

# NEWSBREAK

February/March 2024 Publication of the  
Minnesota Professional Towing Association



## Inside This Issue

- ◆ **In Memoriam...  
Frank Letourneau Jr.**
- ◆ **Message from MPTA  
President**
- ◆ **Roadside Assistance  
Providers Fatally Struck by  
Vehicles at the Roadside:  
Incidence and  
Characteristics**
- ◆ **TRAA Leads Industry  
Response to Unjust Attack  
and Government Overreach  
on Towing Fees**
- ◆ **New Coalition Defends  
Towing Industry**
- ◆ **Tax Season Preparation: A  
Comprehensive Guide**
- ◆ **MPTA 2024 Scholarship  
Application**
- ◆ **2024 Tow Service Criteria  
for the Minnesota State  
Patrol Requirements re  
Drug Testing Reports**

## In Memoriam

**Francis John Letourneau Jr.**

**FEBRUARY 6, 1942 – JANUARY 8, 2024**



Francis J. "Frank" Letourneau Jr. age 81 of Coon Rapids, MN passed away peacefully at home on January 8, 2024. Born February 6<sup>th</sup> 1942, growing up in the south Minneapolis suburbs, Frank attended Minneapolis South High School, Frank did not know what he wanted to do in life.

Frank began pumping gas at the local Clark station in his High School years and after graduation, enlisted in the United States Army. Frank proudly serving his country from 1960 to 1963, Frank relieved of duty on November 22<sup>nd</sup>, 1963, the same day President John F Kennedy was assassinated.

Back in the Twin Cities, Frank held several jobs in multiple industries. One day interested in an overnight dispatching job for AAA in 1967, the lady handing Frank an application turned out to be his soon beloved Harriet. Frank Letourneau married Harriet Michals in 1973. Their marriage blessed them with two children, Rich, and Brett.

Working at AAA, Frank elevated into management and assisting in setting up the first training school for the Minnesota Service Station Association with his friend Joe Sroga.

*(continued on page 4)*

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contribution to help with the legislative  
efforts, please send your donations to:**

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## Message From MPTA President, Ron Gardas Jr.

Hello MPTA members,

I hope that everyone is coming out of winter well. That is the winter that just wasn't. Never has the state of Minnesota seen such a dry winter. But even while writing this message it is 60 degrees in February and I still don't believe winter is over.

In a recent social media post, a member of Minnesota Professional Towing Association renounced his membership and attacked the MPTA. I'd like this minute to address a few things. This association was started by my grandfather (Dick Pellow) as a way to get all towers together to work as one. My grandfather went on to be the first president of the MPTA and as the president he went around the state to get the word of MPTA out to the tow-ers. My father would go on to be president of the MPTA for over 10 years. While President, through personal and professional friends at the MNDOT got one the most used bills passed, the over dimensional permit. Because of this permit we are legal to tow tractor trailer combinations. My mother sat at the capital, along with Todd Siewert for days on end for legislative issues before the MPTA had a lobbyist. As you can see this association and its history are very important and personal to me.

So, what does the MPTA do? Just in this last legislative session the MPTA had two bills pass into law. The expansion of a lien to cover clean-up costs and storage including the cargo of a semi that has been in an accident in effort to get paid for the jobs we are doing. I'll be the first one to say it isn't perfect but it's a step in the right direction. The other bill MPTA passed was spring-time over weight law. This seems so foolish to me, a school bus or garbage truck amongst other things are legal to drive down a road that spring-time weight restrictions- if they break down we were not able to tow them away. Certain police have even told our members "looks like we have to wait until the restrictions come off." Now towers do not have to worry about getting hassled just to do a job. Over the last couple of years, MPTA has introduced many bills that have never been heard. One of those bills we were working on was Heavy Use Registration, or an over-weight permit for big wreckers like rotators while we are empty. The Department of Transportation was not receptive to anything more than 10% over legal weight which is 20,000Lbs on a single axle, 34,000Lbs on a tandem axle, and 43,000Lbs on a tri axle. This is not enough for us.

We will continue to work on this one. Much of the legislative things the MPTA does is fight off bad bills. The last bill that we were fighting against was retravel of contents. Through this bill a person can pick up any item wanted out of a vehicle without paying for the service performed such as an accident. While fighting this bad bill at the capital, one legislator even asked, "Why do people need to pay to get their cars towed at all?" Just think about that for a second, if the MPTA was not there to address this type of thinking and to answer these questions, who knows how much worse this bill could have been?

One of the challenges that we contend with is that you don't need to be a member of the MPTA to receive the perks of the MPTA. If someone wasn't a member, they can still get the Over Dimensional permit, they can still be exempt from weight restrictions and so on. The MPTA this last year was even pulled into legal issues that had nothing to do with the MPTA. Executive director Lance Klatt was called to testify on behalf of the MPTA in a lawsuit involving a towing company in Minnesota that was not even a member at the time. These are the things that take a large amount of time and money from the MPTA.

During this social media post, it was brought up that we are a metro towing association. This is nothing new. We've been hearing people say this since the beginning of the towing association. A few years ago, MPTA hosted "outstate" meetings. This didn't come without challenges. While the board was driving around the state, office staff did not. We ran into challenges when we had a question and needed something quick or needed something from our home office. Shortly after doing the outstate meetings Covid hit and from that time every meeting has been available on zoom to help members be better connected. I also want to point out, MPTA has board members from Moorehead, Duluth, Winona, and Owatonna.

