

# TRAK Record



A Publication of the **Towing & Recovery Association of Kentucky**— MARCH- 2016 Edition

**MARCH MEETING SPONSORED BY KAVANAUGH'S TOWING EQUIPMENT**

**MONTHLY MEETING WILL BE HELD MARCH 15th AT 6:00 PM AT:  
SAHARA STEAKHOUSE, 413 E HAPPY VALLEY RD., CAVE CITY KY**  
**Mark your Calendars!**

Spring is in the air and as these seasonal changes are upon us, I hope all members are seeing the changes the association has started as well. This month will conclude the mass mailing of the newsletter to non-association members. As we had hoped, the newsletter has sparked interest from potential members and has grown our association with several new members since January. We encourage anyone interested in making a difference in their chosen field, to please join us in making our association stronger.

I urge all members to be checking their mailbox this month as ballots will be coming out. We as TRAK officers are taking steps everyday to make our association one of the strongest in the nation. Three steps happening this month, that will help our association move forward will be our election of officers, election of a strong working Board of Directors, and the appointing of a training liaison for the association. We believe every month moving forward brings our organization one step closer to the vision started in 1981 by TRAK founders. Please come out and vote and help us move our industry forward.

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# The TRAK Beacon

## *Associate Member Spotlight*



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### About Kavanaugh's:

Janice Baker and Phil Kavanaugh are Kentuckiana's Full Line Miller dealer for this region. We offer sales and repair for all makes and models of **Towing Equipment since 2002**. In addition to being this region's **Miller Industries Towing Equipment Distributor**, we carry many other product lines to fully equip your truck for any needs that come along. We also have a full service shop to handle all types of repairs, including collision services, hydraulic services, making hoses and rebuilding cylinders.

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Stop in and check out our Updated Show Room.

Come see Phil, Janice, Alyssa & Steve for ALL your towing needs.

The Association appreciates your membership and dedication, congratulations on being our Associate Member Spotlight!

## **HOW TO TURN A COMPLAINING CUSTOMER INTO A RETURNING CUSTOMER**

I recently had a customer complaint forwarded to me from a towing service who wants to have anonymity, but to show how an upset customer who thought she was over-charged turns into a future customer. I have included the complaint, the reply from the towing service, and the reply from the customer:

### **Complaint:**

*I am writing with a complaint. Not about your service or your driver but the charge to go less than 2.5 miles at a cost of \$125.00. My car was in minor accident & parked on the side of xxxxxxx Rd, easy to get on rollback, rollback with my car in tow got stuck, another truck had to pull my driver & car off grass, not my fault. This is not an insurance situation. I think this was an overcharge. Terrible that even a good driver can determine the cost & a consumer has to pay in order to get their car. I just want to be treated fairly. All I have told about this say this was a \$75.00 - \$80.00 tow @ approx 6:30pm. Will you respond? Is this what you charge for less than 2.5 miles? I shouldn't have been charged for the time it took for another tow truck to get there if that's where the overcharge was.*

*Thank you  
Disgruntled Customer*

### **Towing Company Response:**

*In response to your email regarding the price you were charged for transporting your vehicle from an accident scene. I am sorry you were involved in an accident and I do hope everyone is okay. We did in fact tow your vehicle a short distance, however the price charged included time and miles reaching your location and returning to our facility, commonly referred to as port to port. This price you were charged is a minimum charge for call out to an accident scene and at 6:30 at night it is considered after hours. We have specific guidelines that we must follow when responding to vehicles involved in accidents i.e. response time, equipment to clear scene as soon as possible, clear roadway of glass and debris, etc. There are also other risks and exposures to our company and more so to the operator on scene when handling a wrecked car versus a car with a mechanical breakdown.*

*We charge the same amount no matter if an individual or an insurance company is paying the bill, to do otherwise*

*is considered insurance fraud. We do have to charge a rate that covers our costs of doing business. Every towing operation is different and each has different costs of doing business- therefore different rates.*

*It was unfortunate that our operator got stuck while trying to leave the scene. I can assure you that you were not charged any additional charges for the time our operator was stuck or for another operator to pull him back onto the roadway.*

*I appreciate you reaching out and inquiring about the rate you were charged. I hope I have helped you understand why you were charged the rate you were. If you have any additional questions or concerns please feel free to contact me.*

*Thank you for your business.*

*Towing company*

### **Customer Reply:**

*Dear xxxxxx, Thank you so much for taking the time to respond to my email, wishing us well with the accident & discussing your pricing policy at length. That was highly professional. I will keep your service in mind should we need a wrecker in the future. Again, your driver was very nice & did a great job getting our car delivered to our home.*

