



NIAGARA REGIONAL POLICE SERVICE Police Service Board Report

PUBLIC AGENDA

Subject: Tow Truck Rotation List for the Niagara Region - Options and Recommendations

Report To: Chair and Members, Niagara Police Service Board

Report Date: 2025-07-07

Recommendation(s)

That the Niagara Police Service Board (Board) receive this report on the Niagara Region Tow Truck Rotation List and approve the included recommendation for the management and oversight of the tow truck rotation list.

Key Facts

- In May 2019, the Niagara Region assumed responsibility for all aspects of Business Licensing, including but not limited to taxis, adult entertainment, and tow trucks, which included management of the tow truck rotation list, which was previously managed by the Niagara Regional Police Service (NRPS) through a fully staffed Licencing and By Law Unit.
- At the March 20, 2025, Niagara Region Council meeting, concerns were raised by two owners of tow truck companies regarding the management and administration of the tow truck rotation list. During this meeting, Niagara Region staff indicated that they no longer oversee the tow truck rotation, as it is a "legacy piece" and no longer a requirement since the province/Ministry of Transportation (MTO) took over the licencing of tow trucks, in January 2024. The licencing includes tow truck operator certificates, tow driver certificates, and vehicle storage operator certificates. This issue has subsequently been raised at recent Niagara Regional Council meetings.
- Since this time, NRPS and Niagara Region staff have consulted and NRPS has gathered information to provide recommendations to the Board regarding the management and administration of the tow truck rotation list. This also included consultation with members of the NRPS who have first-hand knowledge of the management of tow trucks in Niagara prior to the transition to the Niagara Region in 2019.
- NRPS has also consulted other jurisdictions in the province all of which have varying forms of operating the rotation list. There is no standard across the province and it is up to each jurisdiction how tow trucks are managed once they are licenced by the province/MTO.

Financial Considerations

- There are staffing costs associated to any responsibilities undertaken by any entity that oversees the management of a tow truck rotation list. These are outlined in the following report and more specifically in the recommendations.

Analysis

As previously noted in the Tow Truck Rotation List Board Report submitted and received on April 24, 2025, the towing of vehicles currently falls into two categories:

- The NRPS has a contract with Parkway Towing (Niagara Falls) for the towing of vehicles for specific criteria, including vehicles held for examination, certain statutory impounds, vehicles requiring further investigation, and for Service vehicles. Parkway Towing was awarded the contract in 2022 through an RFP process supported by the Niagara Region procurement unit and valid until May 31, 2026.
- All other vehicle tows, being largely owner/operator requested tows, including collisions and broken-down vehicles (where no preference of a tow truck company is given by the driver) are handled by a “next on the list” tow truck rotation that is overseen by the Niagara Region.

At issue is the latter, the tow truck rotation list.

Currently the list is in a “status quo” position and being managed and overseen by the Niagara Region. This situation forms part of the issue. The Niagara Region has indicated that they were no longer responsible for the list once the licencing of tow trucks was taken over by the Ministry of Transportation in January 2024. Currently the list is in operation as it has been to this point in time, with a freeze on any new applicants to the list. As part of its current status, the administration of the list was assigned to the Niagara Towing Alliance (NTA). The NTA was created in 2021, with the knowledge of the Niagara Region Licencing Manager at the time, who believed it would serve to create a streamlined process for the tow truck rotation list. Tow truck companies who wanted to be on the list went through an application process, as overseen and managed by the Niagara Region. The NTA should have no authority to add or delete companies to the tow rotation list. The NTA would only administer the rotational call outs for which they charge a fee for using a dispatch company. Currently the fee is \$85.00 a month, plus tax, per tow company.

There are questions regarding whether the NTA is operating as a for profit, or as a not-for-profit corporation or business. Additionally, the NTA is run by an individual who is also an owner of a tow truck company that is on the list of tow trucks for the NTA, appearing to be a direct conflict of interest. The existence of the NTA is a point of contention in the examination of the current situation and many questions remain.

NRPS, through its information gathering, environmental scan of other policing agencies processes and consultation with Niagara Region staff present two options for the operation and administration of the tow truck rotation list as follows:

Option One: the Niagara Region maintains the tow rotation list.

The first option to consider is that the Niagara Region maintains the tow rotation list, which shall be deemed to include management, oversight and administration. As the Niagara Region has held this responsibility since 2019 it maintains knowledge of what is required to remedy the current points of concern including those transparency and conflict of interest matters brought to Regional Council. The Niagara Region has a Licensing Unit that has been in place since taking over licensing from the NRPS in May 2019. As the Niagara Region is aware of the current issues, they can rectify them by examining and reevaluating how the list is managed and overseen, including a new system that does not have an any conflict of interest. While outside of the scope of knowledge of the NRPS, as the Niagara Region previously managed this within its Licensing Unit, there appears to be minimal financial impact to the Niagara Region. Despite those advantages, the Niagara Region may not be the best positioned entity to continue the maintenance of the tow truck rotation list. Since 2021 and the establishment of the NTA, it appears that there has been a significant gap in the oversight of the NTA and how it is operating. This includes a lack of a process to address complaints directly associated with the NTA, oversight over the fair administration of the tow list, financial accountability of the NTA, and addressing the conflict of interest associated with the NTA being presided over by a tow truck company owner that is on the list. The reasons for these gaps are not fully known by the NRPS. It is also recognized that as the Niagara Region no longer maintains licensing authority, managing the tow truck rotation is a legacy function for which they no longer have remedial powers to manage and would be required to either make report to the province/MTO and/or NRPS for issues of non-compliance or enforcement.

