



GENERAL OPERATIONS			1102.00	
<div><div></div><div>TOWING OF VEHICLES; STORAGE</div><div></div></div>				
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PURPOSE

The purpose of this standard operating procedure is to prescribe basic regulations for the operation of tow trucks in police situations, and to assist private and commercial users of the streets of Punta Gorda by ensuring that only qualified, reputable wrecker services and tow truck operators, using safe and sufficient equipment, are provided for the removal of a wrecked, disabled, stolen, illegally parked, and abandoned motor vehicles and those vehicles which constitute an obstruction to traffic in the event the owner or operator is incapacitated, unavailable, or leaves the procurement of wrecker service to the discretion of the Punta Gorda Police Officer at the scene. This policy is written in accordance with City of Punta Gorda Code of Ordinances [Chapter 22 – Towing of Vehicles](#).

It is also the purpose of this standard operating procedure to provide a fair and impartial method of distributing police requests for towing services among qualified wrecker services and to ensure that such service is prompt and reasonably priced and in the best interests of the public welfare and safety, as well as the providing of efficient police operations.

SCOPE

This procedure shall apply to all Punta Gorda Police Department personnel.

DISCUSSION

A variety of circumstances arise that require a vehicle or vessel to be moved by police personnel. These range from removal of a traffic hazard to found property. In order to ensure that procedural guidelines and legal requirements are met, a uniform method or operation is required. This procedure will outline the authority and process to be used in meeting this need.

DEFINITIONS

1. **Chief:** The Chief of Police of the Punta Gorda Police Department, or their designee.
2. **Department:** The Punta Gorda Police Department.
3. **Operator:** The driver of a wrecker.
4. **Property and Equipment:** For purposes of this procedure, a broad range of items which normally cannot be transported by passenger vehicles (i.e.: farm equipment, safes, etc.).
5. **Vehicles:** The broad range of motor powered means of transportation such as: passenger cars, motorcycles, vans, trucks, motor homes, tractors, trailers, and mopeds.
6. **Vessel:** A craft, larger than a rowboat, designed to navigate on water.
7. **Wrecker:** A vehicle used to provide towing services.
8. **Wrecker Service:** An individual, partnership, corporation or other business entity for hire in the recovery, towing or removal of wrecked, disabled, stolen, illegally parked or abandoned vehicles, and those vehicles which constitute an obstruction to traffic.

PROCEDURE

I. CALL ALLOCATION SYSTEM

- A. Wrecker Services, as defined herein, shall be called for the removal of wrecked, disabled, stolen, illegally parked or abandoned vehicles, and those vehicles which constitute an obstruction to traffic, from the streets, canals and other property lying within the City of Punta Gorda, according to the operator's placement on a Wrecker Rotation List as maintained by the Communications Section, and according to the wrecker classification for the size of the vehicle to be towed. Wrecker Services will be called in succession from the top of the list. Except as provided herein, following each call, a Wrecker Service will be rotated to the bottom of the list. A Wrecker Service shall respond to a call with a wrecker classified to meet or exceed the size of the vehicle to be towed; however, if the

wrecker used is larger than necessary, the charges shall be based on the lowest classification of wrecker capable of performing the tow.

- B. The Wrecker Service may not assign, transfer, pledge, surrender or otherwise encumber or dispose of its approval or its place on the rotation list. A replacement or successor Wrecker Service must be approved before being placed on the Department's Wrecker Rotation List, in accordance with Section III.
- C. Towing requests from the field will be transmitted to the public safety dispatcher on duty at the Department, who will contact the proper Wrecker Service. Vehicle owners' requests for a specific Wrecker Service will be transmitted to such Wrecker Service, and such Wrecker Service will maintain its position on the Wrecker Rotation List. The Department may cancel a request for services of a participating Wrecker Service at any time. In the event of cancellation or response without any service having been rendered, the Wrecker Service will not be rotated but will maintain its position on the Wrecker Rotation List.
- D. Wrecker Services will be listed only once on the Wrecker Rotation List and only in the name under which they are qualified and conducting business in this State. A Wrecker Service is prohibited from conducting business at one location and attempting to receive multiple listings or classifications by utilizing a different or fictitious name for trucks operating out of the same location or by utilizing the same named trucks out of different locations or by using different names for separate locations maintained by the same business.
- E. Wrecker Services shall only respond to crashes or remove vehicles involved in a crash within the Department's jurisdiction pursuant to a call from a law enforcement agency as set forth herein or in response to a direct call from the owner of a vehicle involved in the crash. In the event of a call to a Wrecker Service by someone other than a law enforcement agency, such operator will first report the call through the Department's Communications Section before proceeding to the scene.
- F. Wrecker Services shall have at least one day and one night telephone number staffed by a person. Answering services or beepers will not be permitted. The Wrecker Service will notify the Department's public safety dispatcher at the time the call is received whether or not it will respond. The Wrecker Service shall promptly notify the Department of any changes of such numbers.
- G. The Department may call specialized recovery equipment on a nearest available basis in the event specialized recovery requirements are not met by the Wrecker Services at the top of the Wrecker Rotation List.
- H. For car crashes involving multiple disabled vehicles, one or more Wrecker Services shall be called from the rotation list for each crash. If the first Wrecker Service called does not have a sufficient number (or classification) of wreckers available to tow each vehicle that

is disabled, one or more additional Wrecker Services shall be called until a sufficient number (and classification) of wreckers is obtained. To expedite clearing any roadway blockage, the Police Officer on the scene shall prioritize the removal of the vehicles and may advise the Wrecker Service which vehicles to remove.

