

**Re: RAISED BILL 5193 AN ACT CONCERNING THE NONCONSENSUAL TOWING
OR TRANSPORTING OF MOTOR VEHICLES**

MTAC Opposes

Chairman Leone, Chairman Lemar, Ranking Member Martin, Ranking Member Devlin, and Transportation Committee members, thank you for the opportunity to submit testimony on these matters. My name is Joe Sculley, I am President of Motor Transport Association of Connecticut (MTAC). MTAC is a statewide trade association which represents small business trucking companies.

REGULATED RATES

Rates for non-consensual tows (and storage) are regulated by CT DMV.

Towing rates can be found here: <https://www.ct.gov/dmv/lib/dmv/20/29/K-11.pdf>

Storage rates can be found here: <https://www.ct.gov/dmv/lib/dmv/20/29/K-89.pdf>

EXCESSIVE CHARGES CONTINUE

However, at least some towers appear to not be following the regulated rates, either directly or indirectly.

I have also submitted as testimony several non-consensual tow invoices which total tens of thousands of dollars per invoice.

- East Coast Auto Body: **\$44,180.66**
- Lombard Motors: **\$22,109.94**
- Lombard Motors: **\$42,337.40**
- Central Auto Transport: **\$88,179.55**

The Owner Operator Independent Driver's Association (OOOIDA) told MTAC that a quick analysis of six (6) recent invoices issued to their members for non-consensual tows, which appear to adhere to the regulated rates, show that the average price charged was about **\$5,866**.

Clearly, some towers are adhering to the regulated rates for non-consensual tows, but others are not.

CONSUMER PROTECTION

Non-consensual tows are not the result of a "free market." Law enforcement calls in a towing company, who then issues a high invoice. It is not the result of a negotiation between the tower



and the vehicle owner. Therefore, the regulation of non-consensual tows is an important aspect of consumer protection for both individuals and small businesses who own and operate vehicles.

The towers are not victims in this discussion involving high charges for non-consensual tows. They are not being forced to perform the non-consensual tows. They can decline the business if they feel they are not being compensated properly. However, the vehicle owner cannot decline.

Towers need to be held accountable. Towers that continually violate or circumvent regulated rates should be prohibited from conducting non-consensual tows.

This \$10 surcharge needs to be rejected, and DMV needs to ensure that they are enforcing the regulated rates.

###

ABOUT CT TRUCKING INDUSTRY:

85.8%: number of Connecticut communities that depend exclusively on trucks to move their goods

94%: percent of manufactured tonnage transported by truck in Connecticut

\$3.2 billion: total trucking industry wages paid in Connecticut (2017)

58,400: trucking industry jobs in Connecticut (2017)

\$53,3500: average annual salary in Connecticut (2017)

\$8,610: average annual CT-imposed highway user fees paid by tractor trailers (as of 4/1/2018)

\$8,906: average annual fed-imposed highway user fees paid by tractor trailers (as of 4/1/2018)

INVOICE: 24273

Bill to:
Cowan Systems LLC
Baltimore, MD

Description of recovery:

CSP call to I95 Northbound exits 7 & 8 for a TT unit rollover, East Coast Auto Body responded with 1 heavy duty rotator + man, 1 Service truck, Mech safety truck + man & 1 heavy duty wrecker + man. Arrived on scene and spoke with CSP, Fire & DOT. Looked over accident scene: tractor has heavy damage, TRL has heavy damage & is compromised. DOT request to lift loaded TRL. ECAB called back to shop to send second rotator to site with an extra man, pay loader, roll offs, and low boy dumps for clean up. Set up 2 rotators and heavy duty wrecker for lift. Set unit up right on highway. Extra equipment, snatch blocks, straps, chain + binders and blocking as needed. Set up two rotators and one heavy duty for lift, then lifted unit up on its wheels. Removed recovery equipment. Hooked up unit and towed it to the side of the highway. Use of man power and pay loader to load containers of product from roadway and park on the side of the highway and wait for Dep. Dep arrived to condemn load, kept pay loader on site to transfer load from our containers to dep contamination containers. Hand off load more product from TRL to low boys and strap TRL for transport, removed tractor and towed to shop. Hooked up trailer and towed to shop. At shop took remaining product loaded into container and dispose of.

