

# Lobbyists and Legislation



It seems almost weekly that a new piece of legislation appears with the aim to “crack down on,” “reign in” or “target” the towing industry. With regard to regulation, these are active legislative times, and the probability is high that it will continue. In this scenario, it is more important than ever for state associations to monitor their legislative arenas for potential bills on the horizon. This can be done effectively through the use of a lobbyist.

I spoke with James S. “Jay” Atkins, a Government Affairs attorney and a registered lobbyist with the state of Missouri. He has policy experience in tort reform, employment law, civil justice reform, energy and the environment, education reform, ethics, elections and initiative petitions, tax reform and motor vehicle law. He has worked with the Missouri Towing Association, the Towing and Recovery Association of Missouri and presented a seminar at this year’s Towing & Recovery Management Summit.

I ask him about the role of lobbyists representing state towing associations, starting with why associations need them.

“Associations do a number of things for their members, but any association that wants to serve its members has to have a lobbyist,” Atkins says.

For example, he says, there were over 2,000 bills filed in Missouri last year – not including amendments. There is no way a person running a business can keep up with this volume of legislative activity, so the lobbyist becomes the primary vehicle by which the business owner knows of legislation on the front that will affect his or her business. For this they can rely on an experienced lobbyist.

Once legislative proposals are identified that are either helpful to the towing industry and need support or detrimental and need to be rallied against, many towers might assume that an association needs large membership numbers to be effective, but interestingly, while numbers may be important in pushes for major legislation, Atkins says it’s more about educating lawmakers – the role of a good lobbyist.

“I tell them who I represent, what they do, how they fit into the business fabric of the state and the issues they face,” Atkins says. This interaction can be extremely valuable in furthering the association’s interests. And the towing industry – by its nature – can also have an impact on legislators’ decisions.

“The towing industry is very much a mom and pop industry,” Atkins says. “There are shops all over the state, some large, some small, but every legislator has towing companies in his or her district. There’s a grassroots potential.”

If an association (lobbyist) is aware of negative legislation in the works, Atkins says, it can organize local towing companies to present their views to legislators or staff. This one-on-one interaction is key, Atkins says.

“To be successful, it’s relationships,” he says. “Lobbyists can turn those relationships into a powerful tool.”

Just as important as having a good lobbyist, Atkins asserts, is the need for an association to have a mechanism to swiftly take action based on a lobbyist’s recommendations. This would be a legislative/policy committee – perhaps five or six association members – that has the authority to make decisions as to whether the association will act on legislation and in what way. With pending legislation, things can move quickly, Atkins says, and there is a need for an association to be nimble in their reaction to support the legislation, fight it and/or participate in rulemaking.

For the towing industry business owner, Atkins has this advice: join your state association, make sure the association has a lobbyist and a legislative committee, be active in your association. These steps are a good start for dealing with the legislative issues that are surely on the horizon.