



Department of State Police

General Order

Effective Date: July 31, 2025	Number: TRF-09
Subject: Towing	

1. Policy.

Public safety is the Department's primary concern and shall guide the application of this policy. When authorized to remove vehicles, members shall remove such vehicles to a location which shall ensure the safety and well-being of the occupants, security of the vehicle, and allow for safe and efficient flow of traffic.

All members and approved Tow Service Providers (TSPs) shall adhere to and comply with the Department of State Police SP-357 Tow Service Agreement (for those Troops/Tow Zones operating under the legacy Agreement), and/or the Massachusetts State Police Tow Contract (for those Troops/Tow Zones which have transitioned to the new Tow Contract).

Note: For those Troops under the legacy Tow Service Agreement providing for towing under Category II (Medium Duty) specifications, they shall abide by that Agreement.

Members assigned to Troop F shall adhere to Massport towing regulations.

2. Definitions.

Category I services: towing/recovery/service of vehicles or combinations $\leq 10,000$ GVWR/GCWR, such as passenger automobiles, light trucks/vans, light campers/motor homes/recreational vehicles, trailers, motorcycles, mopeds, or motor scooters.

Category II services: towing/recovery/HAZMAT/service of vehicles or combinations $>10,000$ GVWR/GCWR, such as commercial trucks, truck tractors, tractor/trailer combinations, trailers, machinery, campers/motor homes/recreational vehicles, and buses.

3. Causes for Removal.

Members are authorized to remove (or cause to be removed) a vehicle found upon any way, when the vehicle is:

- Disabled as to constitute an obstruction to traffic and/or is a hazard;
- Improperly or illegally parked or standing in violation of 700 CMR 9.04(2), 700 CMR

- 7.12(2), or any other state or municipal law or regulation (i.e. within the limits of any State Highway for a period of time exceeding 24 consecutive hours);
- c. Not validly registered or insured in violation of law; or
 - d. Hazardous or unsafe to be driven in its current condition.

Members are authorized to remove (or cause to be removed) a vehicle found upon any way, or on private property without the consent of the property owner, when the vehicle is:

- a. Stolen or taken without the owner's consent; and/or
- b. Impounded/towed pursuant to Massachusetts General Laws or Court order.

Members are authorized to remove (or cause to be removed) a vehicle found upon any way, or on private property without the consent of the property owner, when the operator:

- a. Is arrested, not properly licensed, or is unable or otherwise unfit to safely operate the vehicle;
- b. There is no competent, alternative operator, who is:
 - 1) Present at the scene before officers notify the tow company;
 - 2) In physical possession of a valid driver's license; and
 - 3) Approved by the owner, or someone clearly authorized by the owner, to drive the vehicle; and
- c. The vehicle is not lawfully parked.

Additionally, members are authorized to remove (or cause to be removed) any vehicle found upon a road/state highway when adverse weather conditions or other emergency reasons necessitate the removal in the interest of public safety, or when requested by the Massachusetts Department of Transportation or other agency having jurisdiction over maintenance of the roadway.

4. Towing Member Responsibilities.

Members shall consider reasonable alternatives before towing a vehicle, including (1) whether the owner or authorized operator in control of the vehicle wishes to allow a competent, alternative operator, who is present at the scene before the towing process is initiated, to take control of the vehicle, and (2) whether the vehicle is lawfully parked at the location where the police encountered it.

Reasonable factors justifying immediate towing include, but are not limited to:

- a. Adverse weather conditions;
- b. Traffic conditions requiring prompt removal;
- c. Time of day;
- d. Situations requiring urgency; and
- e. Whether, in the opinion of the on-scene officer(s), the removal proposed by the owner or authorized driver would cause unreasonable delay or present safety concerns.



If a Department TSP is not required, members shall inquire whether the owner or authorized operator has a preference for a specific tow company or roadside assistance service. Only the owner or a person clearly authorized to operate the vehicle may request an alternative to the Department-contracted tow.

Members are not required to:

- a. Wait for an alternative operator once the towing process is initiated,
- b. Allow a late-arriving operator to take control of a vehicle already in the process of being towed;
- c. Contact the owner, if not present, to determine their preference; or
- d. Wait for an owner-requested tow that would exceed the expected response time of a Department-contracted tow.

When utilizing a Department TSP, the member shall inform the owner or authorized operator that the vehicle will be towed to a police facility or private storage facility for safekeeping, unless the owner or authorized operator requests an alternative, which shall be accommodated if deemed lawful and reasonable.

If no preference is expressed, the next-in-line TSP for that zone will be dispatched per ACISS. In zones operating under the SP-357 Legacy Agreement, the member shall inform the Desk Officer, who will dispatch a TSP from the approved tow list.

For incidents overlapping multiple tow zones within one barracks' jurisdiction or involving multiple barracks' areas, the barracks entering the call into ACISS shall select and dispatch the TSP.

If the on-scene member determines that the assigned TSP is unable to safely complete the tow, the member may request the next-in-line approved TSP. If no such provider is available, the closest approved TSP capable of handling the removal shall be contacted.

