



Colorado Springs Police Department Standard Operating Procedure

DL-1320-01 Rotational Tows

Section 1300 – Traffic Functions

Effective Date: 5/4/2023

Supersedes Date: 10/16/2020

.01 Purpose

The purpose of this directive is to outline the processes associated with rotational tows facilitated by CSPD personnel in conjunction the city's rotational tow contracts.

.02 Cross Reference

[GO 1320 Towing and Impound Procedures](#)

.03 Definitions

Rotational Tow: A service facilitated by the city for the community to ensure timely towing of vehicles in urgent situations, often following an accident. Rotational tows are done for the convenience of the owner/operator when they have not chosen a tow company to complete the tow, and in the interest of clearing a scene as quickly as possible. The owner/operator must be physically present to enter into a tow agreement with the rotation tow company and there is NO police interest in these vehicles. These vehicles are typically towed to the contractor's storage lot or another owner/operator approved location within the city limits. When these conditions are met, department personnel will simply notify dispatch to call the next rotational tow company on the list.

Non-Consensual Tow: Means the transportation of a vehicle by tow truck from PRIVATE PROPERTY if the transportation is performed without the prior consent of the owner/operator/agent, lienholder (unless for repossession), or the insurance company (if the vehicle was signed over to the insurance company by the owner).

Impound Tow: Impound tows are tows where the vehicle is towed from PUBLIC PROPERTY, where the owner is not present to choose a tow company or to contract with a rotational tow company, and/or there is a police interest in the vehicle. These vehicles are typically towed to the impound facility, a bay for further investigation, or other CSPD personnel approved location. Impound tows are covered under a separate impound tow contract and are not considered rotational or non-consensual tows.

.04 Procedure

Public Safety Rotational Tow Contracts

The city of Colorado Springs negotiates and awards Public Safety Rotational Tow contracts.

Rotational Tows constitute an agreement between the vehicle owners/operators and the tow contractors on an individual tow basis. There is no police interest in these vehicles.

The Impound/Evidence Manager oversees the rotational tow contracts.

Requests for Rotational Tows

Rotational tows are assigned from an eligible contractor list maintained by the department's Communications Center. The eligible contractors enter into a contract with the city to provide certain services and agree to certain contractual obligations. The Communications Center contacts the next company on the list for each rotational tow request. The Communications Center does not "skip" rotation tow companies unless the company has specifically requested to be skipped/paused in writing, or the Impound/Evidence Manager has indicated in writing to skip the company based on a suspension from the contract.

Rotational Tow Fees

The Colorado Public Utilities Commission (PUC) establishes rules governing all towing carriers. PUC rules provide a uniform system for towing and recovery rates. The city has adopted these rates for the rotational tow contract. Each rotational tow contractor must submit their rates to city Contracting and the Impound/Evidence Manager for approval and addition to the contract.

The rotational tow contractors may charge less than the defined tow rates but cannot exceed the maximum allowable rates set by the PUC. Those rates, and all other tow and recovery regulations, can be found on the Colorado PUC website.

Rates and regulations are subject to change so the website should be reviewed for the most current information.

Rotational Tow Requirements

Although the contract contains more specific information; in general, rotational tow contractors have agreed to at least the following terms as part of the contract:

- Rates
 - Tow operators are required to provide a copy of the Disclosure of Rotation Tow

Rates and Charges Sheets to the owner/operator.

- The estimated rates to be charged must be communicated to the owner/operator prior to services being provided.
 - The rotation tow contract is a civil agreement. Rotational tow contractors can refuse a call for service or refuse a tow at the scene. This constitutes their “turn” unless the citizen refuses the tow due to no fault of the tow contractor.
 - If the citizen refuses the tow due to cost, or other reason that is not the fault of the tow contractor, the tow contractor will remain at the top of the list.
- Conduct
 - Contractor employees and agents must be courteous when conducting business with the public, city personnel, and all other involved parties.
 - Tow contractors will not imply or otherwise indicate to the owner/operator of a vehicle that the public tow is other than a consensual tow between the owner/operator and the tow company, or that there is a police interest in the vehicle.
 - Tow contractors will not define a rotation tow as a “Police Tow” to the owner/operator of any towed vehicle and will not hold the vehicle as having “police” interest unless specifically directed to in writing by CSPD personnel.
 - Response
 - The maximum response time(s) to any call for contracted towing services to any location within the city limits of Colorado Springs will be forty-five (45) minutes from time of notification to time of arrival on the scene (based on records maintained by the Communications Center).
 - Responding tow operators will be employees of the contractor and not subcontractors to the tow company. In addition, friends or relatives will not accompany the contractor in responding to accident scenes.
 - Rotational Tow contractors are required to clean up vehicle debris including any/all debris that can reasonably be considered as belonging to the vehicle for which they are towing. They are not required or to be requested to perform hazardous materials cleanup as they are not licensed or trained to properly mitigate hazardous materials incidents. CSFD should be notified for these incidents.

Department Employee Responsibilities

Should the tow company and owner/operator be unable to reach an agreement on the terms for services, department personnel at the scene have the authority to impound a vehicle to facilitate the safe and expedient removal of the vehicle from the scene as necessary. In such circumstances, the department member will request the impound tow contract company respond.

Department members will be courteous and conduct themselves professionally. In the event of disagreements or questions, department personnel will contact the Impound/Evidence Manager. Department personnel will also direct rotational tow vendors to contact the Impound/Evidence Manager for any questions or concerns arising from the rotational tow contract.

Department Employee Actions Prohibited

When a rotational tow is requested, personnel will **not**:

- Conduct a physical search of the vehicle, nor will they complete a Car Card or EvidenceOnQ entry.
- Inject themselves into the civil agreement associated with rotational tows by attempting to influence the price charged by a rotational tow contractor or by attempting to influence a rotational tow contractor to accept the rotational tow.
- Imply that the tow company will be removed from the rotational tow list for refusing a tow.

Rotational Tow Concerns/Complaints

Personnel may refer concerns/complaints about rotational tow contractors to the department Impound/Evidence Manager.

Personnel may refer citizens with concerns/complaints about tow contractors who are not associated with the rotational or impound tow contract to the Colorado PUC.