62	62	60	60	54	56	54	54	52	57	-	57	57
FY 2022	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	Total
Total New Course Approvals Issued	9	2	2	13	6	3	8	17	7	4	4	15	5	5	5	15	60
Total Course Count (end of month)	62	60	61	61	66	61	59	59	56	59	60	60	58	59	61	61	61

Tow IM/PP Training Program Curriculum

(As of July 31, 2023)

FY 2023	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	Total
Total New Curriculum Approvals Issued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-	0	0
Total Curriculum Count (end of month)	8	8	8	8	8	8	8	8	8	8	8	8	8	8	-	8	8
FY 2022	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	Total
Total New Curriculum Approvals Issued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Curriculum Count (end of month)	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8

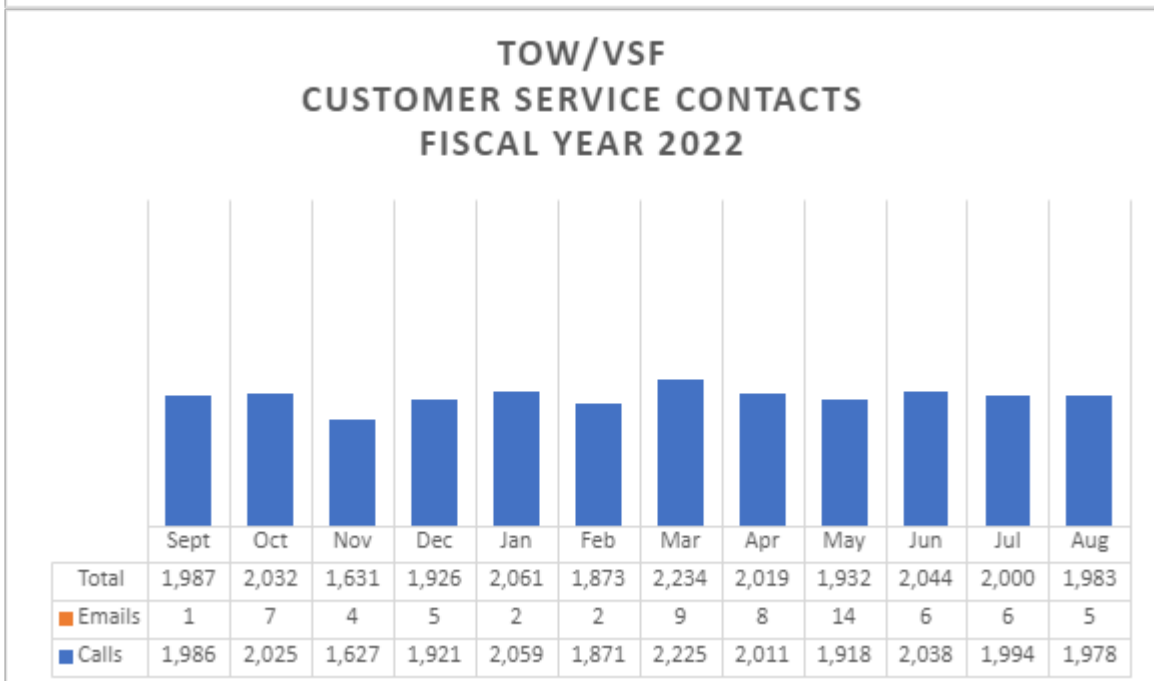
CE Monthly Invoices
(As of July 31, 2023)

FY 2023	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	Total
CE Invoices Mailed	28	28	25	81	23	26	24	73	28	25	22	75	25	22	-	47	276
CE Invoices Fees to be Collected	\$3,955	\$4,220	\$3,780	\$11,955	\$3,850	\$4,205	\$3,840	\$11,895	\$4,160	\$3,020	\$3,825	\$11,005	\$4,040	\$5,230	-	\$9,270	\$44,125

