

Tow Company Requirements

Index Code: 1909.1

Effective Date: 04/01/12

I. Purpose

The purpose of this directive is to establish minimum requirements for companies authorized by the Office of the Sheriff for on-call status to remove (tow) vehicles upon request of a deputy. For purposes of this directive the words tow truck and rollback are used interchangeably, for any special purpose vehicle designed to remove a vehicle from the roadway by pulling or carrying,

II. Policy

It is the policy of the Office of the Sheriff that only those companies meeting minimum requirements, as set forth by the Office of the Sheriff, may respond to requests by deputies to remove and/or store vehicles for the Office of the Sheriff. The minimum requirements expressed in this directive were designed to ensure an expedient and safe removal/storage of vehicles for all involved parties.

III. General Responsibilities

Companies authorized to respond and remove vehicles for the Office of the Sheriff must adhere to the following rules:

- A. Be available on a twenty-four (24) hour basis.
- B. Maintain tow service vehicles within Queen Anne's County or in close proximity within a neighboring county and able to respond to the scene within the time limits outlined in this directive.
- C. Maintain a storage lot secured by a fence with a locking gate and no trespass signs posted.
- D. Renew their application yearly, and update it as needed to maintain current information. Applications will be renewed during the month of January each year or upon request by the Office of the Sheriff. It is the responsibility of the tow company to renew their applications or face removal from the on-call list.

- E. Be available during normal business hours for vehicle releases (normally 0800 to 1700 hours Monday through Friday).

IV. Tow Company Applications

- A. An application must be completed and on file for a tow company to be selected for the on-call towing list.

- B. Applications must be renewed each year during the month of January.

- C. New applications from companies wanting to be added to the on-call list will only be accepted in January of each year during the renewal period.

- D. The following documents are required when a company submits an application, whether new or for a renewal.

1. A photocopy of the vehicle registration card for each vehicle to be used. If a new vehicle is placed into service during the year a photocopy of the registration card must be provided to the Office of the Sheriff within seven (7) days.

2. A photocopy of the driver's license for each driver to be used. If a new driver is added during the year a photocopy of their driver's license must be provided to the Office of the Sheriff within seven (7) days.

3. A photocopy of the insurance card for each vehicle to be used. If a new insurance carrier is used during the year a photocopy of the insurance card must be provided to the Office of the Sheriff within seven (7) days.

4. Proof of insurance for each storage lot.

5. A photocopy of any required DOT document.

V. Tow Company Inspections

- A. The Office of the Sheriff will conduct, at minimum, an annual inspection of the tow

company's tow trucks and their storage lots. This does not preclude the Office of the Sheriff from completing another inspection to alleviate allegations of utilizing improper vehicles, equipment, persons, and procedures in allegations of wrong duty.

B. All tow truck inspections will be completed by a deputy trained in Commercial Vehicle Enforcement.

VI. Required Equipment

A. Tow trucks will be maintained in a legal and safe condition at all times.

B. Tow truck drivers will maintain the necessary equipment on each tow truck to safely remove a vehicle from the scene.

C. Tow truck drivers will maintain the necessary equipment to clean up and remove debris from the scene of a motor vehicle collision (i.e., broken glass, vehicle parts, etc.).

VII. Additional Requirements

A. Operators will not respond to a scene without being authorized and/or requested by the Office of the Sheriff through the Department of Emergency Services. Only the requested tow service is authorized to remove vehicle from the scene.

B. Tow truck companies are required to arrive at the scene of an incident within thirty minutes (30) after being called between sunrise and sunset, and forty-five (45) minutes between sunset and sunrise.

C. Tow truck drivers will respond to the scene using a normal and legal response, obeying all traffic laws.

D. Towing companies are required to accept payments in the form of cash, check, and credit cards.

E. Towing companies are required to issue receipts for all services performed.

F. Bills for all services are to be reasonable and consistent with fair trade practices.

G. Tow operators will remove all debris from the scene.

H. Tow operators will assume liability for the vehicle they are removing from the time they begin removing the vehicle from the roadway until it is legally released into the possession of another authorized party.

I. Tow truck operators will provide prompt, professional, and courteous services at all times.

VIII. Termination or Suspension from the Tow Service List

A. Any infraction of the above listed rules could result in the suspension or termination from the tow service list.

B. Excessive fees that are deemed not fair trade practices may result in the suspension or termination from the tow service list.

C. Any complaint received concerning the operation or use of a tow company, and/or their drivers or equipment, will be investigated by the program coordinator with assistance from his Unit Commander. At the end of the investigation the results will be forwarded to the Undersheriff for a final review.

D. Termination or suspension is generally at the discretion of the program coordinator after consulting with his/her Division Commander. The recommended periods of suspension and removal are as follows:

1. A thirty (30) day suspension for a first infraction.
2. A sixty (60) day suspension for a second infraction.
3. Removal from the on-call list for a third infraction.

The above periods of suspension and removal are provided as a guide, and are applicable based on the number of offenses within each calendar year. The actual period of suspension or removal should be determined in light of the severity of the infraction(s) and the negative outcome it may have produced.

E. In the event a tow operator is suspended or terminated from the program they must receive a certified letter explaining the terms of the suspension or termination, and the time period involved.

F. The Program Coordinator will maintain all documents relating toing activity for a minimum 3 years.

IX. CALEA References: None

X. Proponent Unit: Field Services Division

XII. Cancellation: None

Sheriff Gary Hofmann