


<p style="text-align: center;">STRATFORD POLICE DEPARTMENT</p> 	Type of Directive: Policy and Procedure	Updated: 04-02-2024
	Title: Towing Policy Agreement	No. 4.10-A
	Issuing Authority: Chief Joseph McNeil	Issued: 10-17-1996
	Reference: History; 12-04-96, 12-06-01, 04-03-18, 03-07-24	

PURPOSE:

The purpose of this policy is to establish procedures for the orderly, efficient, and equitable procedure for the towing of vehicles upon request of the Stratford Police Department within the Town of Stratford.

POLICY:

It shall be the policy of the Stratford Police Department to follow the procedures as set forth below. Enforcement of this policy will be effective December 15, 1996. All changes must be approved by the Stratford Town Council.

PROCEDURES:

Each applicant and each permit holder shall hold a valid Connecticut new car dealer's license or a general repairer's license.

Individual applicants as well as all officers of corporate applicants shall be legal residents of the United States, and shall be of good moral character.

Each applicant shall complete an application supplied by the Stratford Police Department. An-application fee, as determined by The Stratford Town Code, shall be paid to the Stratford Police at this time. Said payment shall be made by certified check.

Each applicant, owner, or corporation shall be held accountable for the actions of its employees. Each applicant shall provide a list of employees authorized to operate the applicant's tow truck, noting the age of each operator, which shall be at least eighteen (18) years of age, and the Connecticut operators number of each employee.

Each applicant shall, at the time the application is submitted, and each permit holder shall, during the period which the permit is valid, maintain a business location within the limits of the Town of Stratford, which shall include a covered storage space for a minimum of seven (7) automobiles of standard size and yard storage space sufficient to store twenty (20) automobiles of standard size, said space to be enclosed by a steel, chain link fence no less than six (6) feet in height.

The storage area must be on the licensed premises. If an off-site is used for storage, its location shall also be within the town of Stratford. Applicants must disclose its location on the yearly application and use of this lot shall not affect the pricing or fees charged to owners of vehicles towed at police request.

Such place of business must be located within the boundaries of the Town of Stratford and must be in compliance with all pertinent state and local laws and regulations.

Tow companies shall not be allowed to substitute for one another or do business as (D.B.A.) another company without prior approval from the Chief of Police. This approval must be in writing on the prescribed substitute wrecker application form.

Vehicles towed shall not be stored or parked on town roads or property, unless approved by the Shift Commander.

Each garage shall be required to maintain a sufficient operational capacity to accept and respond to calls from the Stratford Police Department for towing, including, but not limited to, accidents, abandoned vehicles, parking violations and service calls.

Each permit holder shall be required to have a person available to owners or operators of vehicles towed at any reasonable time, including Sundays and holidays, so they may claim their vehicles.

Each permit holder shall agree to indemnify and hold harmless the Town of Stratford, the Stratford Police Department, and all officers, employees, agents and officials of the Town of Stratford, from all claims, expenses, attorney fees, charges, causes of action, suits, defaults or judgments resulting from the negligence or alleged negligence of the permit holder.

Each permit holder shall be required to carry general liability, including products, completed operations and personal injury insurance coverage with a minimum of ONE MILLION (\$1,000,000) dollars per occurrence, with an aggregate of ONE MILLION FIVE HUNDRED THOUSAND \$1,500,000 dollars, and automobile liability with a minimum of ONE MILLION (\$1,000,000) dollars combined single limit.

The applicant for a permit shall annex a copy of the insurance certificate to its permit application. The permit holder shall immediately notify the Mayor or his/her designee upon notice of cancellation or termination of said insurance. In addition to the permit holder, the certificate of insurance shall list the "Town of Stratford" as an additional named insured. An applicant shall also annex to its permit application proof that the applicant has workers compensation insurance.