When applicable, members shall inventory the towed vehicle in accordance with TRF-10 Vehicle Inventory.

5. Arrests for Operating Under the Influence

When a vehicle operator is arrested for operating under the influence (OUI) of alcohol or drugs, the vehicle shall be towed and a Department TSP shall be utilized.

For all OUI alcohol arrests, the TSP shall be instructed to place a 12-hour hold on the vehicle. If the arrested individual submits to a chemical test of their breath or blood as required by law, the arresting member or Desk Officer shall notify the TSP to cancel the 12-hour hold.

Massachusetts law does not permit a 12-hour hold for OUI drug arrests.



6. Disabled Motor Vehicles.

Members shall assess the location, roadway conditions, weather, and other factors to determine the risk associated with a disabled motor vehicle (DMV). Dependent on the circumstances, members shall either:

- a. Immediately arrange for a tow for a high-risk or hazardous DMV;
 - b. Offer to arrange for a tow or transport off the highway. If the operator/occupants prefer to wait for their own tow or service contractor:
 - i. Advise of the dangers associated with remaining in/with the vehicle;
 - ii. Advise the Desk Officer to ensure that area patrols are aware and can check on the vehicle at reasonable intervals; and
 - iii. The member may leave the scene.
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7. Off-Loading/Removal of Vehicles & Debris.

Public safety is of paramount importance when considering the time, manner, and method of off-loading and/or towing a large vehicle. The key determinants are current and impending road, weather, and traffic conditions.

All crash/recovery scenes should be cleared as quickly as possible to return the highway to its normal traffic flow. If necessary, cargo and/or vehicles may be pulled/pushed to adjacent shoulders/medians before the cargo is removed or vehicle is towed.

The off-loading and/or towing of large trucks involved in crashes and recoveries on high density/congested roadways should be avoided during peak commuter hours, as it may contribute to additional delays and/or secondary crashes.

8. Private Property Tows.

Per M.G.L. c 266 §120D, any vehicle located on private property in situations not addressed above, including abandoned vehicles on private property, require the property owner to notify the law enforcement agency of jurisdiction before coordinating for a private tow to remove the vehicle. Any member receiving notification from a private property owner regarding an unauthorized vehicle on their property shall enter a log note into the DAJ with the address, registration number, name of the person in lawful control of the way or property, and name of the person or company removing the vehicle.



9. Investigative Holds.

A towed motor vehicle shall only be placed on an investigative hold pursuant to:

- a. Probable cause that the towed motor vehicle is a piece of evidence;
- b. Pending the application for and execution of a search warrant; or
- c. A directive from the District Attorney's Office of jurisdiction, Attorney General's Office, or United States Attorney's Office.

A towed vehicle may not be held for investigation beyond 10 days, unless otherwise ordered in writing by a Court, the District Attorney's Office of jurisdiction, Attorney General's Office, or United States Attorney's Office. Exceptions to this time frame may be made with supervisory approval for extenuating circumstances, such as when the owner or other appropriate custodian cannot be located for the vehicle. Any deviations from this time frame must be documented.

Supervisory approval is required for all investigative holds. For any investigative hold that extends beyond the requesting member's tour of duty, the member shall complete the SP-357C Vehicle Hold Authorization Form. A copy of the completed SP-357C shall be maintained in the electronic case file.

Any request for an investigative hold must be communicated to the TSP at the time of the tow or as soon as the need for a hold is determined, and a copy of the SP-357C must be provided to the TSP prior to the end of the requesting member's tour of duty.

Members shall refer to INV-10 Evidence Collection and Preservation and INV-11A Evidence/Contraband/Property Intake.

10. Desk Officer Responsibilities.

The Desk Officer shall ensure that the following information is appropriately recorded in ACISS:

- a. The registration number and state;
- b. Time, date, and location for which the vehicle was towed;
- c. Make, model, and description of the vehicle;
- d. Reason for the tow;
- e. The name or identification number of the member or proper authority requesting the tow; and
- f. The towing company name, and the location to which the vehicle was moved.

The Desk Officer shall properly classify tows/calls for service that are not provided by a contracted TSP, such as owner request, motor clubs, or roadway assistance services.



A Department member shall provide the vehicle owner's name and address to the TSP which may include information listed on the vehicle registration.

11. Station Commander Responsibilities.

The Station Commander shall ensure the effectiveness of the towing process by monitoring personnel and TSP resources operating under his/her command. The Station Commander shall:

- a. Rectify any initial substantiated claims of a missed or skipped call of a TSP. If issue cannot be resolved then forward matter to the Tow Compliance Unit (TCU);
 - b. Request staging of tow trucks in specific areas for anticipated or unusual demands for service;
 - c. Assist TSPs with the administration of this policy and the associated towing contract(s);
 - d. Maintain records (SP-357C) of all vehicles held for investigative purposes;
 - e. Ensure adequate log entries are made in ACISS; and
 - f. Appoint a Station Tow Member to assist with the administration of this policy.
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12. Station Commander Responsibilities Under the Legacy Tow Service Agreement.