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The training was an obvious success, Frank leaving AAA doing anything he could to help the Service Station Association. With Frank's connections within the service station industry, striking up a long-lasting friendship with Len Anderson from the local Standard oil station at the corner of Franklin and Riverside in Minneapolis.

At the time franchises such as standard oil owned the property leasing to the station owner. If standard oil decided to sell a location for no reason-out from under the dealer, Frank lobbied and assisted in passing the PMPA act also known as "The Franchise law" giving the station owner protection(s). During the fueling crises in 1973-74, creating a resolution for fuel allocations within service stations. Stations were only allocated 8,000 gallons of fuel per month. Frank found a loophole. If a station had tow trucks and delivered gas, that station would be allocated more fuel than stations that did not. Saving countless businesses and saving countless jobs and the families depending on those jobs.

October 1<sup>st</sup>, 1975, Frank, and Harriet started Citywide Service in south Minneapolis in a small alley garage working 24 hours a day. Looking to expand, Frank and Harriet moved the business to Ham Lake needing space, but short of a garage. Staying in Ham Lake, Frank and Harriet bought a house with a garage and lot storing impounds as Harriet orchestrated new a tax service from the kitchen in addition to Frank also running a successful dump truck business out of the home location- not mention Frank and Harriet also operated a bait shop out of the house!

This location Frank showed his boys how to work hard for their dreams. Frank's son Brett remembers working for him during a snowstorm. Both boys had been out for more hours than they could count. A call comes in and Brett says, "Dad I can't go anymore, I'm so tired" Frank said OK and started putting on the boots he just took off. Brett said, "dad what are you doing"? Frank said, "the job needs to get done, people are counting on us." Soon after, Frank, persuaded by his friend Joe Sroga to join the MPTA one of the first handful of MPTA members (Charter Member)

Any other towing company ever thought about having a bait shop in their towing company? "My way" is a slogan sticking with frank his whole life- immortalized on the front of a pickup truck his son Brett has built in his honor with a wrecker in the back end painted the same color brown Frank started with. Frank and Harriet sold City Wide Service to their son Brett in 2000.

Frank is preceded in death by his loving wife of 50 years, Harriet; his son, Richard Sunde; his sister, Nancy Letourneau; and his brother, Earl Letourneau Sr. Frank is survived by his son, Brett Letourneau, and daughter-in-law, Kim Sunde; grandchildren, Courtney Hoyer (Scott), Amber Sunde, and Adam Letourneau; 2 great grandchildren; sister-in-law, Ellen Letourneau, many nieces and nephews, and friends.

Per Frank's wishes, there was a small gathering of family to place his ashes with Harriet on February 6, 2024. His life will be celebrated at a larger gathering for family and friends later this year.





## **Roadside Assistance Providers Fatally Struck by Vehicles at the Roadside: Incidence and Characteristics**

**Roadside assistance providers risk their own safety to help stranded motorists. This report examines crashes in which roadside assistance providers were struck and killed by vehicles, to inform efforts to protect them.**

*January 2024*

### **Introduction**

Roadside assistance providers such as motor vehicle towing personnel, mobile mechanics, and safety service patrollers often work on or alongside highways to help motorists stranded due to vehicle breakdowns or crashes. This places them at risk of being struck by passing vehicles. Research is needed to understand the circumstances of crashes in which roadside assistance providers are struck by passing vehicles, to inform and prioritize efforts to protect them.

However, the data sources most commonly used for traffic safety research do not reliably identify crash victims as roadside assistance providers, which has hindered previous research efforts. Thus, this study used data from industry sources to identify roadside assistance providers who were struck and killed by vehicles while working, and then linked them to a national database of fatal crashes, to gain an understanding of the circumstances of these crashes and issue recommendations for efforts to protect roadside assistance providers.

### **Methodology**

Roadside assistance providers who were struck and killed by vehicles while working on the side of the road were identified using records compiled by two industry groups that memorialize roadside assistance providers who have died. The Emergency Responder Safety Institute has maintained records of all roadside assistance providers as well as law enforcement officers, firefighters, and emergency medical services providers struck and killed by vehicles since 2019. The National Tow List has maintained a list of all roadside assistance providers who died in the line of duty from any cause since 2015. Researchers filtered and merged these records to compile a list of all known roadside assistance providers struck and killed by vehicles in the United States since 2015.

These records were then matched to the National Highway Traffic Safety Administration's Fatality Analysis Reporting System, a database of all fatal crashes each year in the United States, using information available in both sets of records such as the date and location of the crash and the age of the victim.

Data from 2015 through 2021 (the most recent year of fatal crash data available at the time of the study) were examined. The researchers then analyzed these data to document the characteristics of the crashes in which roadside assistance providers died.

