

<b>ONEIDA COUNTY DEPARTMENT OF EMERGENCY SERVICES</b>	<b>NUMBER: OG-206</b>
	<b>SUPERSEDES: All Previous</b>
	<b>EFFECTIVE DATE: July 1, 2011</b>
<b>STANDARD OPERATING POLICY &amp; PROCEDURE</b>	<b>REVISIED DATE: March 30, 2012</b>
<b>SUBJECT:</b>  <b>Tow Service Guidelines</b>	<b>DISTRIBUTION:</b> <b>ALL AUTHORIZED MANUALS</b> <b>1 Each - All Telecommunicators</b>
<b>AUTHORITY:</b>  <b>Kevin W. Revere</b> <b>Director of the Oneida County 911 Center</b>	<b>ISSUED BY:</b>  <b>Kevin W. Revere</b> <b>Director of the Oneida County 911 Center</b>
<b>REFERENCES: 6.3.4</b>	

**PURPOSE:**

To state the Oneida County 911 Communications Center's policies and procedures regarding tow service guidelines.

**POLICY:**

It shall be the policy of the Oneida County 911 Communications Center to:

- A. Provide a fair, equitable and expedient tow response for the citizens of Oneida County.
- B. Not condone or knowingly permit the steering of request for service to any particular company by any of its employees or the agencies it serves.
- C. Not tolerate any tow services that "jump" calls for service; a request for service will have to be made for any company to be at a site requiring a tow service.

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- D. Comply with all State and local laws, rules, regulations and standards that may relate to this Policy.

**PROCEDURE:**

- A. **TOW SERVICE AVAILABILITY:** The Oneida County 911 Communications Center maintains that a tow service be available 24 hours a day, 7 days a week. At the discretion of the law enforcement agency present, if the vehicle(s) requiring a tow service is/are creating a hazard or otherwise impeding the normal flow of traffic, the tow service is expected to be at the site of the request in twenty (20) minutes from the time contact is made with that particular tow service.
  
- B. **REQUESTS FOR TOW SERVICE WILL BE CATEGORIZED IN ONE OF FOUR WAYS:**
  - 1. **Vehicle Owner/Operator Request:**
    - a. The owner/operator of a vehicle can request a specific tow service for their vehicle. It is expected that the tow service selected by the owner/operator will respond in a timely fashion.
    - b. At the discretion of the law enforcement agency present, if the estimated time for the tow service to arrive on the scene will cause a delay, the law enforcement agency can request the closest available tow service.
  
  - 2. **Auto Club Membership:**
    - a. The owner/operator can request a tow service through their membership in an auto club. The contact with the auto club can be made directly by the owner/operator of the vehicle needing assistance or by the staff at the Oneida County 911 Center.
    - b. If a public safety telecommunicator is requested to make the contact, only the auto club will be contacted. The staff will not call a specific

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tow service even if it is known that the tow service has a contract with the auto club.

3. Municipally Established Policy:

- a. It is recognized that some cities, towns or villages have established tow service policies, such as rotational lists. The Oneida County 911 Center will be provided such policies in advance or be advised at the time of the request who to contact and follow that policy or request for that particular jurisdiction.
- b. A tow service wishing to be a part of a municipality's tow service policy will need to deal directly with that particular municipality.

4. Law Enforcement Requests For Closest Available Service:

- a. If there is no preference for a tow service, the law enforcement agency present will request the closest available tow service.
- b. A numbered "pin" placed on the map at the address of each tow service will be used to identify the tow service location. A straight line drawn from the tow service address to the request site will determine closest available tow service.
- c. In the event that the closest available tow service is not available for any reason, the next closest tow service will be contacted.

C. 911 CENTER WILL MAINTAIN TWO CATEGORIES OF TOW SERVICES:

- 1. The Closest Available Tow List: The closest available tow service list may also be used when the tow is specifically requested. Those wishing to participate as a "Closest Available Tow Service" need to provide the Oneida County 911 Center with the following information:
  - a. Exact location of the business: This is the physical location where vehicles are stored and where services are rendered. It is not based on the location of the residence of the tow service operator or driver or a "storefront satellite office."

