DUBLIN POLICE DEPARTMENT

**STANDARD OPERATING PROCEDURE**

**SECTION: M-007 WRECKER ROTATION**

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**I. PURPOSE:**

It is the purpose of this section to establish a policy that will govern how the wrecker rotation for the Dublin Police Department will be maintained. This section will describe the criteria by which wrecker service operators should govern themselves while conducting business with the department. This section will specify the minimum required equipment for wrecker services utilized by the Dublin Police Department. This section will also identify procedures for the suspension of a wrecker service from the Dublin Police Department wrecker rotation list.

## II. POLICY

It is the intent of the Dublin Police Department to utilize those wrecker services that desire to participate in business generated by the department. The Dublin Police Department will establish and maintain a wrecker rotation list to ensure that each service on the list will receive its fair share of requests. An owner or part-time owner of a wrecker service business may not have more than one business appear on the wrecker list at any one time.

Those outside the department judge the department by the manner in which it conducts itself. With this in mind, the department is concerned with the conduct of those who operate in conjunction with it. It is therefore imperative that wrecker services requesting to be called by the Dublin Police Department conduct themselves in a professional manner, providing competent service at a reasonable and fair cost to the public while complying with state and federal laws, rules, and regulations.

This policy governs the manner and method by which members of the Dublin Police Department may secure the services of a wrecker operator to tow and store vehicles upon the request of the owner/operator of said vehicle or as otherwise required by law. This policy and the acceptance of a wrecker service’s application shall not be construed as a contract or other form of agreement. All liability and responsibility for payment for the services of the wrecker service shall lie with the owner/operator, and neither the Dublin Police Department nor the City of Dublin are responsible for payment.

This policy is created as a procedure for the Dublin Police Department and is created for the benefit of its members, the wrecker services, and the communications office to assist in operations. This policy is not intended to create any benefit for any wrecker service or wrecker owner or operators of any wrecker service. This policy neither creates nor establishes any right owed nor does it create any legal duty owed to any wrecker service or its owners or operators.

#### III. PROCEDURE

##### A. Application of Policy - This policy applies only to the wrecker rotation for the City of Dublin Police Department.

##### B. General Criteria:

##### Each wrecker service that wants to be included on the rotation list must have a valid city business license.

##### Each wrecker service must complete an application through the City Marshall’s Office requesting to be included on the rotation list.

##### Wrecker services must reapply annually, in writing, for inclusion on the Dublin Police Department Wrecker rotation. The wrecker list will be valid for one year beginning January 1st, of each year. Applications must be submitted no later than November 15th, of the current year, for the upcoming year’s rotation. No late applications will be added to the rotation until the next year’s list is opened.

1. Applications must be submitted along with the following documentation.

a. The wrecker service business must have proof of a minimum of six months of pre-paid insurance coverage or a certificate of insurance.

b. A declaration of ownership demonstrating all parties (by name & address) who own any interest in the service.

c. Copy of title or registration for each wrecker operated in conjunction with the Dublin Police Department wrecker rotation list.

d. A copy of the company’s current business license.

e. A current motor vehicle report for each driver who will be operating a wrecker.

f. A copy of the DMV’s registration.

g. A photocopy of the driver’s license for each person who will be driving a wrecker.

h. A release signed by each owner and driver authorizing the Dublin Police Department to conduct a criminal history background check.

i. A $300,000 accident insurance policy.

j. A $50,000 property insurance policy.

1. All wrecker services will provide “reasonable” access to any towed vehicle 7 days per week.

6. A wrecker service must maintain regular business hours and also a published telephone listing.

* 1. The wrecker service must maintain proof of registration with the Georgia Department of Motor Vehicle Safety and comply with their rules and safety regulations.

8. A wrecker service must provide proof of ownership or a lease agreement for each towing vehicle used in their business.

9. A wrecker service must maintain and provide to the City of Dublin a list of all personnel operating wrecker equipment as well as current motor vehicle reports on those drivers.

1. Drivers must maintain a valid driver's license of the appropriate class and with the appropriate endorsements required to operate the wrecker services equipment under Georgia Law.
2. A wrecker service must maintain a maximum of two telephone numbers to be called for dispatching calls.

12. The following equipment must be maintained on all wreckers:

a. A Georgia Public Service Commission Card with the current year's stamp for intrastate carriers.

b. Appropriate registration for interstate carriers.

c. If Intrastate only, a Georgia Department of Transportation (GADOT) number is affixed to the outside of the wrecker.

d. If used on Interstate Trafficking, a U.S. Department of Transportation (USDOT) number or United States Motor Carrier (MC) number is affixed to the outside of the wrecker.

e. Valid registration tag.

f. Flashing or revolving amber lights with 360-degree visibility.

g. Valid emergency light permit.

h. Battery jumper cables.