CUSTOMER SERVICE DIVISION

Staff Report for the Towing and Storage Advisory Board
September 13, 2023

Statistics



Enforcement Division

Staff Report for the Towing and Storage Advisory Board

September 13, 2023

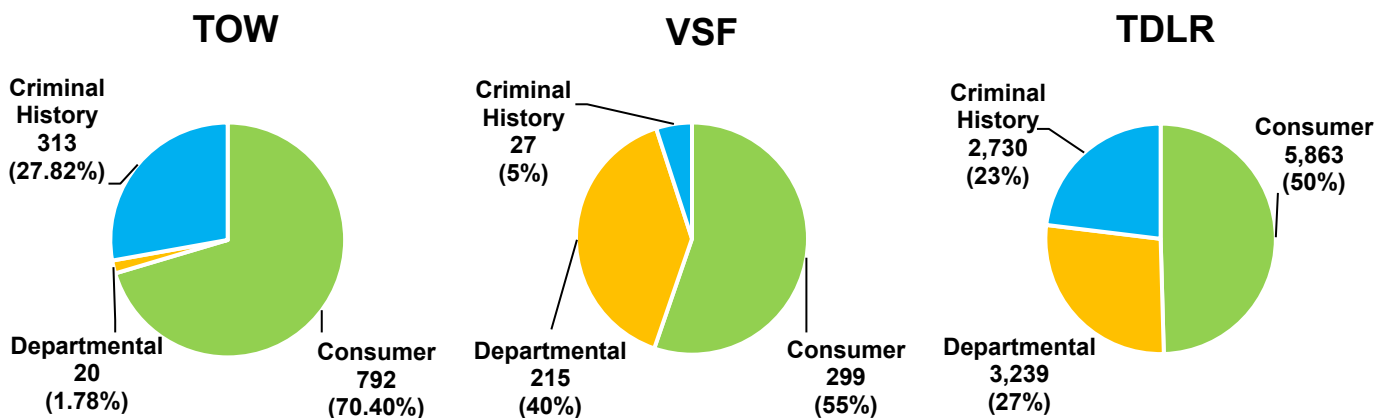
Statistics:

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 **July 31st** of **Fiscal Year 2023**:

Complaints Received by Source	TOW	VSF	TDLR
Consumer	2,414	790	12,829
Departmental	23	204	3,206
Criminal History Records Reviewed for licensure	4,838	596	80,775
Total Complaints Received	7,275	1,590	96,810

Key Statistic	TOW	VSF	TDLR
Cases opened	1,125	541	11,832
Cases closed	991	462	10,418
Average time to close (days)	234.05	273.18	216.64
% of cases resolved within 6 months	48.74%	35.71%	54.96%
% of cases resulting in disciplinary action	6.76%	11.04%	13.00%
Cases pending at end of July 2023	899	483	7,975

Source of cases opened through July 31st of Fiscal Year 2023



Case Outcomes	TOW	VSF	TDLR
Agreed Orders	38	40	804
Commission Orders	2	0	9
Default Orders	38	13	461
Penalties Assessed	\$101,875.00	\$73,850.00	\$2,860,385.00
Penalties Collected	\$36,285.00	\$52,690.00	\$1,325,091.00
Average Penalty Assessed on Orders	\$1,306.09	\$1,393.40	\$2,241.68
Licenses Revoked (Disciplinary)	1	0	56
Licenses Suspended	1	0	4
Licenses Denied/Revoked (Criminal History)	14	1	137
Cease & Desist Orders	0	0	7
Informally Resolved*	911	408	9,068

*Informally Resolved break down	TOW	VSF	TDLR
Insufficient Evidence	401	175	2,957
Percentage of cases closed for Insufficient Evidence	40.46%	37.88%	28.38%
Warning Letter	140	176	2,443
Complaint Withdrawn	24	8	130
Informally Resolved	38	18	566
OTHER (CH Evaluations, Business closed, etc.)	308	31	2,972
Total	911	408	9,068

Top 10 TOW Alleged Violations at Opening through July 31st of Fiscal Year 2023

Alleged Violation:	Count
Without authority or an illegal tow	435
Criminal history	313
Tow without proper signage	81
Charged more than allowed for tow	62
Charges not related to tow	41
Lacks honesty, trustworthiness, and integrity	39
No tow company license	29
Failed to have proper information on ticket	24
Did not tow in safe or competent manner	23
Expired tow company license	22

Top 10 TOW Violations Resulting in Disciplinary Action through July 31st Fiscal Year 2023

Violation:	Count
Without authority or an illegal tow	20
Criminal history	12
Failed to cooperate with Department	8
Charged more than allowed for tow	8
Failed to maintain insurance	6
Employed unlicensed person	6
No tow company license	5
No tow operator license	4
Tow without proper signage	3
Expired tow company license	3

