

July 26, 2000

Kathy Miller for their leadership in bringing this national recognition to Springfield, Missouri and the Seventh Congressional District.

IN RECOGNITION OF NEW HAVEN  
POSTMASTER SHELDON RHINE-  
HEART FOR OUTSTANDING PUB-  
LIC SERVICE

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2000*

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I pay tribute to an outstanding public servant and my good friend, Postmaster Sheldon Rhinehart. Sheldon's recent retirement ends a career with the United States Postal Service that has spanned nearly half a century, leaving a legacy of integrity and inspiration.

In his forty-seven years with the postal service, Sheldon has been witness to a variety of changes, social as well as operational. From his start as a clerk, he moved up the ranks. As New Haven's first African-American postmaster, he is not only an example of these tremendous changes but has continually challenged the postal service to change itself. Sheldon's work has been recognized locally and nationally—a tribute to the invaluable contributions he has made.

Sheldon is a strong advocate for minority groups, both professionally and personally. During his tenure, he has made room at the postal service for many with disabilities. He played a key role in the establishment of the Vision Trail from downtown New Haven to the waterfront and was a driving force in involving the Postal Service with the 1995 Special Olympic World Games held in New Haven. Sheldon has also had a primary role in developing training and social programs for the Postal Service on a nationwide basis. With his outstanding record of commitment, he has demonstrated a unique commitment to public service—leaving an indelible mark on the United States Postal Service and our community.

Sheldon has shown unparalleled leadership, not only in his professional positions, but in the community as well. He is currently serving on the United Way of New Haven's Board of Directors and has served on a variety of boards within his community including the Newhallville Action Committee, the Newhallville Day Care Center and St. Luke's Episcopal Church. We are certainly fortunate to have such a committed individual working on behalf of our community.

I am proud to stand today and join his wife, Carolyn, two children, Deborah and Sheldon Jr., friends, and colleagues to honor Sheldon for his good work and dedicated career. I wish him many years of continued health and happiness in his retirement.

## EXTENSIONS OF REMARKS

### INTRODUCTION OF THE LOCALLY REGULATED TOWING ACT

**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2000*

Mr. MORAN of Virginia. Mr. Speaker, I am pleased today to be introducing the "Locally Regulated Towing Act." This legislation will restore the ability of local governments to regulate tow truck operations.

Congress took this authority away from state and local hands when it passed the Federal Aviation Administration Authorization Act of 1994, (P.L. 103-305). This law was intended to replace multiple and sometimes conflicting state and local regulations on interstate carriers like Federal Express and UPS, with a single uniform, national regulation. Expanding services like Federal Express and UPS urged passage of the law to help lower costs and improve their delivery time. While the law achieved its objectives, it also opened a loophole that permitted tow trucks to qualify as an interstate carrier and thereby exempted them from state and local regulations.

Unlike Federal Express, UPS, and other major interstate carriers which are regulated by the federal government, tow truck operators are not. Congress has never granted any federal agencies the power to regulate tow trucks. As a result, their operations are free of any direct oversight or public accountability.

In response to growing complaints about tow truck operations, Congress did amend the law in December 1995 (P.L. 104-88) to permit state and local governments to regulate prices on non-consensual towing. This change in federal law restored state and local governments' ability to regulate towing performed without the permission of the vehicle's owner, as in the instance where owners of vacant, private lots arrange for a tow truck operator to remove cars parked there without their permission. I am familiar with a number of alleged "sham operations" where lot owners failed to properly post signs that prohibited parking. Local business and restaurant patrons and tourists unable to find street parking were enticed to use these vacant lots only to discover later their cars were towed away and the cost to recover them is \$100 or more.

Unfortunately, even this modest change in federal law has had limited success. Consumer complaints about tow truck operators still abound. In the last two years, Arlington County, a jurisdiction I represent, received more than 160 complaints ranging from rates charged, some as high as \$120, to vehicle damage, to theft and rude behavior. People who have had their vehicles towed have told my office about having to go to impoundment lots late at night in dangerous neighborhoods to recover their cars. When they get there, they are told that only cash is accepted.

Moreover, State and local ability to reassert control over tow truck operations have been thrown into even greater confusion following two conflicting Federal appeals court rulings. *Ace Auto Body & Towing v. City of New York* upheld the ability of states and local governments to regulate safety issues and prices of non-consensual towing, while *R. Mayer of At-*

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*lanta, Inc. v. City of Atlanta* denied local governments' similar authority.

The only real and effective solution to this problem is to restore full state and local authority over all aspects of tow truck operations. The legislation I am introducing today will accomplish this objective. It is a common sense, pro consumer piece of legislation.

I urge my colleagues to support it.

### REMARKS IN HONOR OF THE LATE JUDGE JON BARTON

**HON. KAY GRANGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 25, 2000*

Ms. GRANGER. Mr. Speaker, today I honor and remember the life of Texas state District Judge Jon Barton, who passed away Saturday at his home in Keller, Texas. He was 43 years old. Judge Barton, the younger brother of our friend and colleague, Congressman JOE BARTON, was a good, kind, and loving man. Our thoughts and prayers go out to his wife, Jennifer; his sons, Jake and Jace; and to all of his family at this difficult time in their lives.

Judge Barton was born on October 12, 1956, in Pecos, Texas, to Larry and Nell Barton. However, he spent most of his childhood in Waco, Texas, and eventually received his Bachelor's degree in Business Administration and Juris Doctor degree from Baylor University. In 1987, Judge Barton received his Master's degree in Finance from Colorado State University. That same year, he married his lovely wife Jennifer.

After practicing law in Corpus Christi and Fort Worth, Texas, Judge Barton was elected to preside over the 67th District Court in 1996. Judge Barton was a talented and hard working individual. There is no question that he will be deeply missed within the Texas legal community.

Judge Barton was very active in our area. He was a member of the Downtown Fort Worth Rotary Club and past president of the Hurst-Euleless-Bedford Rotary Club. Judge Barton served on the advisory board of the John Peter Smith Health Network and was a charter member of the Center for Christian Living. As a man of God, he actively served Broadway Baptist Church in Fort Worth, Texas. Judge Barton was always willing to give of himself to his community, his church, and his family.

Judge Barton was known for his great sense of humor and for his kindness to all. He was a committed husband and father who loved his family deeply. Judge Barton faced cancer with the same humor and courage that he lived life. His deep faith in God gave Judge Barton the strength to carry on throughout his struggle with sinus and liver cancer. His life and fight with cancer serve as an inspiration to us all.

Again, my heart goes out to Judge Barton's family and to all those who are grieving his passing. Judge Barton will truly be missed, but his spirit will live with us forever.