Option Two: the NRPS assume carriage of the tow rotation list.

The NRPS has historical knowledge of tow truck operations in the region and managed it well for many years prior to May 2019. Technology, including communication software, still exists to manage the tow truck rotation and can be reactivated with little required lead time. In assuming carriage of the tow rotation list, the NRPS would be able to leverage prior application materials and processes for tow operators and engage in the appropriate updating to reflect those changes, legislative and operational, necessary to present date these materials and populate a tow rotation list for use. The NRPS would be positioned to dispatch next on the list operators by removing this function currently being done through/by the NTA and having the NRPS Communications/Dispatch Unit directly call the next company on the list via the Computer Aided Dispatch (CAD) system and advise them to attend the scene.

The NRPS has knowledge of the legislative requirements under the Highway Traffic Act (HTA) and related Towing Storage Safety and Enforcement Act (TSSEA) so what appears to be a current gap in oversight and compliance, would naturally be filled when police are directly involved. Managing the tow truck rotation list alone is not a core police function. However, managing a tow truck rotation list and the related responsibilities would inherently lead to greater enforcement, compliance and oversight, which all appear to be the current gaps. The same entity, the NRPS, would be positioned to manage enforcement of the legislated HTA and related TSSEA and the regular compliance checks necessary to maintain confidence and transparency of those operators on the list. This affords a greater span of control.

There are public safety concerns regarding the tow truck industry that do fall within core policing functions. The criminal aspect associated with tow trucks in the Greater Toronto and Hamilton area is a real and credible risk in Niagara. The NRPS is aware of the criminal element in the tow truck industry within our jurisdiction and this is a valid concern. The responsibility of managing, administering, and enforcement in all aspects of the tow trucks operating in Niagara, would position the NRPS well to both address the criminal element and take a proactive approach through the oversight function associated with management of the tow rotation list. From a public perception and accountability lens, members of community impacted or involved in accidents believe that the NRPS is controlling every aspect of the scene, including the tow truck(s) attending, therefore there is already a perceived responsibility on the NRPS by the community. Assuming carriage of the tow rotation list aligns NRPS operations with this public perception.

Should the NRPS assume this function, it provides an opportunity to work closely with our partners in the OPP, who currently have an officer who is the Tow Coordinator for the Burlington/Niagara Cluster. This partnership would further support the NRPS in the initial transition and ongoing oversight of tow trucks in Niagara and allow integration with the OPPs model. This would potentially recognize efficiencies in resources for both police services, related to training, applications, compliance, and enforcement opportunities.

While well positioned, the NRPS does not have the ability to staff these functions. There may be opportunity for reallocation of resources as between the Niagara Region to the NRPS to fund these positions that were previously performed by the Region and/or consideration of continuing the fee for service charged to remain on the tow rotation list. Assuming this responsibility will automatically add potential risk to the Service as the tow list coordination will become part of our Service delivery, which is open to public complaints from owners and operators, as well as complaints from members of the public. There is also consideration that managing a tow truck rotation list is not a policing function but related to police by its nature and direct related functions as previously described, including enforcement of legislation.

Recommendation – Option Two

After gathering all relevant information with a view to community safety, best practice, and effectiveness, it is recommended that the NRPS take over management of the tow-truck rotation list.

This will maximize the ability for the NRPS to directly address and regulate the industry utilizing legislative authorities, compliance with application criteria, and a model that has overlap and oversight. This will help to assist with addressing the concerns regarding any criminal activity in the tow truck industry.

This will require two police constables as tow truck co-ordinators (TTCs) to account for effective and appropriate workload management, using the recognized shift relief factor of 1.56 to account for leave, training, and so forth. These two positions are not authorized strength and will require funding for this unanticipated transition from the Niagara Region. Two TTC's will provide constant and consistent coverage to increase success. The two TTCs would form part of our Traffic Enforcement Unit where they would work under the supervision of the already existing sergeants and staff sergeant. The two TTCs would also be able to utilize the current Traffic Services clerk for what is anticipated to be minor administrative tasks. As with any new positions implemented in the NRPS, once established, roles and workload will need to be assessed to ensure capacity and sustainability moving forward. Regarding this current model, a comprehensive background assessment was done to ensure this recommendation can be incorporated with the requested staffing increase of two TTCs and their related roles and responsibilities. This was done with the advantage of knowing that the NRPS had performed this role prior to 2019 and many members involved at that time were consulted on what this recommendation would involve.

As indicated, part of the staffing cost may be absorbed through the collection of fees from those approved to be on the tow truck rotation list and the potential cost savings realized by the Niagara Region when the role is transferred.

Alternatives Reviewed

To not receive this report.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

Report – Tow Truck Rotation List – Niagara Region Item 8.4 - 04.24.2025

Transition Agreement between the Niagara Regional Police Service Board and Niagara Region regarding Licencing of various trades, callings, businesses and occupations dated May 30, 2019.

This report was prepared by Inspector Nilan Davé in consultation with Vita Gauley, General Counsel, and Mario Lagrotteria, Deputy Chief Community Services.



Submitted by:

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