Top 10 VSF Alleged Violations at Opening through July 31st Fiscal Year 2023

Alleged Violation:	Count
Did not establish or follow drug policy	90
Notification not correctly mailed	69
Failed to timely send or publish notice	62
Vehicle not available for release	56
Sign violations	47
Failed to release vehicle with proper documents and money	43
Did not maintain required records for 2-years	41
Failed to secure to prevent theft	34
Unlicensed company	31
Did not accept cash, debit, and credit	30

Top VSF Violations Resulting in Disciplinary Action through July 31st Fiscal Year 2023

Violation:	Count
Failed to timely send or publish notice	12
Failed to include required information on notice	10
Did not maintain required records for 2-years	8
Charged impound without services or date	7
Did not establish or follow drug policy	7
Did not cooperate with Department inspector	7
Required information not on invoice or receipt	4
Failed to secure to prevent theft	4
Unlicensed company	4
Insurance violations	3
Charged an unauthorized fee	3

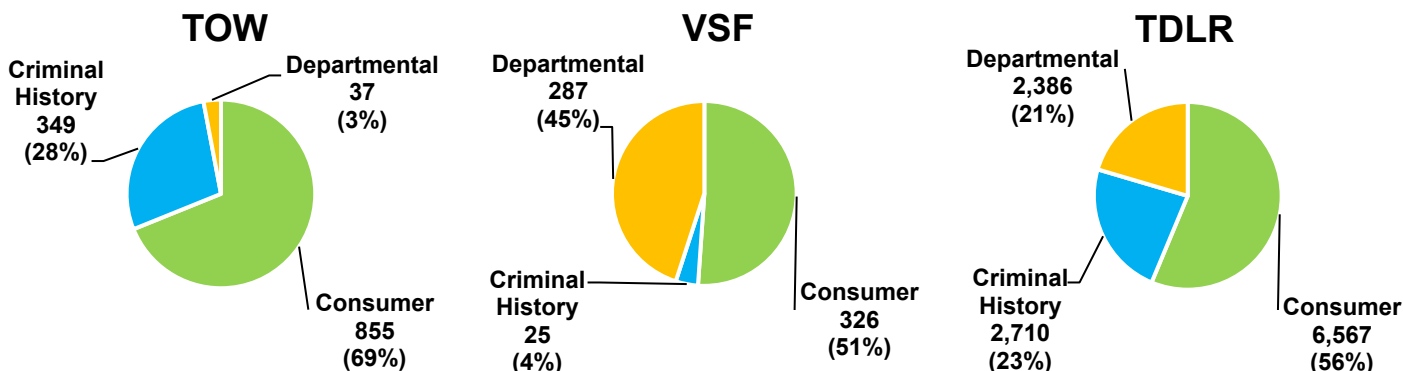
Statistics for Fiscal Year 2022:

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 for **Fiscal Year 2022**:

Complaints Received by Source	TOW	VSF	TDLR
Consumer	2,765	861	14,098
Departmental	40	288	2,368
Criminal History Records Reviewed for licensure	3,949	613	48,488
Total Complaints Received	6,754	1,762	64,954

Key Statistic	TOW	VSF	TDLR
Cases opened	1,241	638	11,663
Cases closed	1,410	701	11,754
Average time to close (days)	258.65	294.71	215.79
% of cases resolved within 6 months	43.97%	37.38%	57.64%
% of cases resulting in disciplinary action	6.60%	12.70%	10.81%
Cases pending at end of FY2022	763	402	6,540

Source of cases opened for Fiscal Year 2022



Case Outcomes	TOW	VSF	TDLR
Commission Orders	7	2	27
Default Orders	26	17	384
Agreed Orders	89	84	749
Penalties Assessed	\$121,800.00	\$116,700.00	\$2,588,310.00
Penalties Collected	\$71,200.00	\$74,167.50	\$1,322,419.50
Average Penalty Assessed on Orders	\$998.36	\$1,133.01	\$2,231.30
Licenses Revoked (Disciplinary)	2	3	50
Licenses Suspended	2	0	4
Licenses Denied/Revoked (Criminal History)	14	2	182
Cease & Desist Orders	0	1	17
Informally Resolved**	1,285	597	10,486

**Informally Resolved break down	TOW	VSF	TDLR
Insufficient Evidence	625	211	3,501
Percentage of cases closed for Insufficient Evidence	44.33%	30.10%	29.79%
Warning Letter	241	335	3,378
Complaint Withdrawn	17	8	120
Informally Resolved	32	14	470
OTHER (CH Evaluations, Business closed, etc.)	370	29	3,017
**TOTAL	1,285	597	10,486