4:30AM – 1:00PM

16' Pete Tractor Unit # 2237 **Plate:** 853F38 MD **Vin:** IXPBDP9X6HD418443

18' Wabash Trailer Unit# 319075 **Plate:** 2463539 ME **Vin:** 1L1V532D4KL099505

Charge Description	Quantity	Price	Line Total
Sublet to D&D Payloader time + man	8.5hrs	n/a	\$2531.25
Sublet to Atlas Metals 2 Roll Offs + 2 men	16hrs	n/a	\$4000.00
Advantage Carting 1 container	n/a	n/a	\$631.45
2 Low Boy Dumps	10hrs	n/a	\$1250.00
1 Mech Safety SVC Truck + man	8.5hrs	\$550.00	\$4675.00
1 Hduty Wrecker + man	5hrs	\$390.00	\$1950.00
1 Rotator + man	5hrs	\$1250.00	\$6250.00
1 Rotator +man	8.5hrs	\$1250.00	\$10,625.00
Extra man – Joe H	8.5hrs	\$180.00	\$1530.00
Extra man – Jimmy P	8.5hrs	\$180.00	\$1530.00
Extra man- Billy P	8.5hrs	\$180.00	\$1530.00
Extra man – Dylan C	8.5hrs	\$180.00	\$1530.00
Extra man- Theo A	8.5hrs	\$180.00	\$1530.00
Extra Man- Rob Peep	8.5hrs	\$180.00	\$1530.00
Extra equipment			
Snatch Blocks		\$133.33	\$133.33
Binders		\$133.33	\$133.33
Load Chains		\$133.33	\$133.33
Work Gloves			\$50.00

Tax: \$2637.96
Total: \$44,180.66

East Coast Auto Body 20 Lafayette Street Stamford, CT 06902 (203)323-3125: Phone (203)323-5034: Fax ECAB20@OPTONLINE.NET

#OP606QJX0D87HDv1

LOMBARD

MOTORS LLC

140 Gando Dr, New Haven, CT

Incident Details:

Invoice # : _____

Thursday, _____

Registration Number : _____

USDOT # _____

Insured By : _____

Claim # : _____

Vehicle Identification Number: _____

Year/Make/Model : 2005 Freightliner Cascadia

Color : White

Unit Type : Tractor Trailer Unit

Load Description : _____

Incident Dispatch Time : 08:30 Hrs

Incident Completion Time : 12:30 Hrs

Location : _____

Traffic : Moderate

Weather : Clear, 36 Degrees Farenheit

Visibility : Reported 1 mile by National Weather Service

Contracting Agency : Hamden Police Dept. ~~Central Police~~

Invoice of Services :

75 Ton Heavy Duty Rotating Wrecker : \$1250 Per Hour @4Hrs	\$ 5,000.00
**Fuel Surcharge	\$ 250.00
60 Ton Heavy Duty Rotating Wrecker : \$1250 Per Hour @4Hrs	\$ 5,000.00
**Fuel Surcharge	\$ 250.00
50 Ton HD Wrecker : \$550 Per Hour @3Hrs	\$ 1,100.00
**Fuel Surcharge	\$ 55.00
HD Tractor with Dry Van Trailer : \$550 Per Hour @3 Hrs	\$ 1,650.00
**Fuel Surcharge	\$ 82.50
Command Response Vehicle (RS) : \$175 Per Hour @4Hrs	\$ 700.00
** Fuel Surcharge :	\$ 35.00
Command Response Vehicle (RS) : \$175 Per Hour @4Hrs	\$ 700.00
** Fuel Surcharge :	\$ 35.00
Recovery Supervisor : \$275 Per Hour @4Hrs	\$ 1,100.00
Safety Officer : \$225 Per Hour @4Hrs	\$ 900.00
Certified Laborers : \$175 Per Hour Each x 2 Men @ 4hrs	\$ 1,400.00
Special Equipment :	\$ 650.00
Administration Fee :	\$ 1,890.75
<hr/>	
Subtotal :	\$ 20,798.25
Sales Tax : 6.35 %	\$ 1,320.69
Grand Total :	\$ 22,109.94
<hr/>	

Signature : _____

Printed Name : _____

Title: _____

Date: _____

Lombard Motors, LLC.