### **Key Findings**

Researchers identified 123 roadside assistance providers who were struck and killed by vehicles while working in the United States in years 2015 – 2021. This represented nearly four times as many as were identified using national crash data alone and slightly more than reported in a federal database of occupational fatalities. Examination of the data provided the following insights:

- 89% occurred at locations with speed limits of 55 miles per hour or higher, almost all of which were on Interstates or other limited-access highways.
  - 84% occurred in crashes with no indication of precipitation nor slippery road conditions.
  - 63% occurred during darkness, of which nearly two-thirds were at locations without lighting.
- 63% occurred in crashes in which the striking vehicle left the road before striking the roadside assistance provider, the provider's vehicle, or the disabled vehicle.

The report includes many additional findings as well as recommendations for future research and practice to protect roadside assistance providers.

*(continued on pages 6 & 7)*

# Roadside Assistance Providers Fatally Struck by Vehicles at the Roadside: Incidence and Characteristics

## INTRODUCTION

Roadside assistance providers such as motor vehicle towing personnel, mobile mechanics, and safety service patrollers often work on or alongside highways to help motorists stranded due to vehicle breakdowns or crashes. This places them at risk of being struck by passing vehicles. Research is needed to understand the circumstances of crashes in which roadside assistance providers are struck by passing vehicles, to inform and prioritize efforts to protect them. However, the data sources most commonly used for traffic safety research do not reliably identify crash victims as roadside assistance providers, which has hindered previous research efforts. Thus, this study used data from industry sources to identify roadside assistance providers who were struck and killed by vehicles while working, and then linked them to a national database of fatal crashes, to gain an understanding of the circumstances of these crashes and issue recommendations for efforts to protect roadside assistance providers.

## METHODOLOGY

Roadside assistance providers who were struck and killed by vehicles while working on the side of the road were identified using records compiled by two industry groups that memorialize roadside assistance providers who have died. The Emergency Responder Safety Institute has maintained records of all roadside assistance providers as well as law enforcement officers, firefighters, and emergency medical services providers struck and killed by vehicles since 2019. The National Tow List has maintained a list of all roadside assistance providers who died in the line of duty from any cause since 2015. Researchers filtered and merged these records to compile a list of all known roadside assistance providers that were struck and killed by vehicles in the United States since 2015. These records were then matched to the National Highway Traffic Safety Administration's Fatality Analysis Reporting System, a database of all fatal crashes each year in the United States, using information available in both sets of records such as the date and location of the crash and the age of the victim. Data from 2015 through 2021 (the most recent year of fatal crash data available at the time of the study) were examined. The researchers then analyzed these data to document the characteristics of the crashes in which roadside assistance providers died.

## TECHNICAL REPORT:

Tefft, B.C., Wei, A., & Steinbach, R. (2024). *Roadside Assistance Providers Fatally Struck by Vehicles at the Roadside: Incidence and Characteristics*. (Technical Report). Washington, D.C.: AAA Foundation for Traffic Safety.

 [DOWNLOAD REPORT](#)

## ABOUT THE AAA FOUNDATION FOR TRAFFIC SAFETY

Founded in 1947, the AAA Foundation for Traffic Safety in Washington, D.C., is a nonprofit, publicly supported charitable research and educational organization dedicated to saving lives by preventing traffic crashes and reducing injuries when crashes occur. Funding for this research was provided by voluntary contributions from AAA/CAA and their affiliated motor clubs, individual members, AAA-affiliated insurance companies, and other organizations or sources.

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## KEY FINDINGS

The researchers identified 123 roadside assistance providers who were struck and killed by vehicles while working in the United States in years 2015 – 2021. This represented nearly four times as many as were identified using national crash data alone and slightly more than reported in a federal database of occupational fatalities. Examination of these data provided the following insights:

- 89% occurred at locations with speed limits of 55 miles per hour or higher, almost all of which were on Interstates or other limited-access highways.
- 84% occurred in crashes with no indication of precipitation nor slippery road conditions.
- 63% occurred during darkness, of which nearly two-thirds were at locations without lighting.
- 63% occurred in crashes in which the striking vehicle left the road before striking the roadside assistance provider, the provider's vehicle, or the disabled vehicle.
- The annual number of roadside assistance providers struck and killed by vehicles appears to be increasing significantly faster than the concurrent increasing trend in total traffic fatalities. Trends should be interpreted with caution, however, as it is possible that recent records of roadside assistance provider deaths may be more complete than records from earlier in the study period.

The report issues the following recommendations based on the research findings:

- There is a need to reinforce public awareness of and increase compliance with Slow Down, Move Over laws, which require motorists to move over one lane or slow down when approaching an incident where tow operators, police, firefighters or emergency medical service providers are working at the roadside. There is also a need for research on the most effective approaches to increase compliance.
- Countermeasures are needed to protect roadside assistance providers and first responders from out-of-control vehicles that depart the roadway; research is needed to determine what countermeasures are most effective and practical.
- Training for roadside assistance providers should emphasize avoiding working on the traffic-facing side of the incident scene to the greatest extent possible and should provide strategies for how to do so.
- In cases where countermeasures are inherently site-specific or where deployment must be prioritized, deployment should prioritize protecting roadside assistance providers working on high-speed limited-access highways.
- State police crash report forms should include data fields designed to report whether a crash victim was an incident responder and type of responder when applicable, as called for in the current edition of the Model Minimum Uniform Crash Criteria. States should also consider collecting additional information on crashes in which roadside assistance providers and other emergency response personnel are struck by vehicles, at least in those that result in the injury or death of a responder.