Top 10 TOW Alleged Violations at Opening for Fiscal Year 2022

Alleged Violation:	Count
Towed without authority or illegal tow	544
Criminal history	351
Tow without proper signage	87
Charged more than allowed for tow	77
No tow company license	49
Failed to have proper information on ticket	39
Lacks honesty, trustworthiness, and integrity	31
Charges not related to tow	30
Did not tow in safe or competent manner	27
Private Property-Failed to offer to drop vehicle	26

Top TOW Violations Resulting in Disciplinary Action for Fiscal Year 2022

Violation:	Count
Towed without authority or illegal tow	20
Criminal history	11
Charged more than allowed for tow	11
Lacks honesty, trustworthiness, and integrity	11
Towed without proper signage	10
Failed to issue ticket	6
Failed to cooperate with Department	6
Failed to provide notice of rights	5
Failed to have each truck permitted	4
Failed to have proper information on ticket	4
Failed to have identical fee structure	4
Charges not related to tow	4
No tow company license	4

Top 10 VSF Alleged Violations at Opening for Fiscal Year 2022

Alleged Violation:	Count
Failed to timely send or publish notice	118
Did not establish or follow drug policy	111
Did not maintain required records for 2-years	84
Vehicle not available for release	58
Failed to secure to prevent theft	57
Storage facility not completely enclosed by 6-foot fence	55
Charged an unauthorized fee	47
Unlicensed company	44
Failed to release vehicle with proper documents and money	44
Required information not on invoice or receipt	36

Top VSF Violations Resulting in Disciplinary Action for Fiscal Year 2022

Violation:	Count
Failed to timely send or publish notice	23
Charged impound without services or date	12
Unlicensed company	12
Did not establish or follow drug policy	8
Did not accept cash, debit, and credit	7
Did not cooperate with Department inspector	6
Failed to include required information on notice	6
Failed to release vehicle with proper documents and money	5
Failed to give notice of rights	5
Charged an unauthorized fee	5
Did not maintain required records for 2-years	5

Case Highlights:

- [Eurocar Towing TOW20210013751](#)

A Default Order assessed Respondent a \$5,500 administrative penalty for operating a tow company without being properly licensed by the Department. Respondent also employed a tow driver not licensed by the Department. Respondent has not complied with this Order.

- [Finchers Wrecker Service LLC VSF20220009721](#)

An Agreed Order assessed Respondent a \$750 administrative penalty for failing to timely send notification letters. Respondent has complied with this Order.

Field Inspections Division

Staff Report for the Towing and Storage Facility Advisory Board September 13, 2023

Statistics

The statistics below compare division performance for FY 2023 year-to-date with performance for the same time during FY 2022, September 1st – July 31st.

Vehicle Storage Facility Inspections (Year to Date)		
	FY 2022	FY 2023
September	177	28
October	287	44
November	151	38
Q1	615	110
December	158	54
January	139	125
February	147	111
Q2	444	290
March	131	124
April	65	92
May	23	65
Q3	219	281
June	68	36
July	34	14
August	202	<i>In Progress</i>
Q4	304	
Year-to-Date/Year End	1,582	731 <i>As of 7/31/23</i>

- FY 2023, September 1st – July 31st Field Inspections has conducted 10 virtual inspections.

Current Projects

In July 2022, TDLR's Field Inspections division began production use in the field of a new system that allows inspectors to track their inspections electronically. This new method, which we're calling "eInspections," will allow us to better serve licensees, increase our efficiency, and standardize the data we collect for each inspection. As of November 2022, Field Inspections has fully transitioned to using "eInspections".

In 2021, Field Inspections began development of a risk-based inspection process for the VSF program in accordance with TDLR's Sunset review and legislation passed during the 87th Regular Legislative Session. The Field Inspections Division began conducting risk-based inspections in the VSF program this fiscal year.

COMPLIANCE DIVISION

Staff Report for the Towing and Storage Advisory Board

September 13, 2023

Statistics

The Compliance Division is 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

Compliance 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 Compliance in determining common issues as they arise to create better more specific training for the industry and internally to TDLR staff. We hope the process will help us better understand the needs of the industry, and the ability to provide consistent answers to questions.

Outreach

We're continuing in our training efforts. The trainings take place monthly over zoom and cover updates to the laws and rules and provide a platform for the industry to ask questions. The trainings generally have around 20 members of the industry from across the state providing training to all licensees regardless of location or proximity to large metropolitan areas. Compliance 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.