140 Gando Drive
 New Haven, CT 06513
 Phone: (203) 624-3256
 Fax: (203) 624-7339

CLAIM #: 1



NAME					
ADDRESS					
CITY Dover			STATE CT	ZIP 07801	
PHONE			FAX N/A		
CONTACT N/A			L		
YEAR 2007	MAKE/MODEL Tractor:		PLATE NO.	STATE	
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 INC. NO.					
DATE 16-May-14	REQUESTED BY CT State Police	START TIME 3:00 AM	END TIME 1:00 PM	TOTAL TIME 10 hours	WEATHER CONDITIONS Rain/Wind, 60°F
LOCATION OF TOW I-84 Eastbound, Exit 17			CITY Waterbury	STATE CT	
SPECIAL EQUIPMENT 75-Ton Rotator, 60-Ton Rotator, 50-Ton Heavy Duty Wrecker, Tractor, Trailer, Heavy Duty Flatbed, Tow motor, Pallet Jack, 26' Box Truck, Medium Duty Wrecker, Flatbed (Tow motors), Spill kits, Speedy Dry, Incident Manager, Extra Laborers					
DESCRIPTION OF SERVICE On 5/16/2014, at 3:00 AM, we received a call from CT State Police to respond to a Tractor trailer Rollover on I-84 East, at exit 17. When we arrived on scene we assessed the situation to determine the equipment needed to complete the job. The rollover required the use of two (2) Heavy Duty Rotators (one 60-Ton, one 75-Ton) and one (1) 50-Ton Heavy Duty Wrecker. Two Rotators were used in order to keep traffic moving in one lane, on a 2-lane highway. The Rollover trailer was packed with cardboard, front to back, so we used the Heavy Dutys to stabilize the trailer to safely remove and transfer the load from the damaged trailer to our Tractor & Trailer to transport the load back to the shop. In addition to the Heavy Duty's required for the stabilization during load transfer, we also used a 26' Box truck with lift gate, a tow motor, a pallet jack, and a team of ten (10) laborers to transfer the entire load from damaged trailer to our tractor & Trailer. **Damaged Trailer Information 1999 Great Dane Trailer, VIN _____ Plate _____					

BREAKDOWN OF TOWING CHARGES

QTY	DESCRIPTION OF CHARGES	x	COST PER ITEM	x	HOURS	=	ITEM COST
1	75-Ton Rotator	x	\$ 325.00	x	10 _{HR}	=	\$ 3,250.00
1	Heavy Duty Flatbed - Tractor debris	x	\$ 325.00	x	9 _{HR}	=	\$ 2,925.00
1	Incident Manager	x	\$ 225.00	x	5 _{HR}	=	\$ 1,125.00
2	Laborers	x	\$ 150.00	x	3 _{HR}	=	\$ 900.00
1	Fuel Surcharge	x	\$ 60.00	x	X	=	\$ 60.00

Truck

Subtotal: \$ 8,260.00
 CT Sales Tax 6.35%: \$ 524.51
TOTAL: \$ 8,784.51

QTY	DESCRIPTION OF CHARGES	x	COST PER ITEM	x	HOURS	=	ITEM COST
1	60-Ton Rotator	x	\$ 325.00	x	10 _{HR}	=	\$ 3,250.00
1	50-Ton Heavy Duty	x	\$ 325.00	x	10 _{HR}	=	\$ 3,250.00
3	Laborers	x	\$ 150.00	x	5 _{HR}	=	\$ 2,250.00
1	Fuel Surcharge	x	\$ 60.00	x	X	=	\$ 60.00

