

**SENECA COUNTY E-911
EMERGENCY COMMUNICATIONS DEPARTMENT**

POLICIES AND PROCEDURES

TITLE: Seneca County Towing Procedures

NUMBER: 4.5

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Revised 7/2017 Revised 8/2017 Revised 4/2018 Revised 10/18 Revised 6/19**

Purpose:

To establish procedures for the towing of vehicles from the roads and highways and to insure the proper and orderly disposition of towed vehicles while safeguarding both the vehicle and its contents.

Policy:

Certain sections of the County will be zoned and towing services assigned specific geographical areas, due to the availability or unavailability of vendors in those areas. This designation will pertain to Duty calls.

Approved Tow Truck Service – For the purpose of the “Duty Tow List” an approved vendor shall meet the listed requirements:

1. The primary business location of all vendors to be eligible for placement on the Duty Tow List is to be within the confines of Seneca County.
2. Vendors are required to have a flatbed to be eligible for the duty tow list.
3. Vendors will provide no more than two (2) contact numbers to be called for a service response.
4. Vendors must arrive at the scene of the tow call within thirty (30) minutes from the time of being dispatched.
5. The vendor, their personnel, and equipment will be in compliance with all applicable rules and regulations contained in the New York State Vehicle and Traffic Law and New York State regulations related to towing services.
6. All tow vehicles must display a valid NYS inspection, and all necessary warning lighting, reflective markings, and other equipment used for towing purposes, (as may be required by NYS Vehicle and Traffic laws), must be maintained in a safe and working condition at all times. In addition all transportation laws must be followed pertaining to tow trucks and the DOT # must be displayed as required. The vehicle will also be equipped with safety flares, tow chains and pry bars.
7. The NYS Vehicle and Traffic Law, Section 1219 (C) requires that any person removing a wrecked or damaged vehicle from the highway remove any glass or other injurious substance on the highway from

that vehicle. Responding vendors must have sufficient equipment for cleaning road debris on any truck responding to a request for service (such as broom, shovel, and etc.)

8. The vendor MAY NOT use or equip any tow vehicles with a “scanner or radio or electronic “devices capable of transmitting or receiving any radio frequencies designated for police use.
9. The vendor must provide the owner / operator of the towed vehicle with a printed 3 X 5 card (or other business card or document) that contains the vendor’s name, address and phone number (s). The card / document must be provided to the owner / operator at the scene of the incident. If that is not possible, then the card / document must be attached to the itemized bill.
10. The vendor must be available to release towed vehicles from 6:00 AM to 6:00 PM Monday thru Friday. The vendor must also be available to release towed vehicles from 6:00 AM to 6:00 PM Saturday and Sunday if charging storage fees. If the vendor is unavailable to release a vehicle on Saturday and/or Sunday, storage fees cannot be collected for those days. The vendor must also allow for approved parties to examine the towed vehicle, or retrieve any personal property from the vehicle, during normal business hours at no additional charge.

Rotational List - Approved operators of tow trucks authorized to tow vehicles and render related service shall be listed in such order as determined by the rotational list in the 911 CAD.

1. All tow truck owners and/or operators who wish to be included on the Duty Tow List, for the upcoming year, shall make their application in writing to the E911 Advisory Board by Dec 10th of the present year.
2. Each vendor will provide a Certificate of Insurance yearly.
3. To be eligible to be placed on the Duty Tow List, each vendor must comply when appropriate, with the provisions of Article 9-B, Section 130 of the NYS General Business Law.
4. Each vendor shall own at least one tow truck. Two businesses cannot operate with one tow truck. Having multiple DBA’s is not sufficient to be placed on the Duty Tow List more than once. You must have a separate tow truck and separate Insurance policy for each DBA.
5. The Duty Tow List will remain in effect for one year and during the respective year no towing services will be added to the Duty Tow List.

When the services of a Duty tow truck is required and the location is not in a specific tow zone, the dispatcher will call the next vendor in the order designated on the Duty Tow List.

Should the Vendor be unable to accept a call due to circumstances such as mechanical difficulties, being out of service, etc. they will be moved to the bottom of the Duty Tow List. Three consecutive refusals to tow will be investigated by the Seneca County E911 Advisory Board. If they find cause, the vendor will be removed from the list for the remainder of the year.

Calls to vendors on the Duty Tow List which are unanswered by the vendor will result in the name of that particular service being moved to the bottom of the Duty Tow List and the next vendor on the list will be

contacted. Repeated unanswered calls may result in an investigation by the Seneca County E911 Advisory Board to determine the cause of such situation and may thereafter be removed from the duty tow list by a majority vote of the Board. If a vendor's equipment is going to be unavailable for a period of time the E-911 Center should be notified in writing.