*I know you have a job that isn't easy to please everyone. Taking time out of your busy day for an explanation was very appreciated. I do understand the costs now.*

*Wishing you a great & safe year,*

*Sincerely,*

*Happy Customer*

This is a great example of how a complaint can turn into a positive situation. The towing company has a future customer, and the towing industry is portrayed in a positive light. The towing company did an excellent job by first showing compassion to an individual who was just involved in an accident. They continued to explain their services and guidelines showing why the charge was substantiated. Even with the tow operator having some bad luck on his part he was still able to conduct himself in a manner that the customer thought was nice and professional. I commend this particular towing company on a job well done handling this complaint. I hope other towers can take this and use it as a tool in their toolbox for customer complaint resolution.

## EATON FAMILY UPDATE:

As many know, fellow tow driver Shawn Eaton was severely injured in an accident in his large wrecker a short time ago. This update was posted by a family member on his status.

*Dear Family and Friends,*

*Thank you for the outpouring of love, concerns and most of all your faith and prayers on behalf of Shawn these past couple of days.*

*Shawn was responding to a call with our heaviest semi wrecker when his front tire got close to the edge of the pavement and it was just soft mud that sucked him off the road causing this huge wrecker to roll at least 4 times throwing him out about 25 feet on last roll. Our son-in-law Richard could not find him for about 20 minutes fearing Shawn was trapped under the mangled truck. After finding him saw that he was still breathing and call 911 and he was transported to the hospital in Sydney MT. The doctors stabilized Shawn the best they could and from there he was life flighted to St Vincent hospital in Billings MT. He is in critical condition in ICU. He has brain injuries and fluid on the left side and they have a drain taking those fluids out, broken neck, 6 broken ribs, broken sternum, 5 fractured vertebrae.*

*As of right now it doesn't look like he has any feeling from the waist down. As of yet he has not regained consciousness which concerns the doctors and would answer lots of questions. We are waiting and praying for miracles and appreciate your prayers on his behalf. We do know that we have a loving Heavenly Father that hears and answers our prayers but the hardest part is for me to say is "Thy Will Be Done."*

*Thank you for your thoughts -- they do not go unread. If you have any contact with his children or his nieces and nephews please only say the positive of saying you're praying for their daddy and uncle to get well don't put more on these little kids than what they can handle.*

Our thoughts and prayers are with Shawn and his family, friends, and co-workers.

## LAWMAKERS STUDY NEW LIGHTING PLANS

Lawmakers are studying a plan to make roads safer for tow truck drivers when they work in hazardous conditions like snowstorms.



The plan would allow tow truck operators to use red, white and blue lights like what's seen on police cars.

Tom's Towing in Springfield tells us that they think it's a good idea, but it's up to motorists to help keep everyone safe.

"I don't really know what else they can do. They've done the visibility jackets, they've done the lights, and they've done the cones. I think a lot of it is just up to the drivers and the traffic," said Bloodworth.

We talked to another tow truck operator who said he's concerned that the new lights might get abused and could confuse drivers. So far in 2016, there have been 121 fatal crashes on Illinois roads.

## **Bragging Rights!**

We'd like for you to send us a picture with a brief description of your ride and let us see what you're working with.

We would like to include these in our newsletter each month at random. Please email pictures, along with a short description to [dougstowing@windstream.net](mailto:dougstowing@windstream.net).



## Kentucky State Police Commissioner Announces Retirement

(FRANKFORT, Ky.) – The leader of the premiere law enforcement agency in Kentucky is retiring February 29, 2016 after 34 years of service to the agency. Rodney Brewer, who has served eight-and-one-half years as Commissioner, was appointed by former Governor Steve Beshear and sworn in December of 2007.

Brewer, who has served the Commonwealth with dignity, says his role as Commissioner has been an honor.

“My time spent as Commissioner of the Kentucky State Police has been the most rewarding of my professional life. The men and women who comprise our agency are some of the most dedicated public servants in the country and it has been an honor to lead such an incredible organization.”

He led the agency through difficult times including budgetary challenges, construction of a new training academy and executing the merger of the Commercial Vehicle Division into the KSP fold.

“Despite the budgetary challenges we’ve experienced, our agency always delivers a high quality of service despite the circumstances,” says Brewer. “I believe this is why our agency is so respected and revered across the United States. Our people are truly what make us great.”