Trailer

Subtotal: \$ 8,810.00
 CT Sales Tax 6.35%: \$ 559.44
TOTAL: \$ 9,369.44

QTY	DESCRIPTION OF CHARGES	x	COST PER ITEM	x	HOURS	=	ITEM COST
1	Tractor - to transport cargo to shop	x	\$ 325.00	x	9 _{HR}	=	\$ 2,925.00
1	Trailer - to transport cargo to shop	x	\$ 325.00	x	9 _{HR}	=	\$ 2,925.00
1	Flatbed - to transport cargo to shop	x	\$ 325.00	x	5 _{HR}	=	\$ 1,625.00
1	26' Box Truck - to transport cargo to shop	x	\$ 325.00	x	8 _{HR}	=	\$ 2,600.00
1	Medium Duty truck - pull load out of trailer	x	\$ 225.00	x	5 _{HR}	=	\$ 1,125.00
1	Flatbed - to haul tow motors	x	\$ 225.00	x	5 _{HR}	=	\$ 1,125.00
1	Tow Motor	x	\$ 225.00	x	5 _{HR}	=	\$ 1,125.00
1	Pallet Jack	x	\$ 175.00	x	5 _{HR}	=	\$ 875.00
5	Laborers -to transport cargo between trailers	x	\$ 150.00	x	7 _{HR}	=	\$ 5,250.00
1	Fuel Surcharge	x	\$ 60.00	x	X	=	\$ 60.00

Cargo

Subtotal \$ 19,635.00
 CT Sales Tax 6.35%: \$ 1,246.82
TOTAL: \$ 20,881.82

QTY	DESCRIPTION OF CHARGES	COST PER ITEM	HOURS	ITEM COST
1	Pumped Out R. Side Fuel, due to leaking	\$ 590.00	x	\$ 590.00
2	Laborers	\$ 150.00	x 2.5 HR	\$ 750.00
1	Incident Manager	\$ 225.00	x 5 HR	\$ 1,125.00
2	Spill Kits	\$ 219.95	x	\$ 439.90
8	Speedy Dry	\$ 24.95	x	\$ 199.60

Liability

Subtotal: \$ 3,104.50
 CT Sales Tax 6.35%: \$ 197.14

TOTAL: \$ 3,301.64

#DAYS	DESCRIPTION OF ITEM BEING STORED	RATE PER DAY	Amount
	Damaged Tractor - Outdoor Rate	@ \$ 54.00	\$ -
	Damaged Trailer - Outdoor Rate	@ \$ 54.00	\$ -
	Tractor (loaded with cargo) - Indoor Rate	@ \$ 75.00	\$ -
	Additional Cargo - Indoor Rate	@ \$ 75.00	\$ -

Subtotal: \$ -

CT Sales Tax 6.35%: \$ -

TOTAL: \$ -

SUMMARY OF TOWING CHARGES

LINE #	CHARGES	SUBTOTAL	TAX	TOTAL
1	Rolled-over Tractor	\$ 8,260.00	\$ 524.51	\$ 8,784.51
2	Rolled-over Trailer	\$ 8,810.00	\$ 559.44	\$ 9,369.44
3	Transport of Cargo	\$ 19,635.00	\$ 1,246.82	\$ 20,881.82
4	Liability	\$ 3,104.50	\$ 197.14	\$ 3,301.64
5	Tractor	\$ -	\$ -	\$ -
		\$ 39,809.50	\$ 2,527.90	\$ 42,337.40
		<small>SUBTOTAL</small>	<small>TAX</small>	<small>GRAND TOTAL</small>

Cargo is cardboard boxes.

(Signature)



DATE: August 13, 2019
TIME: 03:37 am
LOCATION: 91 NORTH, EXIT 21
WEATHER CONDITIONS:
PER ORDER OF: CONNECTICUT STATE POLICE, TROOP H
RE: VEHICLE ROLL OVER
CASE #: 1900389926
TRUCK OWNER: MITCHELL'S AUTO PARTS
UNIT TYPE: T/T UNIT
TRACTOR MAKE: Mack CXU 613
UNIT#: 7215
VIN#: 1M1AW09Y7GM077561
PLATE: 58448-A, CT reg
TRAILER VIN#: 1A9DF45284S654003
PLATE: AH-7905 CT reg

****PROPERTY DAMAGE****

**Sec. 38a-334-2 (c) "Property Damage" means injury to or destruction of tangible property, including loss of use thereof.*

**Sec38a-334-5 MINIMUM PROVISIONS FOR BODILY INJURY LIABILITY AND PROPERTY DAMAGE LIABILITY (A) Coverage. The insurer shall undertake to pay on behalf of the insured all sums which the insured shall become legally obligated to pay accident and arising out of the ownership, maintenance or use of a motor vehicle owned or long term-leased by the name insured.*

On this day we were dispatched to route 91 south at exit 21 for an overturned tractor trailer unit that had rolled several times into the median after striking a pick-up that spun out causing a chain of events. Connecticut state police ordered an extraction of the driver due to the severity of the damage to the cab of the unit.