All above type calls or situations, except vehicle owner/operator requests, will be listed as a Duty Call on the towing service log, listing all required information.

An owner and/or operator of a vehicle requiring a vendor response may designate a particular vendor and that request shall be honored with such a call being noted as a Request Call.

1. If a request for an out of the area tow is made, the officer will not be required to wait a longer amount of time than it would require a local tow to arrive. The officer shall inform the driver that we will call for an out of the area vendor, but will not be able to wait until the tow arrives.
2. The officer shall have the discretion when it comes to a road hazard or vehicle blocking traffic. If a vehicle is a hazard or blocking the roadway and the driver requests an out of the area vendor, the officer shall have the discretion to refuse and call for a local vendor so as to limit the danger.

The Law Enforcement Agency is not responsible for the payment of towing and/or storage of vehicles. Owners of vehicles are liable for the payment of all charges connected with towing and/or storage of said vehicles.

Liability:

1. Tow truck operators will be liable for the safe keeping of all vehicles and contents of such vehicles in their custody until released to owner.
2. The vendor will assume all liability for damage to the vehicle as a result of improper towing practices or storage.

Vendors requiring a tow call:

1. Vendors will handle their own calls. The dispatcher will not be directed to, nor will the dispatcher call another service designated by the service being called. If the vendor cannot respond and does send someone else, the call will be counted for purposes of the rotation, to the vendor initially called.
2. The E-911 Center will not honor answering services, pager systems or answering machines.

Impound areas – General & Specifications:

1. Any garage/tow service that wants to be an impound area shall make their request to the E911 Advisory Board by December 10th of each year.
2. Each impound service shall have a building or fenced in area that remains locked and secured from the general public at all times.
3. If the impound area is secured by a fence, there must be proper lighting, the vehicle must be locked, and the keys must be removed from the vehicle.

4. Each impound area shall be inspected annually by the person in charge of impounds, or Sheriff's designee of the SCSO for compliance.
5. Shall be large enough to hold at least three to four standard size vehicles
6. Due to their large size, special provisions will be made in connection with the impoundment of tractor trailers or large vehicles.

Yearly Audits:

- 1.) Random yearly audits will be conducted on each tow agency.
- 2.) Each agency is required to keep all records for the current year plus one year.
- 3.) Tow requests that come through the 911 Center must be filed separately and easily accessed on demand.
- 4.) The Lieutenant from the Seneca County Sheriff's Department, or his/her designee, will perform the yearly audit.
- 5.) Each tow agency must produce original tow records upon request. Failure to produce an original record will constitute a violation, and the tow agency will be violated as set forth in the Towing Rate Guidelines.

Towing Rate Guidelines

****Services 1, 2, 4, 5, 6 are NOT cumulative; must choose one service****

Normal Business hours= 6:00AM-6:00PM

After hours = 6:00PM-6:00AM

SERVICE	NOT TO EXCEED
1. Standard Tow Fee (regular / flatbed, MVA, DWI, V&T)	\$ 150.00
2. After hours tow	\$ 175.00
3. Mileage – loaded (after first 10 miles)	\$ 4.00
4. Service Calls (tire change, lock out, vehicle start, out of fuel , etc. – fuel and parts cost extra)	\$ 60.00
5. Off Road Recovery / Winching (vehicle is driven from scene by Licensed driver)	\$100.00 – first ½ hour \$150.00 – ½ to 1 hour \$20.00 per every 15 min. after first hour
6. After hours off Road Recovery / Winching	\$125.00 – first ½ hour \$175.00 – ½ to 1 hour \$20.00 per every 15 min. after first hour
7. Storage (beginning 1 st day of tow or upon release from D.A.'s office or Law Enforcement Official)	\$ 40.00 per day
8. Storage for D.A. 's office or Law Enforcement	\$-0-

Anyone found in violation of the above towing rates, or attempting to violate/overcharge, will be subject to the following:

- 1st violation – removal from the list for 1 month
- 2nd violation – removal from the list for 6 months
- 3rd violation – removal from list permanently

Complaints

The E-911 Center **will not** honor complaints from vendors made by phone or e-mail. If the vendor has a complaint this complaint is to be made in writing and addressed to the Seneca County 911 Board, One DiPronio Drive, Waterloo, NY 13165. The Board will review the complaint at their next regular meeting held on the second Tuesday of the even months and reply back to the vendor, in writing, within ten business days following the meeting. The E-911 Center reserves the right to remove a vendor from the Duty Tow List for whatever reason it deems appropriate by a majority vote of the Seneca County 911 Board.