

# **TOWING POLICY AND REGULATIONS FOR HEAVY DUTY WRECKER SERVICE AND DISPATCHING IN MARSHALL COUNTY**

**PURPOSE OF STANDARD AND PROCEDURES:** The Marshall County Communications 911 Center [here after known as MCC911] is organized for the purpose of dispatching/contacting all emergency services/agencies in Marshall County to serve all its citizens. By establishing standards and procedures for dispatching wreckers in Marshall County, the best quality of service should be available.

- I. Those Heavy Duty Wrecker Companies applying for the Heavy Duty Rotation Listing must have at least one [1] one heavy duty wrecker and must meet the following guidelines to be placed on rotation:
  - A. The wrecker service must meet all requirements of the Public Service Commission. This includes but not limited to: all standards for their vehicles and lots. Each wrecker company's equipment must meet or exceed safety requirements set forth by the PSC.
  - B. Abide by all rules/regulations set forth in these Standards and Procedures.
  - C. Agree to respond to all calls given by the Marshall County Communications 911 Center. Wreckers cannot go on/off of the towing system at their pleasure, nor can said wrecker service pick and choose calls they desire to answer or not answer. If a wrecker service goes off of the MCC911 system, they must state in writing to the Marshall County Administrator and MCC911 Director why they want off of the towing system. Said request will be granted after review of the written notice and approval of the Marshall County Commission at its next scheduled meeting when enough notice is given to be placed on said agenda. If said wrecker company later requests to be placed back on the towing service, they must place request in writing to the Marshall County Administrator and MCC911 Director. After review of requested letter and approval of the Marshall County Commission at its next scheduled meeting when enough notice is given to be placed on said agenda.

- D. Wrecker services must be available to respond Twenty-four [24] hours a day, Seven [7] days a week, Three Hundred Sixty Five [365] days a year. If a wrecker company consistently has major delays or doesn't show up to dispatched call at all, the County Administrator and MCC911 Director upon review of documentation of violations can remove that company from rotation. A letter of removal will be sent to the said violation wrecker company with reason of removal.
- E. The wrecker company must have a certificate from the WV PSC to operate in Marshall County, and must supply the MCC911 with a copy of said PSC certificate.
  - 1. Wrecker/Towing Company must maintain this certificate and provide current copy to Marshall County Commission and Marshall County 911.
  - 2. Must notify the Marshall County Commission and Marshall County 911 immediately upon any changes in the status of certification.
- F. The wrecker company must be in the wrecker/towing business continuously for one [1] year from date of approval from the WV PSC.
- G. The wrecker company must list MCC911 as a certificate holder with their insurance company.
- H. The wrecker company must supply MCC911 with a copy of their annual inspection forms.
- I. The owner and drivers of the wrecker company must be willing to submit to background checks conducted by the Marshall County Sheriff's Office. If it is found that a driver has a past history that could affect the integrity of a wrecker company, that owner or driver will not be allowed to take calls dispatched by the MCC911. [Example but not limited to: car theft, B&E, robbery, etc.]. Upon approval of the Marshall County Administrator, MCC911, and the Marshall County Sheriff's Office, the owner and drivers will be issued photo ID cards identifying them as eligible drivers to the Law Enforcement Officers on scene. If a driver fails to produce said ID card at the scene, they will not be allowed to tow said vehicle. If a non-approved driver continues to arrive at scenes to tow vehicles after 1<sup>st</sup> notification of violation, this will be grounds of removal from the Marshall County Wrecker System.

J. To be eligible to be placed on MCC911 rotation, the wrecker company must have at least a hook and/or rotator wrecker with at least a 40 ton boom or capacity.

K. Heavy Duty wrecker services upon notification of service must contact the Marshall County 911 Center within ten [10] minutes that said heavy duty wrecker is enroute to the scene. The heavy duty wrecker then has 45 minutes to arrive on the scene. *Exceptions: weather conditions.*

1] Once enroute to the scene the responding heavy duty wrecker is unable to arrive within the allotted 45 minutes due to events outside of the driver's control. Then said driver is required to contact the Marshall County 911 Center and advise of the reason. The driver shall give a phone number that they can be reached.

a] the above information will be relayed to the officer on scene and receive what actions the officer requires to be relayed to the wrecker driver. The driver will then be called back and advised of the information from the officer.