The Stratford Police Department may require any entity on the list or any applicant to disclose such information as may be required by the Police Department to determine compliance with requirements. Failure to provide such information may be the basis for removal from the list or denial of application for appointment or renewal to the list. An intentional violation of this section may result in the removal of all entities within the controlled group of corporations of the violator.

Any change in ownership or license of any garage on the tow list shall be reported in writing to the Chief of Police within twenty-four (24) hours of such change.

Each garage applying for acceptance on the tow list shall be inspected, and a report filed with the Chief of Police for his review and recommendations.

Acceptance on the tow list by the Police Department may in no way be construed to imply an endorsement of the garage.

The Chief of Police shall review the Tow Policy and established a Tow List annually, and may act upon recommended changes in the policy, subject to the approval of the Town Council. The Chief of Police may remove Tow Operators from the Tow List for just cause at any time.

Failure to submit the information or comply with the requirements of this section shall result in the rejection of any application.

Equipment Requirements

Each wrecker shall be equipped according to the General Statute of Connecticut and Motor Vehicle Commission rulings. Each tower shall have a minimum of three wreckers, at least one being a flatbed truck per permit holder.

Each wrecker and flatbed truck shall be equipped with a broom, shovel, and bucket in order to remove debris.

Each wrecker and flatbed truck shall be lettered as required by State of Connecticut regulation 14-66a.

No wrecker or flatbed truck shall tow a vehicle with a gross weight in excess of the boom capacity of the wrecker or flatbed truck.

No wrecker or flatbed truck will be used for towing on the Stratford Police Department Tow List unless it has been inspected by the Stratford Police Department and approved by the Chief of Police. An initial inspection as well as an annual inspection will be done for each wrecker. The annual inspection shall be made prior to March 1.

No wrecker or flatbed truck will be approved or used for towing unless it bears a current wrecker registration in the name of the repair license, or in the name of a leasing company leased in the name of the repair license.

Each wrecker and flatbed truck will be maintained in good condition and will be subject to inspection at any time by the Stratford Police Department. Results of any inspection shall be forwarded to the Chief of Police.

Any change in equipment requirements shall take effect 90 days after such changes are authorized by the Chief of Police and the permit holders are notified of the changes.

Operating Requirements

All requests for towing or service will be distributed by the Chief of Police or his representative, with each Tower taking its turn in its respective order. The method of rotation shall be determined by the Chief of Police. Continued no answers, busy signals, or refusals to respond to calls will be the basis for disciplinary action toward the garage.

All calls for towing or service shall come from the Stratford Police Department's Communication Center. If a Tower is unable to handle a call, he will be charged for the call and the next Tower will be called.

No Tow Operator will patrol, chase, or solicit tows or repairs within the jurisdiction of the Stratford Police Department.

No more than one day and one night telephone number may be accepted. Wrecker operators on night call must be located in close proximity to the area.

Garage owners are responsible for their employees conduct relating to towing, response, or other department violations. Owners shall provide a list of all wrecker operators with their current, valid Connecticut operator's numbers and notify the Chief of Police of any changes within twenty-four (24) hours of such change.

Each Tow Operator shall;

- Possess a current Connecticut operator's license with the appropriate endorsement for the type of vehicle being towed and have no felony convictions.
- Be 18 years of age or older.
- Be a competent operator of the tow truck and be knowledgeable with the motor and mechanical features of the tow truck and may be required to demonstrate such skills upon the demand of the Chief of Police or his designee.

Tow operators will be allowed a thirty (30) minute response time to arrive at the scene of a call. Exceptions to this are inclement weather, traffic conditions caused by the call they are responding to. Failure to arrive within 30 minutes after being dispatched will be deemed an unreasonable delay and another wrecker will be called. Towers violating this section shall be subject to disciplinary actions.

Wrecker operators will be as neat and clean as practicable, and will conduct themselves in a businesslike manner.

The carrying of firearms is discouraged; however, a state permit is required. Firearms carried in an exposed manner as to cause alarm to the public may place the permit to carry the weapon in jeopardy and maybe cause for removal from the Tow List.