# TRAA LEADS INDUSTRY RESPONSE TO UNJUST ATTACK AND GOVERNMENT OVERREACH ON TOWING FEES

As many of you are aware, the Biden Administration has taken an unprecedented step and partnered with the American Trucking Association, a highly political organization, to attack the towing industry.

For background, in the fall of 2022, the Biden Administration, via the Federal Trade Commission (FTC) announced its intent to regulate “junk fees.” This proposed rule seeks to limit the use of “unfair or deceptive fees,” and is aimed at addressing items like extra charges from Ticketmaster, overdraft fees assessed by banks, and airline fees charging families to sit together. However, many industries and consumers have taken this as an opportunity to make a claim that any fee they dislike is unfair and deceptive and should be included in the final rule.

On February 7th, the last day comments on the proposed “junk fee” rule were accepted, Federal Motor Carrier Safety Administration (FMCSA) Acting Deputy Administrator, Sue Lawless, submitted an official comment to the Federal Register requesting that FTC include predatory towing in the final rule. The letter mainly complains about towers “hiding fees” and not adding them to the bill until it is final. Some of the particular practices FMCSA mentions include:

1. lack of itemized bills;
2. per-mile fee;
3. daily storage rate;
4. and administrative fee.



FMCSA, citing a report published by the American Transportation Research Institute in November, is pushing for the final FTC rule to include:

1. Clarity that tow companies are not allowed to have hidden fees or fees disclosed after the tow – and to make each charge in this category a separate violation;
2. A requirement for a “total price,” i.e. A maximum total of fees or charges the customer must pay;
3. A “mandatory ancillary fee” that includes any ancillary fee or charge and prohibit charging any ancillary fee not included in the total upfront price;
4. A prohibition on charging for an ancillary fee that has “no value” or “costs nothing to the provider”/ can be reasonably assumed by the customer to be an included cost;
5. A prohibition on excessive fee practices;
6. Guidance on how to implement this around state laws that might vary.

While it is highly unusual for a federal agency responsible for regulating an industry to ask another federal agency to do its job, **TRAA has already launched its response, leading the industry in doing so and providing protection for its members.**

1. Meetings with Members and FMCSA: We have been in contact with several Congressional offices since February 7th. We will be continuing these meetings along with meetings with FMCSA during TRAA's Hill Day the first week of March. We're particularly working with those Members who are leading the fight against “junk fees” and who understand the crucial service and dangerous work tow operators provide. Thanks to our efforts, there are Members who understand that our industry is critical to economic wellbeing and unfair and unjust regulations will hurt small and family-run businesses.
2. Official Response to FTC: We are submitting an official response to the FTC objecting to this regulatory overreach and educating them on the reality of working under dangerous circumstances and time constraints to remove large vehicles from roadways.

TRAA is providing this content as an industry update and, as such, our Affiliate State Towing Associations and the industry publications are **welcome to share this content with their own distribution lists** provided TRAA is cited appropriately

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# New Coalition Defends Towing Industry



On October 20, 2022, the Federal Trade Commission (FTC) announced that it was exploring a new proposed rule on “Unfair or Deceptive Fees” to crack down on supposed junk fees proliferating through the economy. The Commission then voted 3 to 1 in favor of approving publication of the advance notice of proposed rulemaking (ANPRM), which received over 12,000 comments.

On November 9, 2023, the FTC published a notice of proposed rulemaking (NPRM) entitled “Rule on Unfair or Deceptive Fees.” This would prohibit unfair or deceptive practices relating to fees for goods or services, specifically misrepresenting the total costs of goods and services by omitting mandatory fees from advertised prices and misrepresenting the nature and purpose of fees.

With the announcement of the new rule, the FTC opened a 60-day public comment period that closed on January 8, 2024, but was extended an additional 30-days to February 7, 2024. On the last day before the extended comment period closed, the Federal Motor Carriers Safety Administration (FMCSA), a division of the Department of Transportation (DOT), submitted comments in support of the proposed rule, stating in part:

“The proposed regulation may significantly benefit FMCSA’s regulated community, specifically as it relates to the predatory towing practices that have a substantial financial impact on CMV owner operators.” Further, the comments stated that, “FMCSA believes that these predatory towing fee practices fall within the purview of FTC’s proposed regulation on unfair or deceptive fees and offers the following support and suggestions for consideration.” These comments also go on to suggest additional regulations to target what they perceive to be predatory towing practices.

As of midnight on February 7, 2024, the comment period closed, and no more comments could be submitted. To this day, no one from the towing and recovery industry submitted comments, participated in the rulemaking process, or informed our vast community about the potential devastating impact these rules will have on our businesses and livelihood.

These circumstances now have ended.

## THE NOCSHC’S TAKES ON THE FIGHT

### *Statement released by OSCHA was:*

We created the National Open Commerce and Safer Highways Coalition (NOCSHC) to fight this unnecessary and likely devastating government action, participate in the process, defend and inform the industry, and prepare for any and all action necessary to respond. The NOCSHC is a coalition of committed towing and recovery companies, allied businesses and emergency-responder communities employed and dedicated to keeping our roads open and safe. We are taking immediate action to:

- Retain the highest-caliber legal representation to engage the FTC rulemaking process where it stands today, assess the risk and liability the rule poses to the industry, and prepare to take any and all legal actions to protect and defend our interests at the Federal level.
- Retain federal lobbying representation to engage Members of Congress regarding their oversight of the regulatory process, engage the FTC, FMCSA, and DOT, and tirelessly advocate for the coalition to ensure our voice is heard.