L. The Heavy Duty Wrecker Service shall have on file with the Marshall County Commission a completed insurance certificate with \$1,000,000.00 [one million] minimum insurance liability requirements, and garage keeper's insurance coverage for damage to towed and/or stored vehicles in an amount of not less than \$100,000.00 [one hundred thousand].

M. The following is a definition of a recognized station:

1. Must be licensed at that physical address to do business. Must produce any and all certificates from the State, County, and Municipal authorities.
2. Physical and mailing address.
3. Telephone number listed for said address
4. Must have facilities within the State of West Virginia to securely store impounded vehicles towed according to the rules and regulations of the PSC, County, and/or Municipality.
  - a] Any vehicle towed from Marshall County will be stored/impounded in the company's facility or a facility through an agreement with another

company that is within the State of West Virginia.

b] Said vehicle will not be towed outside the boundaries of the State of West Virginia until said permission is granted by the Law Enforcement Officer in charge of the event.

c] Law Enforcement will have readily available access to any/all towed vehicles that are stored/impounded at the company facilities that towed said vehicle.

5. Must be available Twenty-four [24] hours a day, seven [7] days a week, Three hundred sixty five [365] days a year.

N. "Scanner Jumping or Hopping" will be considered a violation of these Standards and Procedures.

O. The wrecker agency shall keep and maintain daily logs showing the time, date, and location of said service dispatched by MCC911.

P. If an officer places a hold on a vehicle, the wrecker company should advise the owner of the vehicle who the agency is that placed the hold, the officer who placed the hold and the telephone number of the agency.

1. Only the agency, the officer or his superior, who placed the hold on the impounded vehicle, can release it.

2. No Telecommunicator has the authority to release the vehicle.

3. A Telecommunicator can advise the wrecker company that via the proper authorization given to the Telecommunicator from the proper authority for release of said vehicle.

4. When such release is done then in the narrative section of the tow log, a statement will be made of the release action, date and time this was done.

## II. DETERMINING WHICH WRECKER SERVICE WILL BE DISPATCHED:

A. According to 24-6-12 of the WV Code, a wrecker policy should be established "that provides for the most prompt, fair, equitable and effective response to requests or dispatches for emergency towing services." Marshall County will be using the daily

rotation of wrecker services. A schedule of the wrecker services will be posted at the MCC911 and mailed to each service prior to the beginning of each month. In the event a wrecker service is called and not able to respond due to all serviceable wreckers being out on calls, then the wrecker service on the next day listing will be used. When that day's wrecker service has a unit available for calls then they will notify the MCC911 of such. Until the daily wrecker service advises of normal operation, the MCC911 when requested for daily wrecker service will contact the next day wrecker company for service. This move will not change the wrecker daily rotation log since the backup wrecker service had to be used prior to their assigned day.

- B. In the event of an accident where more equipment is needed than the appropriate wrecker company is able to handle, the wrecker company on scene will contact another wrecker service which has the needed equipment to assist.
- C. In the event of an emergency situation, where the wrecker company is needed for rescue, the nearest available company will be dispatched regardless of rotation or if wrecker company is out-of-county.

### III. MARSHALL COUNTY COMMUNICATIONS 911 DISPATCH PROCEDURES:

When a wrecker or wreckers are requested by Law Enforcement, the Telecommunicator will:

- A. Obtain information [from the caller and/or the on scene officer] about the incident such as:
  - 1. Type of accident [in creek, over the hill, etc.]
  - 2. How many vehicles need towed.
  - 3. What type of vehicles is to be towed?
  - 4. If specific wrecker type is needed.
- B. Dispatch the daily on call wrecker if the officer requesting a wrecker service does not advise that the owner prefers a certain one that can respond within a normal amount of time to the scene. Wrecker company will advise if available or not and also their Estimated Time of Arrival [ETA] to the scene. If the daily wrecker company is not available then the Telecommunicator will contact the next daily wrecker service. The Telecommunicator will then relay which wrecker company has

been dispatched to the officer who has requested the wrecker, along with ETA and any other vital information. The Telecommunicator will document in the narrative of the CAD Incident Call which wrecker company has been sent along with the noted ETA given to them by the wrecker company.

