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May 14, 2019

Ohio House Transportation Committee
Chairman Green
Vice Chair McClain
Ranking Member Sheehy

RE: HB 113

Chairman Green, Vice Chair McClain, and Ranking Member Sheehy:

I represent the Towing and Recovery Association of Ohio (TRAO), the largest towing association in Ohio. TRAO has over 200 owner members which in turn employ well over 1,000 towers alone throughout the state. The TRAO Board believes that “spotting” is not a common practice in the industry, and that any problem such as the impetus to this bill is extremely rare. While TRAO does not believe that this issue requires legislation, we do not formally oppose HB 113. We would request that this committee consider the following in hopes of improving the bill, without in any way impeding the sponsor’s intent:

1. The prohibitions contained herein do not apply to owners or operators of duly marked towing vehicles while operating said vehicles pursuant to contract in the course of enforcing clearly designated no parking or customer only parking areas.
2. Nothing herein contained shall preclude the owner, lessee, franchisee or property manager from engaging their own employees, agents, or contractors to report to the duly contracted towing company the presence of unauthorized parked vehicles on the subject private property.
3. A violation of this section should be a minor misdemeanor rather than a 3rd degree misdemeanor. Especially considering that a violation of the “anti- kick-back” provision is only a minor misdemeanor.

Thank you for the opportunity to provide comments on HB 113.

Sincerely,

Robert P. Mecklenborg, Esq.
On behalf of TRAO