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The board members legitimately come from all corners of the state. They stand for the towers in their areas and bring forward the challenges from their areas. We've had board members of large towing companies and small ones. We have board members that are not towers at all to give incite from other angles. No board member has ever received money for fuel or hotels even though it has been suggested that they take it. Every board member is a volunteer and wants to help the industry, not divide it. Every board member has a family, has children, and has a business to operate as we are all there for the betterment of the industry.

If someone wants to renounce their membership that is their decision, but don't attack this association over social media. In doing so they are attacking the years of history of the men and women that have fought so hard to get where we are now. In doing so they are attacking the office staff, legal counsel and our lobbyist. In doing so they are attacking the executive director Lance Klatt who takes this association to heart as much as I. Why try to have a competing association? If anyone has an issue they see, come to the meetings, get involved, get elected.



**Ron Gardas Jr**  
***President - Minnesota Professional Towing Association***  
***Vice President - Heavy Operations***  
**Twin Cities Transport & Recovery**

## **Tax Season Preparation: A Comprehensive Guide**

Tax season is just around the corner, and for many, this time of year can be both daunting and overwhelming. However, with the proper planning and organization, you can take on tax season with confidence! This blog post will serve as your comprehensive guide to tax season preparation, outlining the key steps you need to take to ensure a smooth and stress-free tax season!

### **How To Prepare For Tax Season**

Preparing for tax season seems like a year-long process at times. From tracking mileage to organizing receipts, there's always something tax-related to do. However, when the calendar turns over to a new year, it's time to really start thinking about tax season preparation and the steps you need to take to get ready for filing day. Read on for your complete guide to tax preparation and everything you need to know!

### **STAY INFORMED ABOUT TAX LAW CHANGES**

Tax laws are ever-changing and it is your responsibility to stay informed on these changes, as they can make a significant difference. Familiarize yourself with any updates or changes to tax laws that may affect your filing status or eligibility for credits. You can also reach out to your tax preparer or accountant for more information on these changes and the potential impacts on your taxes.

### **GATHER AND ORGANIZE KEY DOCUMENTS**

This is one of the most daunting parts of the tax season preparation process – gathering all of the key documents needed. This includes tax forms such as W-2's, 1099s, and other forms. You'll also want to gather and organize receipts, mileage records, social security documents, bank statements, income statements, expense records, payroll records, tax deduction records, profit and loss statements, balance sheets, financial statements, and any other relevant or requested paperwork.

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Take some time to review all of your financial documents and categorize them by income and expenses to make it easier to identify potential deductions or tax credits. You can use an accounting software like Quickbooks Online to make this process simple.

Having all of the documents you need to properly file your taxes in one organized place will save you a lot of time and prevent last-minute searches.

### **EXPLORE DEDUCTIONS AND CREDITS**

With all of your documents and records organized and in one place, you can explore and identify potential deductions and credits that are available to you.

Some common deductions and credits include:

- Mortgage interest.
- Student loan interest.
- Medical expenses.
- Startup costs.
- Business expenses.
- Depreciation.
- Child Tax Credit.
- Education Credits.

These deductions and credits can save you significant amounts of money, so do your due diligence and explore all of your options.

### **CONSIDER PROFESSIONAL HELP**

While some individuals prefer to handle and file their taxes themselves, it is beneficial to seek out professional help. Tax professionals can provide advice and expertise, help ensure that you have everything you need, it's all accurate, you are maximizing your savings, and overall, help you navigate tax season with a little more ease and peace of mind.

### **PLAN FOR RETIREMENT CONTRIBUTIONS**

If you're looking for more ways to positively reduce your tax liability (while planning for the future!), you can contribute to retirement accounts, such as 401(k)s or IRAs. Evaluate your contributions and look for ways to maximize them in order to take advantage of potential tax benefits, thus, reducing your tax bill.

### **REVIEW BEFORE SUBMISSION**

Just like when you were in school getting ready to turn in a big test, it's key to thoroughly review your tax return before submitting it. Check to make sure that all information is entered correctly, you've chosen the correct filing status, and all deductions and credits are accounted for.

### **REFLECT AND PLAN FOR NEXT YEAR**

While you may be begging for a break from taxes once you've filed, this is a great time to reflect and plan for next year. Consider ways to make your life easier when it comes to next year's tax season preparation as well as ways that you can maximize your tax savings. You may look at adjusting your withholdings, organizing your financial documents throughout the year using Quickbooks Online, tracking mileage using a software like Trip-Log, or managing your receipts online using Hubdoc or Dext. It's never too early to stay proactive with your tax planning.

By following these steps and guidelines for tax season preparation, you can stay on top of things, take advantage of resources and opportunities to save, and get through tax season with less stress and more confidence.

# Minnesota Professional Towing Association 2024 Scholarship Application

The purpose of this scholarship program is to assist young men and women whom are seeking a higher education in order to develop advanced skills.