- I. Wrecker Service logs will be maintained by the Communications Section of the Department, showing each call made, the Wrecker Service to which it was made, and any failures to respond or cancellations.
- J. The towing of all vehicles shall be documented in the CAD system and/or the vehicle inventory report and include the following information:
 - 1. Time;
 - 2. Date;
 - 3. Location the vehicle was towed from;
 - 4. Requesting member;
 - 5. Reason for removal or tow;
 - 6. Towing service;
 - 7. Holds placed or removed;
 - 8. Location the vehicle was towed to if the vehicle is towed to a location other than the tow company's facility; and
 - 9. Notification (or attempts at notification) of the registered owner: The public safety dispatcher shall note on the Wrecker Rotation Log whether the owner was contacted or not, without fail. If contacted, the public safety dispatcher shall indicate the same with a "Y." If not contacted, the public safety dispatcher shall indicate the same with a "N." If owner contact is not applicable in the specific instance, the public safety dispatcher shall write "N/A" in the appropriate space. If a vehicle is towed and the owner could not be contacted, the vehicle shall be entered as an abandoned vehicle in the FCIC system.
 - a. The public safety dispatcher shall remove the abandoned vehicle from the FCIC system if they receive notification from the owner and they know the location of their vehicle or if the tow company notifies communications that the owner or the tow company has taken possession of the vehicle.
- K. Officers shall complete an inventory of contents of all towed vehicles. The only exception to this policy will be for disabled vehicles or vehicles towed as the result of a

traffic crash in which an owner/operator is present. Officer shall open closed containers during an inventory search.

- L. If a Wrecker Service does not respond to a request for service, or if the request is cancelled pursuant to section II(A), the Wrecker Service shall be rotated to the bottom of the list.

II. RESPONSE TO CALLS

- A. Each wrecker service shall respond to all requests for service made through the Communications Section of the Department within a reasonable time under the existing conditions and circumstances. This reasonable time shall not exceed thirty minutes from the time of notification. If response cannot be made within a reasonable time, the wrecker service shall notify the Police Department of the estimated time of delay and the reasons why. The officer on the scene shall determine if the delay is unreasonable and may cancel the request for service and use the services of another participating Wrecker Service.
- B. Unless authorized by the on-duty Watch Commander, flashing amber lights shall not be used while responding to a call for wrecker service.
- C. Flashing amber lights shall be used at the scene and when towing from the scene in accordance with [Florida Statutes \(F.S.\), Section 316.2397\(3\) – Certain lights prohibited](#).
- D. When a vehicle is released at the scene by the investigating officer, the Wrecker Service shall tow it to any location the owner requests. If the owner is absent or incapacitated, the Wrecker Service shall tow the vehicle to its storage area for safekeeping.
- E. Any ancillary service, such as the use of a dolly, dropping and hooking up linkage, etc., are to be performed only if required and appropriate.
- F. The motor vehicle owner or operator is responsible for payment of charges imposed by the Wrecker Service.
- G. The Wrecker Service is responsible for any damage to a vehicle caused by the operator.
- H. An operator at the scene of a crash shall remove only the vehicle involved, at the direction of the investigating officer.
- I. Wrecker operators shall sweep glass from the roadway and remove all debris or hazards from the scene, as required by [F.S. Section 316.2044\(2\) - Removal of injurious substances](#).
- J. Wrecker operators shall impound such vehicles as requested by the officer at the scene.

- K. The Wrecker Service will forfeit a call if the Wrecker Service's operator responds to a call in such a condition that the officer on the scene reasonably believes that the operator is incapable of safely removing the vehicle. Such condition shall include, but shall not be limited to, impairment due to consumption of alcohol or any chemical substance or controlled substance.
- L. The Wrecker Service shall forfeit a call if the Wrecker Service or its operator responds to a call in a wrecker other than the type requested.

III. MAINTENANCE OF WRECKER ROTATION LIST: The Wrecker Rotation List shall be maintained by the Chief of Police, or his/her designee. The inclusion on, exclusion from, removal from, or suspension from the Wrecker Rotation List shall be determined by the Chief, based on the standards and qualifications set out in this chapter.

V. TOWING REQUIREMENTS: Any time an officer arrests a driver of a vehicle, the vehicle shall be towed unless the suspect is the registered owner and a competent driver of the suspect's choice is on scene at the time of the arrest. The officer shall arrange for safe transportation of any passengers.

- A. Prior to the vehicle being towed it shall be inventoried and a vehicle inventory report shall be completed.
- B. If the owner is unable to have a competent driver on the scene to remove the vehicle, it shall be the Department's policy that the vehicle shall be towed and not left at the scene.
- C. Property not found on the suspect's person and of no evidentiary value, shall be inventoried and secured in the vehicle. Items of value and prescription medications shall be submitted to property for safekeeping.
- D. The arresting officer shall notify the Communications Section if a hold is to be placed on the vehicle, including any specific instructions as to why the hold has been placed. It is the arresting officer or assigned case agent's responsibility for releasing a hold on a vehicle.

APPROVED



PAMELA R. SMITH, CHIEF OF POLICE

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