###### i. Fire extinguisher.

j. Sweeping broom.

k. Flat shovel.

l. Container for debris.

m. Tow away lamps (tail, stop, and turn signal lights for vehicles being towed).

n. Motorcycle straps (4).

o. Wrecker services name, city of address, and telephone number permanently affixed to both sides of the vehicle letters must be readable at a distance of 50 feet while the vehicle is stationary.

p. Oil Dry absorbent.

13. A wrecker service must maintain a secure storage area for towed vehicles for which they are authorized to operate unless otherwise authorized by the Chief or his designee.

14. Liability insurance, which covers stored vehicles and contents, must be maintained on the storage lots.

15. The storage lot must be fenced with a minimum of 6 ft. fencing, lighted, and equipped with a lock or enclosed building.

16. The wrecker service must provide effective and efficient security for the lot.

**IV. SUSPENSION PROCEDURES:**

A. The Dublin Police Department may in its discretion suspend permanently or for a limited period of time a wrecker service from the wrecker rotation list. Reasons that a wrecker service may be removed from a wrecker rotation list include but are not limited to the following:

1. Failure to comply with or violation of any of the provisions of this policy.

2. Repeated & substantiated complaints from customers regarding fraudulent or unethical business practices

3. Poor and/or inefficient service which adversely affects the public safety or the duties of the investigating officer.

4. Unlawful and/or criminal conduct.

5. Failure to respond to calls appropriately or in a timely manner.

6. Upon arrest or indictment of any owner or operator for a felony charge.

7. For charging customers excessive or unreasonable rates.

8. A history of criminal misconduct including a previous felony conviction or a series of misdemeanors indicating a pattern of immoral or indecent conduct.

B. Upon determining that a reason may exist for suspension from the wrecker rotation list, the Chief of Police shall immediately notify the wrecker driver. In addition, the Chief will notify 911, the Dublin City Manager, and the City Attorney of the suspension, along with an explanation and a recommendation. The Chief of Police office will serve notice on the wrecker service via personal service or certified mail, return receipt requested, and such certified notice shall be received three days after mailing.

The Police department shall notify the wrecker service of the following:

1. The wrecker service has been suspended from any and all Police Department wrecker rotation lists.

2. The wrecker service may within 15 days of receipt of the suspension notification request a review of the suspension. Such request must be made in writing and received by the Chief of Police within the 15-day period.

If the department does not receive a written request for a review within the 15-day period, any opportunity for review shall and will be waived. Upon receipt of a timely written review request, a review will be scheduled within 60 days. The review will be in person at a meeting scheduled by the Chief of the Dublin Police Department or his designee. After having the hearing the Police Department will make a decision and advise the wrecker service of its findings regardless of the outcome.

V. ROTATION PROCEDURES FOR DUBLIN OFFICERS

Dublin Police Officers will acknowledge requests from citizens for a specific wrecker service, but will not offer recommendations of a specific service. When a specific service is requested from the owner/operator of a vehicle that is to be towed, the officer will advise 911 of the owner’s request. This request will be considered a business request and will not affect the wrecker rotation. This request will be considered on an individual incident basis. Advance blanket requests are not practical for safety and efficiency, and therefore will not be honored. If the use of a requested wrecker service would result in an excessive delay to the officer in the execution of his/her duties the officer may exercise the option of using the next wrecker service on the rotation list. If owners/operators have no preference or are unable to advise their preference, the officer will request the next service on the rotation.

If a wrecker service is unable to respond to a call, the wrecker service should notify the 911 dispatcher immediately. The wrecker service is prohibited from calling its own replacement wrecker but may obtain assistance as needed after responding to the call. However, if the wrecker service is unable to respond to the initial call, the 911 dispatcher will contact the next wrecker in rotation.

In an emergency situation, involving a significant threat to life or property, the officer may utilize the closest equipment or services necessary to stabilize the situation.

In any instance where a vehicle is towed and a citation is issued (to the operator of the towed vehicle), the officer issuing the citation will list the wrecker service in the Remarks section of the citation.

The Chief of Police should survey his territory and attempt to locate wrecker services that can provide resources beyond normal services such as for larger wreckers and specialized equipment. If more than one service wishes to participate in providing the same type of service, the Dublin Police Department shall establish a list for those requests to be maintained within the same contained guidelines.

In order to be included on the large wrecker rotation list, the wrecker must be mounted on a vehicle with a minimum gross vehicle rating (GVWR) of 35,000 pounds and must have a minimum towing capacity of 80,000 pounds.