Two rotators arrived within 15 minutes (highway was shut down due to possible fatality). Fire and safety extracted the driver from the cab and life star landed on the highway. The highway was closed by Connecticut State police while the scene was investigated. Roughly 200 feet of guard rail was torn down and various cars were struck by debris from the accident. Our incident manager ordered additional support equipment and manpower that would expedite the clearance process. A truck skid steer and recovery unit arrived to assist cutting the guard rail and to clear a work area. Fuel was evacuated. Two rotators were put in place along guard rail of left lane.

Two lanes were closed. A cone pattern set up. One crew disconnected batteries and pulled the driveshaft and caged the brakes. A second crew went to work setting up one rotator and a third crew set up the second rotator. A third wrecker pulled the guard rail up-rights and unbolted cut damaged guard rails and relocated out of way. The state of Connecticut cut the damaged pieces up and loaded out. Another crew cleaned the Hwy debris field of 250 feet of parts from tractor trailer unit, multiple cars and smashed pick up that was struck by tractor-trailer unit. Booms were swung to left side. The casualty was pre picked while chain eliminator bridals were connected. Lower chains were connected to frame of casualty on both truck and trailer. Angle iron was used to support walls on the trailer. After all hook ups were made, the casualty was winched onto its wheels. One rotator held unit on 15° bank while the second unit set up to winch casualty up the embankment and onto the roadway. Due to crown in the road and severe damage to tractor, the second rotator reset up and lifted the tractor and set it onto the roadway.

The casualty was hooked up it and towed back to Central Rocky Hill terminal where unit was separated. Both rotators were stripped down and all equipment restored and driven back to terminal. Site equipment cleaned the road of debris and the road what is swept was swept. All manpower left the scene and returned to the terminal. This road clearance was done in a timely manner with no secondary damage



ACCIDENT RECOVERY PAGE

RECOVERY VEHICLES		TRUCK #	TRUCK DESCRIPTION	COST PER HOUR	HOURS ON SCENE	TOTAL
1		C222	KENTWORTH ROTATOR	\$2,250.00	9.5	\$21,375.00
2		C7	AUTOCAR HEAVY DUTY			\$0.00
3		8	PETERBILT HEAVY DUTY			\$0.00
4		1	PAYSTAR HEAVY DUTY			\$0.00
5		A25	PETERBILT ROTATOR	\$2,250.00	5.5	\$12,375.00
6		12	FREIGHTLINER MEDIUM DUTY			\$0.00
7		15	INTERNATIONAL MEDIUM DUTY			\$0.00
8		1382	AIR CUSHION RECOVERY TRAILER			\$0.00
9		64	DODGE EMERGENCY RECOVERY			\$0.00
10		64F/1382	FORD EMERGENCY RECOVERY	950	9.5	\$9,025.00
11		SUPERHOOK 1	OSHKOSH CRANE			\$0.00
12		SUPERHOOK 2	OSHKOSH CRANE			\$0.00
13		21	FORD AUTOLOAD LIGHT DUTY			\$0.00
14		23	FORD AUTOLOAD LIGHT DUTY			\$0.00
15		11	FORD F-550 LIGHT/MEDIUM DUTY			\$0.00
16		C214	GMC 2500 SERVICE TRUCK			\$0.00
17		4	INTERNATIONAL ROLLBACK			\$0.00
			SUBTOTAL			\$42,775.00
TOTAL COST OF RECOVERY VEHICLES						\$42,775.00
SPECIAL EQUIPMENT		TRUCK #	TRUCK DESCRIPTION	COST PER HOUR	HOURS ON SCENE	TOTAL
20		90	WESTERN STAR HEAVY DUTY			\$0.00
21		A25	PETERBILT ROTATOR	\$1,750.00	4	\$7,000.00
22		8	PETERBILT HEAVY DUTY			\$0.00
23		1	PAYSTAR HEAVY DUTY			\$0.00
24		25	INTERNATIONAL HEAVY DUTY	\$450.00	9.5	\$4,275.00
25		12	FREIGHTLINER MEDIUM DUTY			\$0.00
26		15	INTERNATIONAL MEDIUM DUTY			\$0.00
27		SUPERHOOK 1	OSHKOSH CRANE			\$0.00
28		21	FORD AUTOLOAD LIGHT DUTY			\$0.00
29		23	FORD AUTOLOAD LIGHT DUTY			\$0.00
30		11	FORD F-550 LIGHT/MEDIUM DUTY			\$0.00
31		C3	PETERBILT ROLLBACK	325	9.5	\$3,087.50
32		4	INTERNATIONAL ROLLBACK			\$0.00
			SUBTOTAL			\$14,362.50
TOTAL COST OF RECOVERY VEHICLES						\$14,362.50
RECOVERY EQUIPMENT				COST	HOURS ON SCENE	TOTAL
35		C222	RECOVERY BOX	\$750.00	4	\$3,000.00
36		A25	RECOVERY BOX	\$750.00	4	\$3,000.00
37						\$0.00
38						\$0.00
39		OAK BLOCKING		\$25		\$0.00
40		RUBBER STRAP PROTECTOR		\$25.00		\$0.00
TOTAL COST OF RECOVERY EQUIPMENT						\$6,000.00