Several programs have been rolled out since Brewer took office, including the Citizen’s Police Academy, Safe Schools Active Shooter Training Program and most notably, the creation of ‘The Trooper R Class,’ which by statute allows the re-employment of retired troopers.

He pioneered the law enforcement landscape with the implementation of the agency’s social media initiative. Brewer’s forward thinking allowed for the creation of several platforms including Facebook, Twitter, Instagram and a YouTube channel called ‘KSP TV.’ In three short years, the agency achieved a top-five national status of social media use by law enforcement agencies.

Under his watch, the number of yearly traffic fatalities in Kentucky have decreased, which he credits to the agency’s ‘Data Driven Enforcement Program and the tremendous efforts of road troopers and officers. A reduction in crime, in rural areas, is a direct result of the Criminal Analyst Intel Program he established at each post.

Brewer graduated from the KSP Academy in January of 1980, when the starting yearly salary for a road trooper was \$12,400 dollars, a loaf of bread was 55 cents and a gallon of gas was 93 cents.

“It’s hard for me to believe that I’ve been a part of the Kentucky State Police for more than half of its existence. It’s been an exciting journey and one that I’ll treasure for a lifetime.”

Brewer has had the rare accomplishment of holding every merit and non-merit rank position within the agency. Some of his assignments included uniformed operations, special investigations, narcotics, strategic planning, academy commander and the executive protection detail assigned to guard the Governor and Lieutenant Governor.

During his tenure, he served with many fine men and women, witnessed several acts of bravery and mourned the loss of comrades in the line of duty. For this reason, he worked diligently to establish a lasting legacy for the agency.

Termed ‘The Trooper Project,’ he spearheaded a fund-raising effort to build what is now a 10-foot tall, masterfully-crafted bronze trooper statue that stands proudly at the KSP Training Academy.

“This statue is a permanent tribute to the KSP troopers and officers who have made the ultimate sacrifice by giving their lives in service,” says Brewer.

“Moreover, it’s about all those who have served since 1948 and made tremendous sacrifices on a daily basis.”

As Brewer departs the agency he leaves behind a host of staff and co-workers. “I’m definitely going to miss the people and purpose of the Kentucky State Police. There’s no other job like it in the world, but I’m excited about what the future holds for me personally and professionally,” adds Brewer.

Brewer plans to take a few months off before pursuing other career opportunities. # # #

Contact: Sgt. Michael Webb

Public Affairs Branch

Ph: (502) 782-1780 or (502) 226-0660

## **The Importance of On-Time Arrival**

How long does it take the average tow company to arrive on-scene to an officer's request for a tow?

In June 2010, 21-year highway-patrol veteran Officer Brett Oswald, 47, was killed near Paso Robles, Calif., when a woman lost control of her Toyota Corolla and rear-ended his patrol car. Oswald was allegedly waiting for a tow truck to arrive to remove an abandoned vehicle.

This incident doesn't suggest that either the officer or responding towing company did anything wrong. However, if the vehicle was removed sooner could this horrific accident have been avoided?

According to police officers who responded online, there were several common factors we towers should always consider when serving law enforcement by asking if providing timely service will have a critical impact on total officer safety.

Having been in their shoes, I'll tell you that waiting for tow trucks to respond can be frustrating and dangerous. Consider these five situations that late-arriving tow truck response creates:

For highway patrol officers or troopers awaiting tow trucks for a tow of abandoned vehicles, waiting increases exposure and possibility of being struck by a wayward vehicle. When towers are late, risk of exposure increases exponentially.

For officers awaiting delayed tow trucks on DUI stops, intoxicated prisoners oftentimes go out of control and become belligerent, violent or sick. Why? Waiting equates to prisoners spending more time handcuffed; the tower's delay gets passed onto the cuffed.

For waiting officers forced to close lanes or block intersections, there's chance of secondary impact. Waiting also restricts the emergency response of police, fire or paramedic services headed to other locations due to a path of travel being blocked.

When towers are late to any tow, impound or recovery, law enforcement remain out of service longer.

Officers have been ambushed and killed while waiting for tow trucks to arrive.

Contract rotation demands that towers are timely. Tow truck

companies and their operators have total responsibility to provide the fastest response possible for contract requirements as allowed by law. I assure you that the law enforcement community isn't asking, requiring or demanding that rotation towers go beyond written law when it comes to timely response.

Accordingly, there exists a fine line attached to timely response that includes reasonable and prudent driving actions where speed, passing, overtaking, and use of emergency shoulders comes into play.

