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Editorial: Too little oversight

Changes in law necessary to keep tow-truck companies in line

Wednesday, June 17, 2009 2:58 AM

Ohio needs an overhaul in the way towing companies are regulated. Current law places the 1,236 registered towing operators under an agency that apparently doesn't have the time or the authority to inspect and police them thoroughly. That has opened the door to misbehavior and misunderstandings.

Police in Ohio cities have complained that towing companies take cars from parking lots and other places and don't inform appropriate authorities or anyone else. The owner, completely in the dark, files a report for a stolen vehicle, and then police search in vain for that car.

Columbus police have a sneaking suspicion that certain towing companies "forget" to tell police and, meanwhile, rack up daily storage fees for vehicles during the time when no one knows where they are.

"It's like the Wild, Wild West," said Columbus Assistant City Attorney Bill Hedrick. "Police are frustrated."

Rep. Tracy Heard, D-Columbus, is writing a bill that would give the Public Utilities Commission of Ohio, which regulates towing companies, more authority to fine bad actors and suspend or revoke operating certificates if they don't report towed vehicles to police or they don't file a fee schedule with the state.

Tow-truck operators complain that honest companies could be penalized just for forgetting to call police or to turn in paperwork. But working with the police automatically should be a part of how these companies do business.

Tow-truck operators have a lot of power: They can drive off with someone's legal property, and then the owner must pay to get it back. When a tow truck is on the side of right, it's a legitimate business; when they skirt the law, it's extortion. They need a strong regulatory force to keep that line from being crossed.

Last year, Danny Birt of Gahanna pleaded guilty to three counts of theft for illegally towing and

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impounding cars and ended up with a year of probation. Prosecutors originally had charged him with 27 counts of theft and extortion, after he towed cars from a private lot without the property owner's permission and held them until vehicle owners paid the fees.

In 2002, the state took the power to license towing companies away from the cities. A patchwork of towing regulations and licensing across the state had been confusing for companies, but the cities had the advantage of being close to the situation and better-equipped to regulate and police the behavior of operators and to yank licenses as necessary.

If the state doesn't want to go back to municipal regulation, then the PUCO needs more teeth to wield proper authority over towing companies.

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