- C. If a request for a specific wrecker company is received by the owner of the vehicle, the Telecommunicator will dispatch that wrecker. If that company is not available, the Telecommunicator will advise the on scene officer, and will wait for a response of what wrecker service to be contacted.
  - 1. If no alternate wrecker is requested by owner, dispatch will call the daily on call wrecker.
  
- D. We all understand that there are certain situations such as entrapment, fire, or major highway blockage which requires dispatch of wreckers regardless of daily rotation status. This also covers any situation where an emergency response unit arrives prior to Law Enforcement, and requests the wrecker for emergency life saving actions. All of this information will be documented in the narrative of the CAD Incident Call by the Telecommunicator. This documentation will note which emergency response agency and unit requested the wrecker.
  
- E. If a wrecker company is requested on the scene of an incident where Law Enforcement is not needed, the following procedures will be followed:
  - 5. Request by radio [fire department, EMS, etc.], the Telecommunicator will notify said wrecker company using the Daily Rotation procedures, unless a specific service is requested by the owner. This information will be added the CAD narrative of the call that the Emergency Responder has been assigned to.
  
  - 6. Requested by phone, the Telecommunicator will advise the caller of the phone number of the wrecker service requested.
  
- F. The Telecommunicator will inform the MCC911 Director if problems are encountered with any wrecker company, such as:
  - 1. Continually failing to have a wrecker available when called under normal daily status conditions.

2. Major delay in response time.

IV. LIABILITIES

- A. MCC911 will assume no liability for the type of wrecker requested.
- B. MCC911 or any emergency service agency will assume no liability for wrecker requests where the vehicle has already left the scene.
- C. MCC911 will assume no liability for the action[s] and work performed by the wrecker company.

V. VIOLATIONS OR COMPLAINTS:

- A. If a complaint is received in writing regarding a wrecker company being in violation of our Standards and Procedures, the following will occur: [the complaint shall contain the date, time and location of the incident and the specific charges regarding these Standards and Procedures].
  - 1. The MCC911 Director or Supervisor will attempt to resolve the matter. If this is not successful, then the complaint will be sent to the Administrator for review, and the complainant will be advised in writing of the next action being taken.
  - 2. Upon review of the complaint the Administrator will attempt to resolve the matter. If this is not successful, then the complaint will be sent to the County Commission for review, and the complainant will be advised in writing of the next action being taken.
  - 3. The Marshall County Commission, who will review the complaint during their scheduled session, and will then set a date, no later than fifteen [15] days after the Commission receives the complaint, for a hearing. The wrecker company will be sent a certified letter by the Marshall County Commission stating the hearing date and the specific charges against the wrecker company. The Marshall County Commission will hear the complaint and base its decision upon all information presented. If the wrecker company is found in violation by the Marshall County Commission, the following will be the normal procedure for censoring a wrecker company:
    - a. First Offense: Written reprimand.
    - b. Second Offense: Up to thirty [30] days suspension.

- c. After the second offense, if a violation occurs within one year of the first offense, the Marshall County Commission may terminate the wrecker company from the MCC911 wrecker system.
- d. If, in the opinion of the Marshall County Commission, the violation involves gross negligence, a wrecker company may be removed immediately without going through the first two procedures listed above.
- e. Marshall County Commission can deviate from the normal procedures if a violation; in its opinion necessitates the same companies alleging violations of law. This will have immediate suspension and possible termination.


B. The MCC911 only handles complaints regarding the dispatching of wrecker services that are in compliance with our Standards and Procedures. All other wrecker complaints must be sent to the Public Service Commission by the complainant.


C. If a wrecker company, for any reason, objects to the dispatching of any unit, the wrecker company shall make a request in writing within five [5] days following the occurrence of the event to schedule a meeting with the MCC911 Director/Assistant Director to discuss the matter. The above procedures in section A of violations or complaints will take effect for the resolution of the complaint.

- 1. Wrecker Company shall provide information regarding complaint before meeting so the Director/Assistant Director will be prepared to answer questions at time of meeting.

D. The wrecker company will under no circumstance contact the MCC911 Telecommunicators during an incident and issue their verbal complaint. All objections must follow procedure in Section V.C. above.

The above is approved by the Marshall County Commission this 19th day of January, 2016 and becomes effective the 20<sup>th</sup> Day of January, 2016.

  
Stanley C. Stewart, President

  
Scott G. Varner, Commissioner

  
Robert A. Miller, Commissioner