

DRAFT

Minutes of the By-Laws and Policy Committee August 14, 2007

Meeting called to order 12:45 PM

Members Present:

Randy Seibert - Chairman
Roy Boswell - Vice Chairman
Gary Teter
Lt. Curtis Hardison

Others Present:

Bill Woodson
John J. Beall, Jr.
Kristen Grotos

Old Business:

Discussion on Criminal History Review process

New Business:

Mr. Beall will talk to the State Police Council about BTRO's authority to deny applicants per their Criminal History Review. He will also review statues 46.2-2805 - 46.2-2814.

Discussion of fingerprinting presentation:

Lt. Hardison recommended not using ink printing due to failure rate and recommends live scan only.

Recommend to License and Regulatory Committee that applicants be issued the BTRO origination number.

Recommend that when applicants apply to Board for license, have Applicant pay the license fee, and the prevailing fingerprinting and background check charge.

Proposed text is as follows:

BTRO will accept applications for tow driver authorization at its office or website. To be included with the application will be the BTRO application fee plus the prevailing fee required by state and federal police authorities for reviewing fingerprints and processing criminal history background checks. [As of 9/1/07 that fee is \$37: \$13 state and \$24 federal.]

After the application and fees are received, the applicant will be issued the BTRO Originating Number to provide at the time the fingerprints and criminal history background check data are taken and processed. BTRO will accept electronically processed fingerprints such as those available from LiveScan, or other electronic systems that process fingerprints within 24 hours, in addition to ink fingerprint cards submitted to the State Police, noting that ink cards have processing times from 30 to 60 days and higher rates of retesting.

When the results of the fingerprinting and criminal history background check data are received by BTRO, the results will be evaluated and the application will continue to be processed, or the applicant will receive a denial notice.

A denied applicant may seek appeal through the provisions of the Administrative Process Act.

The Committee endorsed this to be adopted by the Regulatory Committee, subject to revision by board counsel.

Committee recommends not to adopt a separate contract but recommends to allow live scan process.

The Committee discussed how often license required to be renewed.

No public comment

Meeting adjourned 1:05 PM