Station Commanders in troops/tow zones operating under the legacy tow service agreement shall, in consultation with the TCU, establish a Station Tow Company List based upon fair and equitable standards including, but not limited to minimum response times, the maximum allowable number of tow companies, and the provisions of this policy.

Fair and equitable standards shall include, but not be limited to, the following:

- a. A consideration of the financial and administrative burden of maintaining and administering the Station Tow Company Lists;
- b. The public interest and necessity for the prompt removal of wrecked, crashed, and disabled vehicles from the roadway;
- c. The maximum number of tow companies on a Station Tow List shall not exceed ten companies unless authorized by the Troop Commander; and
- d. Any additional factors that a Station Commander deems reasonably necessary.

Station Commanders shall appoint a Station Tow Member to assist with the administration of this policy and to maintain records of all tow agreements and associated documents.

Station Commanders, in conjunction with the Division of Administrative Services, will direct an investigation be conducted related to any SP- 358 received alleging violations of the Tow Service Agreement SP-357.

Station Commanders, in conjunction with the Division of Administrative Services shall be responsible for the oversight of station tow companies in their station areas and may



suspend, terminate, and/or place on probation any station tow company consistent with the requirements of the State Police Tow Service Agreement SP-357.

13. Troop Commander Responsibilities.

The Troop Commander shall ensure the effectiveness of the towing process by monitoring personnel and TSP resources operating under his/her command. The Troop Commander shall:

- a. Order an immediate indefinite suspension without advance notice for an event where a TSP's actions have resulted in a threat to public safety or resulted in criminal action being sought against the company or any of its representatives;
 - b. Notify the Division of Administrative Services of any pending suspensions ordered via the SP-358 process; and
 - c. May establish amended Tow Zones for special events, natural or man-made disasters, states of emergency, weather events, or other unforeseen events in order to maximize public safety and reduce response times.
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14. Tow Compliance Unit (TCU).

The TCU, in conjunction with the Division of Administrative Services (DAS), will provide administrative and fiscal oversight of all tow issues related to Troops/Tow Zones which have transitioned to the Massachusetts State Police Tow Service Contract. TCU shall:

- a. Establish and validate Tow Zones based upon input from Station Commanders relative to the number of crashes, requests for service, traffic volume, high-demand events or venues, and other measurable demands for service. Tow Zones shall remain fixed for the duration of the Tow Service Contract period. Tow Zones shall either be assigned to one specific approved TSP or to several TSPs based upon the contract award. If multiple companies are awarded a single zone, each shall be assigned on a per-incident rotation schedule;
 - b. Receive requests for inclusion in the Tow Contract;
 - c. Evaluate new applications for Tow Contracts;
 - d. Conduct initial and annual announced inspections of TSPs and prospective TSP's financial, tow bills/records, insurance and employee records, as well as equipment and facility compliance;
 - e. Conduct independent, random unannounced inspections of TSP's financial, tow bills/records, insurance and employee records, as well as equipment and facility compliance;
 - f. Investigate complaints forwarded via SP-358 regarding TSPs and this policy, determine violations of the Tow Contract, and take appropriate corrective action, if warranted; and
 - g. Assist MSP assets with towing related activities, matters, inquiries.
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15. Tow Service Providers.

TSPs must follow all applicable federal, state and local laws, and remain in compliance with the Massachusetts State Police Tow Contract and if applicable the Tow Service Agreement (SP 357) at all times. Failure to maintain these standards may result in the immediate removal from all Department tow lists without advance notice.

16. Complaints.

All complaints or allegations of violations of the Tow Service Agreement or Massachusetts State Police Tow Contract generated by members of the Department, the public, or a Tow Service Provider shall be immediately documented via an SP-358.

Complainants may obtain and submit a SP-358 by the following means:

- a. Accessing the State Police Tow Portal at: <https://www.mass.gov/state-police-towing>
 - b. Mail or hand-deliver to: Division of Administrative Services, 470 Worcester Rd., Framingham, MA 01702;
 - c. Via email to towingresponsereports@pol.state.ma.us;
 - d. By calling the Division of Administrative Services at (508) 988-7018; or
 - e. Via fax to (508) 820-2359.
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17. References.

- a. M.G.L. c.90 §22B, M.G.L. c.90C §22C; M.G.L. c.159B §6B; M.G.L. c.266 §120D;
- b. 700 CMR 9.04(2), 220 CMR 272;
- c. Chapter 122 of the Acts of 2005, AKA “Melanie’s Law”;
- d. MPAC: 61.4.3;
- e. INV-10 Evidence Collection and Preservation, INV-11A Evidence/Contraband/Property Intake, and TRF-10 Vehicle Inventory;
- f. SP-357 Tow Service Agreement, SP-358 Tow Complaint;
- g. Massachusetts State Police Tow Contract.

Promulgated by:

Geoffrey D. Noble
Colonel / Superintendent