Keep in-mind that a safe-response in tow trucks are the direct product of professionally run tow companies that train and monitor driver responses.

I know some tow business owners who feel that responding to police calls is only one facet of their company's total business, with no real importance about being late. But, fast response is a day-to-day process that demands strategic dispatch and the tow company's response. In a world where all things are possible, perhaps a timely response could mean the difference between secondary impact and unknowingly saving an officer's life from unseen circumstances.

## **Illinois Business Destroyed by Fire**

An early morning fire destroyed a Franklin County, Ill., towing company Feb. 17.

The owner of Joe's Towing & Salvage in West Frankfort said that while the building was a huge loss, he's thankful no one was injured in the fire. He said he'll have a hard time replacing two classic cars he was restoring that were inside.

Crews from Franklin and Williamson Counties responded to the fire. It took fire fighters about three hours to extinguish the blaze. The building is considered a total loss. The owner believes it was caused by a wood-burning stove.

This is the second time a fire has nearly destroyed the business in the last 25 years, but they plan to rebuild.

The state fire marshal is investigating.

## **Michigan Companies Defend Fees**

Amidst complaints that some western Michigan towing companies are being accused of adding excessive fees to their bills, towers in that region recently answered in a newscast with a local television station.

"You know, we're not gouging people," said Keith Baker, who owns Jerry's, Dave's, and Newaygo Towing. He says he increased his rates and started adding fees a few years ago after attending a class in Massachusetts.

"We were struggling to get paid on accidents," Baker said. "And some of these jobs are very expensive."

Baker says he learned how to itemize his services. He claims it's necessary when billing insurance companies. At Eagle Towing, Andrew Heycoop uses a similar style. The newscast asked him about the "administrative fee" and "inclement weather fee."

"That would be us processing the scene, taking pictures, documentation, writing narrative, breaking down the invoice for insurance company," Heycoop said. "Inclement Weather is due to hazardous conditions, working slower, safer, equipment breaks down."

Baker was also asked about the reclamation fee. "Reclamation fee is 3 percent. That's to pay for, if you look over my shoulder, we have 150 vehicles that have not been paid for and will not get paid for. They go to auction in May. Scrap is down to nothing, we'll get very little out of these cars. The reclamation helps us recoup some of that."

So, if the situation is so bad, why aren't all tow companies doing the same thing? WZZM took the issue to the Michigan Towing Association.

"Yes, I can relate to both sides of the issue," says Joel Ballor, MTA president.

Ballor remarked how tough it can be to make money, especially in a rural area where the call volume isn't as high. "There's a lot of good hard-working towers across the state that do a good job. Putting their life on the lines out there."

Ballor didn't want to criticize anyone else's pricing structure, but when asked about those fees, he admitted that he didn't use them: "My company does not do that, but I can't speak to whether that's the market average."

## **Calif. Town Must Pay \$1.2 million for Scheme**

A judge recently approved a lawsuit settlement agreement that requires the city of King City, Calif., to pay \$1.225 million to victims of a police towing scheme. The class action lawsuit was filed in 2014 days after six King City police officers were arrested and accused of abusing their authority as law enforcers: Bruce Miller, Bobby Carrillo, Mario Mottu, Jaime Andrade, Nick Baldiviez, and Mark Baker.

According to Monterey County prosecutors and the lawsuit, officers pulled over drivers for minor traffic violations and towed the cars to a yard owned by Brian Miller. Brian Miller's brother was the acting police chief at the time. Police never told victims why their cars were being towed and many victims never got their cars back, the lawsuit states. An estimated 200 drivers were targeted by the police department, the lawsuit states.

## **S.C. Looks to Strengthen Law**

South Carolina state legislators held a subcommittee hearing Tuesday on a bill that would strengthen the state's Move Over laws. The bill sets penalties for violators, though enforcement remains an issue, legislators said. The penalty for not moving over would be imprisonment of not more than 30 days or a fine of \$500 or both. South Carolina's move-over law lists tow trucks as authorized vehicles, but only when dispatched by state, county or municipal agencies to respond to traffic incidents. The proposal would classify tow trucks as authorized vehicles in all circumstances.



## TRAK Monthly Meetings

March 15th—Cave City/Glasgow

April 19th—Louisville, Tony's Wrecker Svc.

May 17th—Lexington

June 21st—Elizabethtown

July 19th—Florence

August—picnic (date to be announced)

September 20th—Leitchfield

October 18th—Morehead

November 15th—Bardstown

December—Christmas party

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### \$\$\$ **CLASSIFIEDS** \$\$\$



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