Vehicles towed will be taken to the rotation wrecker's registered place of business unless specifically requested by the owner, operator, agent or Police Department's representative to be towed elsewhere.

In the case of an emergency, the Stratford Police Department's Shift Commander reserves the right to disregard the Tow List and obtain alternate services.

The Tow Operator responding to the scene of an accident will be responsible for the removal of glass and/or debris from the accident scene. In the event more than one Tow Operator is called each shall be responsible for cleanup.

No vehicle will be moved from the scene of an accident except upon approval of the police officer in charge.

Rates for towing and storage shall not exceed the rates set by the Connecticut state Department of Motor Vehicles. Rates will be posted at each towing firm and carried upon each wrecker. Any additional charges must be in compliance with Connecticut regulations under 14-63-36c (restricted charges).

Stratford Police Officers shall report to their immediate supervisors the individual's name and agency who either renders poor service, violates state statute, violates the Stratford Police Department tow policy or is incapable of providing quality service because of inadequate equipment or personnel.

Suspension or Revocation

Any person, partnership, corporation, or other entity, which is granted a permit pursuant to The Stratford Town Code, shall enter into a written agreement with the Town of Stratford. Failure to enter into said agreement shall result in a permit not being issued to the entity. Any permit holder, which violates any provision of the agreement, shall have its permit suspended from the date the violation is discovered until thirty (30) days after the violation is corrected. A subsequent violation of the agreement shall result in the permit being revoked.

Any Tower, upon due written notice, may have an informal hearing before the Chief of Police or his designee regarding non-compliance with this Tow Policy. Failure to appear at said hearing may result in suspension from the Tow List. The Chief of Police may, for cause, suspend or revoke from the Towing List any Tow Operator who violates any portion of this policy, State Law, or Town Ordinance, or fails to continually perform in a satisfactory manner. Each suspension or revocation will be decided on its merits and may be appealed to the Mayor within ten (10) days.

Cases for suspension or revocation will be, but not limited to, the following:

- Failure to comply with any of the provisions of the general, equipment or operating requirements of this Tow Policy
- Refusal or failure to respond to any call
- Three no answers to telephone calls in a six-month period
- Three late responses in a six-month period or a combination of three late responses and no answers in a six-month period
- Overcharging for towing, repairs, or storage
- Any ill or unjustified treatment of Dispatchers, Police Officers or Motorist requesting services
- Suspension of License for Repair of Motor Vehicles
- Collusion with any person employed by the Police Department which would violate the fair and equitable distribution of calls
- Substantiated consumer complaints regarding the improper handling of personal property

- Continual violation of the motor vehicle statutes regarding the operation of the Tower's vehicles, for which a minimum suspension period of 60 calendar days will be imposed after a hearing; a second suspension within a two-year period will be permanent
- Conviction of any felony or other offense relating to the Tow operation
- Non-payment of inspection or license fees
- Failure to provide a list of operators or new operators
- The failure of any applicant or garage, or employee thereof, to assist any member of the department or other law enforcement officer during an investigation conducted with regard to the operation of a wrecker, the rendering of tow services pursuant to a call from the department or an investigation conducted relating to the equipment or premises of the garage.

Rotating Service

A record of all calls for wrecker service will contain the date, time, tower, trouble, and location of the call. This information will be available for examination by appointment with the Traffic Division Commander.

Provisions

A copy of this policy will be given to each Tow Operator on the Stratford Police Department's Tow List. Each Tow Operator must sign that he understands and consents to the provisions of said policy and with knowledge of the penalties for non-compliance, which may result in suspension or revocation. Any Tow Operator who fails to agree to conform will be removed from the Tow List, and in the case of a new applicant, will not be placed on the Tow List until he has signed the agreement.

Any power or authority given to the Chief of Police herein may be exercised by an officer of the Department designated by the Chief of Police.