



Owner-Operator Services Incorporated

A subsidiary of Owner-Operator Independent Drivers Association Inc.

December 8, 2015

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The Honorable Nikki Haley
Governor
South Carolina
1205 Pendleton Street
Columbia, SC 29201

Dear Governor Haley:

As you know, President Obama recently signed into law the *Fixing America's Surface Transportation (FAST) Act*. While there are many important provisions in this legislation, the Owner-Operator Independent Drivers Association (OOIDA) would like to bring your attention to section 5514 regarding the regulation of tow truck operations.

OOIDA is the largest trade association representing the views of small-business trucking professionals and professional truck drivers. OOIDA has more than 155,000 members nationwide, including nearly 3,000 who reside in South Carolina and thousands more who operate on South Carolina highways every day.

Section 5514 was included in the *FAST Act* by U.S. Representative Chris Van Hollen. It gives states complete authority to regulate tow truck operations performed without the prior consent of an owner or operator of a motor vehicle, more commonly known as a nonconsensual or third-party tow.

During a nonconsensual tow there is usually no opportunity for motorists to negotiate services or compare prices among multiple towing operators. Unfortunately, as it relates to trucking, truck drivers are routinely held responsible for towing bills that are blatantly inflated by tens of thousands of dollars and there is often times no effective or efficient recourse. The impact on small-business truckers can be financially devastating.

In the past, some states have expressed an interest in addressing issues related to nonconsensual tows but were hamstrung by then-federal statutory limitations. However, with the enactment of the *FAST Act* and section 5514, there is now no such limitations.

To be clear, OOIDA is not against towing operators making a living; in fact, there are towing operators that are members of OOIDA. But we are against towing operators that inflate their invoices simply because they can due to inadequate state regulations or a lack of enforcement. This fraudulent practice must stop and we believe Representative Van Hollen's language gives states the necessary authority to regulate all nonconsensual tows to protect motorists.

OOIDA would welcome the opportunity to discuss this issue with you or appropriate officials in your Administration. At the very least, we can provide more detailed information outlining the severity of this problem within your state. Please contact me directly at (816) 229-5791 ext. 1603 or mike_matousek@ooida.com should you have any questions or to learn more about this issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Matousek".

Mike Matousek
Director of State Legislative Affairs
OOIDA