**Three scholarships of \$500.00 each will be awarded annually to applicants who must be at least a senior in high school and/or 18-25 years of age and is a son, daughter, or member in good standing with the MPTA.**

## MPTA Scholarship Guidelines

- Applicant must have a 3.0 GPA to qualify.
- Applicant must provide proof of performance with application (official school transcript).
- Applicant must provide proof of enrollment for institute of higher education with application.
- Applicant must provide two letters of recommendation from either a teacher, school advisor, or extra circular advisor (i.e. sports coach, club advisor).
- Applications must be returned to MPTA by **May 20<sup>th</sup>** of each year.
- Students may apply for scholarship a maximum of three times.
- Applicants do not need to study in the automotive industry.

### **Selection Process:**

- The MPTA Board of Directors will select scholarship winners based on the criteria below from the applications:
  - Accomplishments specified on application (i.e. DECA, FBLA, sports, leadership roles, etc.)
  - Student's goals, both long-term and short-term
  - Student's GPA
  - Student's work ethic (Does the students hold a part-time job as well as attend school?)
- The applications will be reviewed by the Board of Directors at the May Board meeting.
- Scholarship winners will be contacted in late May.
- The Association will give the checks to the students in the spring of each year.

## **Applications due no later than May 20th**

**All applications, letters of recommendations, and transcript should be sent to:**

Minnesota Professional Towing Association  
2886 Middle Street  
Little Canada, MN 55117

Phone: 651-487-2231

Fax: 651-487-2447

Application, letters of recommendations, and transcript must be received by **May 20th** for consideration.  
(Please print or type – if not enough space is provided please attach a separate sheet)

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone Number (best number to reach you) \_\_\_\_\_

Name of current school \_\_\_\_\_

Name of parent or guardian \_\_\_\_\_

Name of the MPTA member with whom you are associated:

(Applicant must be the son, daughter, or member in good standing of the MPTA)

Business's Name \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Name of the institute of higher education that you plan to attend:

\_\_\_\_\_

Reason for applying (financial need): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

List extra curricular activities: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please describe any awards, honors, or leadership positions you have held/received:

\_\_\_\_\_

\_\_\_\_\_

Future goals (long and short term): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Do you currently hold a job outside of school? If so please provide name of employer:

\_\_\_\_\_

\_\_\_\_\_

How do you plan to use this scholarship for higher education?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Return complete application to MPTA, 2886 Middle Street, Little Canada, MN 55117  
Phone: 651-487-2231 Fax: 651-487-2447

## 2024 Tow Service Criteria for the Minnesota State Patrol Requirements re Drug Testing Reports

### *Overview*

In December 2023, the State Patrol sent a letter announcing they would begin tow re-inspections in 2024. To be in the State Patrol towing rotation, the letter explained the list of required information per the recently updated Minnesota State Patrol General Order. This list included an “annual report of compliance with drug testing.”

There was some confusion over what this requirement meant, as one of the employees at the State Patrol incorrectly told an MPTA member that the State Patrol was requiring all employees who would be responding to MSP calls for service be identified and have a drug test linked to that individual driver.

Unless the towing company first got **written consent** from its employees to share this information, this would be a violation of a current Minnesota law, Minn. Stat. § 181.954. The statute provides that an employer must get written consent from the employee before the employer can share the employee’s individual test results with anyone else, including a governmental agency.

After further communications, the State Patrol walked back that request and returned to the original request of the annual one-page report showing compliance with the drug testing requirement. That report does not contain individual test results.

### *Take Aways*

- Employees of an agency are not always correct. If something seems incorrect or questionable to you, reach out to MPTA or counsel for their opinion.
- The State Patrol’s new requirements *do not* ask for individual drug testing results. If you are asked to provide individual results, you must get written permission from your employee(s) before providing that information. You can always reply by citing the statute and explaining you need to be in full compliance with the law before you can respond to their request. All that is required under the updated General Order is the one-page annual report.

See MN Statute 181.954 PRIVACY, CONFIDENTIALITY, AND PRIVILEGE SAFEGUARDS on next page.

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## 181.954 MINNESOTA STATUTES 2023 1

### 181.954 PRIVACY, CONFIDENTIALITY, AND PRIVILEGE SAFEGUARDS.

Subdivision 1. **Privacy limitations.** A laboratory may only disclose to the employer test result data regarding the presence or absence of drugs, alcohol, or their metabolites in a sample tested.

Subd. 2. **Confidentiality limitations.** Test result reports and other information acquired in the drug or alcohol testing or cannabis testing process are, with respect to private sector employees and job applicants, private and confidential information, and, with respect to public sector employees and job applicants, private data on individuals as that phrase is defined in chapter 13, and may not be disclosed by an employer or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.

Subd. 3. **Exceptions to privacy and confidentiality disclosure limitations.** Notwithstanding subdivisions 1 and 2, evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under chapter 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation, or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

Subd. 4. **Privilege.** Positive test results from an employer drug or alcohol testing or cannabis testing program may not be used as evidence in a criminal action against the employee or job applicant tested.

**History:** 1987 c 388 s 5; 2023 c 63 art 6 s 40

(continued from page 11)

-- Inform the industry. Everyone deserves to know the impact and liability your business faces and what is being done to address the proposed rule. The NOCSHC will be your source of information and your voice in Washington, DC.