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- b. The number and type of tow equipment (i.e. 1 flatbed, wrecker w/wheel lift, etc).
- c. Copies of registrations and insurance cards for tow vehicles.
- d. Twenty four (24) hour contact numbers.
- e. Copy of Oneida County Business Certificate.
- f. Copy of Department of Motor Vehicles Business Certificate as:
  - i. A registered repair shop (if applicable)
  - ii. A licensed public inspection station (if applicable)
- g. Fee schedule for services.

2. Additional Tow Services: A list of additional tow services located in Oneida County or adjoining counties that may be contacted when specifically requested. These services will not be participants of the closest available list but may provide the following:

- a. Exact location of the business.
- b. The number and type of tow equipment (i.e. 1 flatbed, wrecker w/wheel lift, etc).
- c. Twenty four (24) hour contact numbers.

D. FINAL AUTHORITY: The Director of the 911 Center will have final approving authority on tow services wishing to participate in the closest available list. The Director's decision will only be made after all requested information has been submitted. It is recognized that absolute exact locations of requests for service and/or tow service locations may be difficult to determine from a map or information provided to the Oneida County 911 Center staff. In some instances, the closest tow service will be at the discretion of the Oneida County 911 public safety telecommunicator.

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- E. CAD: A CAD entry will be made by the Oneida County 911 Center to track the following information:
1. A description of the vehicle being towed including the license plate number, make, model, year, type and color, if all are available.
  2. The name of the tow service removing the vehicle and type of request (i.e. owner request, closest available, next on rotation, etc.).
  3. Reason the vehicle is being towed.
  4. Location, date, time, requesting agency, officer name and 911 staff making the entry, will automatically be logged upon entry of tow into CAD system.
- F. TOW SERVICE GRIEVANCES: A tow service that has an issue with these guidelines or the Oneida County 911 Center staff should bring his/her concerns to the attention of the Director of the 911 Center or his Deputy for resolution. The Director or his Deputy will not steer a request for service to a specific tow service as a means to satisfy a grievance by a tow service.
- G. VIOLATION OF TOW SERVICE GUIDELINES: It will be considered a violation of these tow service guidelines when:
1. A pattern of tardiness develops with a particular tow service. Tardiness is considered arriving after the twenty (20) minute standard and will take into account issues such as inclement weather and multiple requests for the same service.
  2. A tow service is repeatedly unavailable for calls for service; indicating a developing pattern that a tow service is reporting unavailable or contact information for the service is not updated.
  3. A tow service does not comply with the lawful order of a law enforcement officer or their conduct interferes with the law enforcement officer's control of the scene.

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4. A tow service subjects a motorist to rude, unethical or intimidating language or behavior.
  5. It has been decided that, after determining the fair market cost for a particular service, a tow service is “gouging” its customers.
  6. A tow service responds to, while at, or leaves from a scene with equipment or operators not meeting established laws, regulations or standards (i.e. equipment violations, incorrect drivers license class, etc).
  7. A tow service “jumps” calls for service, or cajoles, persuades or advises the Oneida County 911 Center staff on their availability for a particular call, or otherwise steers a request to their service.
- H. SERVICE REMOVAL: If the opinion of the Director of the 911 Center, after investigating into the allegations and facts of an alleged violation, that the tow service violated these guidelines, a penalty can be instituted, which includes being removed from the “Closest Available Tow List” for no more than one year.
- I. REINSTATEMENT OF A TOW SERVICE TO THE CLOSEST AVAILABLE LIST CAN HAPPEN WHEN:
1. The request for reinstatement is provided to the Director of the 911 Center in writing at the end of the period of removal.
    - a. The letter shall include the method to overcome the reason for the violation.
    - b. The requested date to be returned to the closest available list.
  2. After reviewing the request for reinstatement and considering the facts, the Director of the 911 Center will then make a determination on possible reinstatement.
  3. The Director’s determination will be provided to the tow service in writing.