ACCIDENT RECOVERY PAGE

PERISHABLE ITEMS	COST PER ITEM	TOTAL		
41 SHRINK WRAP PER ROLE		\$0.00		
42 CHOP SAW BLADE		\$0.00		
43		\$0.00		
44		\$0.00		
45		\$0.00		
46 SPEEDY DRY		\$0.00		
47		\$0.00		
48 WORK BOOTS		\$0.00		
49 RUBBER BOOTS/WADERS		\$0.00		
	SUB TOTAL	\$0.00		
TOTAL COST OF PERISHABLE ITEMS		\$0.00		
RECOVERY RIGGING	NAME	COST PER HOUR	HOURS ON SCENE	TOTAL
50 INCIDENT MANAGER				\$0.00
51 RIGGER				\$0.00
52 RIGGER				\$0.00
53 RIGGER				\$0.00
54 RIGGER				\$0.00
55 RIGGER				\$0.00
56 RIGGER				\$0.00
	SUB TOTAL			\$0.00
TOTAL COST OF RIGGING				\$0.00
CENTRAL PROPERTY SERVICES	(SUB CONTRACTORS)	COST PER HOUR	HOURS ON SCENE	TOTAL
57 FIELD SUPERVISOR	ROB GRECO	\$300.00	4.5	\$1,350.00
58 LABORER	GLEN	\$187.50	7	\$1,312.50
59 LABORER	RAMONE	\$187.50	8.5	\$1,593.75
60 LABORER	GIOVANNI	\$187.50	8.5	\$1,593.75
61 LABORER	JADIEL	\$187.50	8.5	\$1,593.75
62 LABORER	BOB K.	\$187.50	9.5	\$1,781.25
63 LABORER				\$0.00
64 LABORER				\$0.00
65 LABORER				\$0.00
	SUB TOTAL			\$9,225.00



ACCIDENT RECOVERY PAGE

SITE TECHNOLOGY SERVICES (SUB CONTRACTORS)		DESCRIPTION	RATE	HOURS	TOTAL
66		MOB / DEMOB OF SKID STEER			\$0.00
67		MOB / DEMOB OF BACK HOE			\$0.00
68		SKID STEER	\$275.00	9.5	\$2,612.50
69		LIGHT TOWER	\$1,500.00		\$1,500.00
70		TRI-AXLE DUMP TRUCK			\$0.00
71		UTILITY TRUCK			\$0.00
72		FIELD SUPERVISOR			\$0.00
73		LABORERS (8 MEN)			\$0.00
74		PPE (PERSONAL PROTECTIVE EQUIPMENT)	\$75.00	11	\$825.00
75		TRANSPORT & DISPOSE OF 18 YARDS OF CONTAMINATED SOIL			\$0.00
76		TRANSPORT & DISPOSE OF MISC. DEBRIS			\$0.00
			SUB TOTAL		\$77,299.50
			10% MARK UP		\$0.00
			TOTAL COST OF LABOR		\$77,299.50
78		ADMINISTRATIVE FEES	5%		\$3,864.98
79		EQUIPMENT RESTORATION FEES	\$125 PER HR EACH	14 HRS	\$1,750.00
80		HAZARDOUS CONDITION FEES	25%		\$0.00
81		TOTAL			\$5,265.07
					\$88,179.55