

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

In re the matter of:

Protective Parking Service Corporation
d/b/a Lincoln Towing Service,
Respondent.

Docket No. 92 RTV-R Sub 17
100139 MC

Hearing on fitness to hold a Commercial
Vehicle Relocator's License pursuant to
Section 401 of the Illinois Commercial
Relocation of Trespassing Vehicles Law,
625 ILCS 5/18a-401.

ORDER

By the Commission:

On July 24, 2015, Protective Parking Service Corporation d/b/a Lincoln Towing Service ("Lincoln") was issued a renewal of its authority to operate as a commercial vehicle relocator under the Illinois Commercial Relocation of Trespassing Vehicles Law ("ICRTVL"), 625 ILCS 5/18a-100 *et seq.* Pursuant to Section 401 of the Law, all relocator licenses expire every two years. 625 ILCS 5/18a-401. That Section further provides that the Commission may at any time during the term of the license make inquiry into the management, conduct of business, or otherwise determine that the provisions of the ICRTVL and the Commission's Administrative Rules promulgated thereunder, 92 Ill. Adm. Code 1710.10 *et seq.* are being observed. *Id.*

Commission Staff has reviewed Commission records to ascertain Lincoln's compliance with Commission regulations and statutory requirements. Since the July 24, 2015 renewal of Lincoln's operating authority, the Commission Police Department has opened 166 investigations into Lincoln's relocation towing operations, 28 of which have both been completed and resulted in administrative citations issued against Lincoln. Commission Police Investigation # 15-0088 alleges that during the time period between October 15, 2014 and November 23, 2014, Lincoln committed 54 violations of issuing incomplete or inaccurate tow invoices in violation of 92 Ill. Adm. Code 1710.170(c), 3 violations of using tow trucks to perform relocations without an equipment lease on file with the Commission as required by 625 ILCS 5/18a-300(16), and 19 violations of using a dispatcher with an expired relocation towing employment permit as required by 625 ILCS 5/18a-300(3). Investigation # 15-0088 remains pending. Currently there are 92 pending administrative citations issued to Lincoln alleging similar and other violations of the ICRTVL and its Administrative Rules.

A fitness hearing should be held to inquire into Lincoln's relocation towing operations to determine whether it is fit, willing, and able properly to perform the service

of a commercial vehicle relocater and to conform to the provisions of the ICRTVL and the Commission's Administrative Rules, 92 Ill. Adm. Code 1710.10 *et seq.*

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that License 92 RTV-R be set for hearing pursuant to 625 ILCS 5/18a-401.

By Order of the Commission this 24th day of February 2016.



BRIEN SHEAHAN
CHAIRMAN