#### A CALL TO ACTION

For far too long there has been silence and inaction from the towing and recovery industry. The NOCSHC will speak with a united voice and an unwavering commitment to fight this erroneous and unnecessary regulatory action so that this industry will never be silent. We will be prepared to fight back. We are facing a grave and immediate threat from powerful and well-funded opposition working in concert with our industry's same government regulators.

We cannot be silent, and we must take action now!

We need your help. This battle requires an "all hands-on deck" approach. The consequences of this federal action are real and the process is well underway. We need every towing and recovery company, every state association, every allied business, and our emergency responder partners to join this crucial effort today!

Please email [info@nocshc.com](mailto:info@nocshc.com) to get involved today!!

**TOW INDUSTRY WEEK**

# Member Directory

<b>Aitkin</b>	Dennis' Towing 320-684-2825	<b>Crystal</b>	Schmit Towing 763-253-1568	<b>Luverne</b>	G&S Auto LLC 507-283-8146
<b>Albert Lea</b>	T&W Towing LLC 507-402-9829		Twin Cities Transport & Recovery 651-642-1446	<b>Mankato</b>	Affordable Towing 507-388-8697
<b>Alexandria</b>	Dan's Diesel, Inc. 320-995-6108	<b>Currie</b>	Radke Wheel Service 507-763-3129	<b>Marshall</b>	Pulver Towing 507-828-5720
<b>Anoka</b>	North Star Towing 763-427-4160	<b>Dayton</b>	MN Towing and Repair 612-326-6687	<b>Melrose</b>	Shaggy's Towing 320-256-7855
<b>Apple Valley</b>	Dick's Valley Service 952-432-2848		Twin Cities Transport & Recovery 651-642-1446	<b>Minneapolis</b>	Blaine Brothers 763-780-5130
<b>Austin</b>	Otomo's Auto Towing 507-450-0051	<b>Duluth</b>	Dukes Towing 218-722-8885		612-333-8900
<b>Big Lake</b>	Bob's Towing & Recovery 763-262-8697	<b>Eagan</b>	Mark's Towing 651-454-1533		Bobby & Steve's Auto World South Minneapolis 612-861-6133
<b>Blackduck</b>	Bogart's Towing 218-835-4548		Magnum Towing 651-423-7201		City of Minneapolis Public Works 612-704-0428
<b>Blaine</b>	Twin Cities Transport & Recovery, Inc. 651-642-1446	<b>East Bethel</b>	Schmit Towing 763-253-1568		Miller Towing 612-827-5591
	Frovik's Towing 763-786-9220	<b>Eden Valley</b>	Jack's Towing 320-453-6560		Silverback Towing & Recovery 763-332-1563
	Citywide Service Corp 763-786-9020	<b>Elk River</b>	Bob's Towing of Elk River 763-441-3666	<b>Minnetonka</b>	Kustom Karriers 952-938-4680
	Hooked Up Towing & Recovery 612-913-0702		Collins Brothers Towing 763-241-9177	<b>Monticello</b>	Burdas Towing 320-257-5525
<b>Blooming Prairie</b>	Darrick's Preferred Auto 507-583-9994	<b>Faribault</b>	Glenn's Service LLC 507-334-4202	<b>Moorhead</b>	Aggressive Towing & Recovery 218-287-2344
<b>Bloomington</b>	Chief's Towing, Inc. 952-888-2201	<b>Fergus Falls</b>	Beyer Towing 218-205-6137		Ed's Towing Service 218-233-7740
<b>Brooklyn Park</b>	Cardinal Towing Service 763-535-1334	<b>Forest Lake</b>	Dan's Towing 654-464-5551	<b>Motley</b>	Collins Brothers Towing Of Motley 320-257-5525
	Citywide Service 763-424-4900		Twin Cities Transport & Recovery, Inc 651-642-1446	<b>Mountain Iron</b>	Iron Range Towing and Automotive 218-780-1726
	Feist Towing 763-544-5512	<b>Fridley</b>	Schmit Towing 763-253-1568	<b>New Brighton</b>	Freeway Towing 651-633-5525
<b>Brainerd</b>	Collins Brothers Towing Of St. Cloud, 218-822-5525	<b>Grand Marais</b>	Cook County Towing 218-663-7475		Statewide Towing 651-633-4262
<b>Burnsville</b>	Captain Towing 952-856-2901	<b>Grand Meadow</b>	Gregerson Towing & Recovery 507-272-4088	<b>Newport</b>	Absolute Towing & Recovery 651-337-2149
<b>Cannon Falls</b>	Siewert's Towing 507-263-4791	<b>Inver Grove Heights</b>	South East Towing 651-451-9721	<b>Oakdale</b>	Twin Cities Transport & Recovery, Inc. 651-642-1446
<b>Clearwater</b>	Blaine Brothers 320-558-9966	<b>Ironton</b>	AutoSmith Service Group 1-218-545-5715	<b>Owatonna</b>	Dean's Westside Service 507-455-1950
	Collins Brothers Towing & Repair 320-257-5525	<b>Lafayette</b>	Five Star Towing 507-843-2677		Sweet Towing & Repair 507-451-3424
<b>Cloquet</b>	Cars Towing, Inc. 218-879-3133	<b>Kasson</b>	T & K Towing Service 507-250-4573		
<b>Coon Rapids</b>	Highway 10 Towing 763-757-6789	<b>Lakeville</b>	Marek's Towing & Repair 952-469-3182		
	Corky's Towing 612-919-1106	<b>Little Falls</b>	Collins Brother Towing Of Little Falls 320-257-5525		
		<b>Loretto</b>	Burdas Towing 320-257-5525		

# Member Directory

**Paynesville**  
Collins Brothers Towing & Repair  
320-257-5525

**Plymouth**  
Plymouth Automotive  
763-544-3202  
Frankies Towing Co  
763-595-0321

**Red Wing**  
Midway Auto  
651-388-8296  
Siewerts Garage  
651-388-9163

**Rochester**  
CSC Towing  
507-289-8344  
Gregerson Towing & Recovery  
507-272-4088  
Rochester Towing, LLC  
507-288-7317  
Pulver Towing  
507-282-3851

**Rogers**  
Burdas Towing  
763-428-9911

**Sauk Centre**  
Centre Towing Inc.  
320-352-1500

**Savage**  
Allen's Service Inc.  
952-894-1000  
Tyson's Towing & Transport  
612-928-3705

**Scanlon**  
Blaine Brothers  
218-879-6681

**Shafer**  
PLC Recovery  
651-257-3975

**Shoreview**  
Elite Towing  
952-808-0808

**Spring Lake Park**  
Citywide Service  
763-432-4550

**St. Anthony**  
Twin Cities Transport  
& Recovery, Inc.  
651-642-1446

**St. Cloud**  
Collins Brothers Towing  
Of St. Cloud, Inc.  
320-257-5525  
Andy's Towing  
320-251-5691

**St. Francis**  
PTL Tire & Auto  
763-434-7766

**St. Paul**  
Twin Cities Transport &  
Recovery, Inc.  
651-642-1446  
Elite Towing of Minnesota, Inc.  
952-808-0808  
PLC Recovery  
651-247-9783

**Stillwater**  
Stillwater Towing  
651-439-5744

**Strandquist**  
Nordic Towing  
1-833-667-3421

**Sunburg**  
Dans Diesel Inc  
320-264-5852

**Virginia**  
Armory Shell Towing & Service  
218-741-6050

**Waseca**  
Bocks Service Inc.  
507-835-5407  
Tesch Service Center  
507-835-4610

**White Bear Lake**  
Twin Cities Transport &  
Recovery, Inc.  
651-642-1446

**Willmar**  
City Line Towing  
320-231-3869  
Dans Diesel Inc  
320-995-6108  
Ed's Service Center & Sales  
320-235-5945

**Winona**  
Borkowski Towing & Salvage  
507-452-9073

**Zumbrota**  
Bergs Towing & Repair  
507-732-5613

## NORTH DAKOTA

**Bismarck**  
Berg's 24 Hour Towing  
701-663-6491

**Grand Forks**  
Nordic Towing  
1-833-667-3421

## SOUTH DAKOTA

**Big Stone**  
The Shop, Inc.  
605-862-8215

## WISCONSIN

**Ashland**  
Tomlinson's Inc.  
715-684-3359

**Baldwin**  
Day & Nite Towing, LLC  
715-684-3359

**Balsam Lake**  
Lake Services Unlimited  
715-857-5753

**LaCrosse**  
Goldbeck Towing Service  
608-781-4869

**Hixton**  
Jensen Towing and Repair  
715-963-3431

**Roberts**  
Jerry's Towing  
715-749-4450

**Superior**  
Lake City Towing  
218-722-7781

**Watertown**  
Performance Towing  
218-722-7781

## ASSOCIATE

### Auction

Copart

Kayla Teeselink 651-428-8759

### Auto & Equipment Sales

Twin Cities Wrecker Sales

Rod Pellow 651-488-4210

Worldwide Equipment Sales

Jeff Irr 815-725-4400

Zip's Truck Equipment

Paul Rottinghaus 1-800-222-6047

### Banking/Financial

Merchants Bank

Jordan Frederick 507-457-1194

### Credit Card Processing

Delta Payments

Kent Flannery 877-718-4490

### Fabrication & Manufacturing

B&B Industries

Lance & Layla Burda 763-333-4743

### Health Insurance

Health & Life Financial Services

Kevin Urlaub 763-287-0055

### Insurance

Insuring Minnesota

Rick McIntosh 952-469-0425

Midwest Insurance Service

John Hall 651-439-5939

### Management Consulting

Professional Transport Management

Company

Steve & Sue Schmit 612-366-0525

### Uniforms

Cintas

Kevin Gaskins 763-391-5266

# UPCOMING EVENTS

## MPTA Board Meeting

TBD

Dinner: 6:00 pm

Meeting: 6:30 pm

MPTA Office  
Little Canada, MN



**SAVE  THE DATE**

**Intro to Light Duty Training Class– May 14, 2024**

**2-Day Advanced Light Duty Training Class– September 10-11, 2024**

Please look for more information in upcoming Newsbreaks and on the MPTA website.

**Eve of Destruction– September 14, 2024  
Elko Speedway**

More information to follow.