WOONSOCKET POLICE DEPARTMENT

THOMAS F. OATES, III
CHIEF OF POLICE

TYPE OF ORDER	NUMBER/SERIES	ISSUE DATE	EFFECTIVE DATE
General Order	330.05	1/19/2021	1/24/2021
SUBJECT		**PREVIOUSLY ISSUED DATES**	
Tow Policy		3/5/2018	
ACCREDITATION		**RE-EVALUATION DATE**	
CALEA Standards: 61.4.1 (b) **RIPAC Standards:** 11.10		12/22/2020, 12/15/2023	
INDEX		**DISTRIBUTION**	
Traffic		All Personnel	

TOW POLICY

I. PURPOSE

The purpose of this policy is to establish uniform procedures to be used for the towing of vehicles by members of the Woonsocket Police Department.

II. POLICY

The Woonsocket Police Department maintains lists of approved towing companies that, at the request of a Department member, tow vehicles for the department. The Department shall attempt to select tow companies in an equitable and rotating manner to ensure fairness. A log of all department tows shall be maintained. Placement on the Tow Rotation List or Heavy Tow List does not guarantee any specific number of calls. The selection of any specific tow company for a particular request for tow services remains at the discretion of the department.

III. DEFINITIONS

Tow Lists: A list of towing companies currently authorized to provide services for the Woonsocket Police Department. Only companies on the lists can provide road services for the department unless another tow vendor is requested by the motorist. Companies may be added or removed from this list consistent with the needs of the department. The tow rotation list is divided into two lists: Tow Rotation List and a Heavy Tow List.

***GVWR**:* gross vehicle weight rating.

IV. PROCEDURES

A. Traffic Officer-in-Charge (OIC) Duties and Responsibilities

1. The Traffic OIC, or designee, shall ensure that the department's operations relating to the towing and impounding of vehicles are consistent with this General Order.
2. At the direction of the Chief, the Traffic OIC, or designee, shall maintain a Towing Service List of approved tow companies.
3. At the direction of the Chief, the Traffic OIC, or designee, shall maintain a Heavy Tow List of vendors approved to handle recovery incidents.
4. This system will be a rotating list, facilitating the fairest distribution of calls to all vendors on either list.
5. The Traffic OIC, or designee, shall ensure that reasonable efforts are made to notify vehicle owners that their vehicles have been towed and/or impounded.
6. The Traffic OIC, or designee, shall inspect the department's Tow Log periodically to ensure that towed and/or impounded vehicles are released in a timely fashion.
7. At the direction of the Chief, the Traffic OIC, or designee, shall annually inspect department-approved tow company facilities to ensure compliance with the minimum vehicle, equipment, and facility standards, as enumerated in the Department's Tow List application.

    a. As part of the annual inspection of Department-approved tow companies, the Traffic OIC, or designee, shall compile an updated list of all tow company employees, including their names, dates of birth, social security numbers, driver's license numbers, and home addresses.
    b. The Traffic OIC, or designee, shall then perform criminal background and driving history checks to ensure that existing tow company employees are suitable for employment.
    c. The Traffic OIC, or designee, shall also ensure that criminal background and driving history checks are performed on all newly hired tow company employees.

B. Towed Vehicles vs. Impounded Vehicles *RI 11.10(a)*

1. Towed Vehicles (non-evidentiary) may include, but are not limited to:

    a. Vehicles that are towed after the arrest of vehicle operators when no licensed passengers are available to operate such vehicles;
    b. Vehicles involved in collisions that are unable to be driven away (vehicles without evidentiary value);
    c. Unregistered vehicles;

d. Illegally parked vehicles, when necessary.

2. Impounded Vehicles (evidentiary) may include, but are not limited to:

a. Vehicles involved in the commission of felony offenses;
b. Vehicles with an evidentiary value that are involved in collisions;
c. Stolen vehicles, and
d. Unsafe vehicles.

C. Towed and Impounded Vehicle Storage Locations

1. Towed Vehicles (non-evidentiary):

a. Towed vehicles shall be stored at department-approved towing service companies or locations.
b. Towed vehicles shall not be brought to and remain on department property.
c. Department-approved towing service companies are listed on the department Tow List and Heavy Tow List.

2. Impounded Vehicles (evidentiary):

a. Impounded vehicles shall be secured in the impound area of the rear lot or authorized, secured, off-site locations.
b. Impounded vehicles requiring processing by the Bureau of Criminal Identification (BCI) shall be secured in a department garage bay.

D. Towing Procedures

1. Sworn Officers:

a. Officers shall notify Communications Center personnel whenever a vehicle needs to be towed.
b. Officers shall provide Communications Center personnel with complete descriptions of towed vehicles, to include: *RI 11.10(b)*

1) Registration plate number;
2) Make;
3) Color;
4) Vehicle identification number;
5) Reason for towing vehicle;
6) Vehicle condition; and
7) Storage location.

c. Officers shall make reasonable attempts to notify owners who were not present when their vehicles were towed.
d. Officers must obtain supervisory approval before placing a HOLD on towed vehicles. *RI 11.10(c)*

2. Communications Center personnel:

a. Upon being notified by officers that vehicles are being towed, Communications Center personnel shall place such vehicles in the department's Computer Aided Dispatch (CAD) system when entering calls for service information. *RI 11.10(b)*
b. Communications Center personnel will contact the next tow service from the department Tow List or Heavy Tow List, as appropriate, and complete the entry in the appropriate Tow Log.
c. Upon being notified by sworn officers that a HOLD has been placed on towed vehicles, Communications Center personnel shall enter the HOLD status in the "LIEN" section of the department's CAD system.

3. Patrol Shift Supervisors:

a. Supervisors shall ensure that personnel under their command utilize appropriate alternatives to towing vehicles whenever possible. (For example, vehicles operated by persons with suspended licenses should not be towed when licensed passengers are available to operate such vehicles).
b. Supervisors shall ensure that vehicles towed by personnel under their command are properly documented in the department's CAD system. *RI 11.10(c)*

E. Impounding Procedures

1. Sworn Officers:

a. Officers shall notify Supervisors and Communications Center personnel when a vehicle needs to be impounded.
b. Officers shall provide Communications Center personnel with complete descriptions of impounded vehicles, to include:

1) Registration plate number;
2) Make:
3) Color;
4) Vehicle identification number;
5) Reason for impounding the vehicle;
6) Vehicle condition and
7) Storage location. *RI 11.10(b)*

c. Officers shall make reasonable attempts to notify owners who were not present when their vehicles were impounded. *RI 11.10(c)*

2. Communications Center personnel:

   a. Upon being notified by officers that vehicles are being impounded, Communications Center personnel shall place such vehicles in the department's CAD system when entering calls for service information. *RI 11.10(b)*
   b. Communications Center Personnel will contact the next tow service from the department Tow List or Heavy Tow List, as appropriate, and complete the entry in the appropriate Tow Log.
   c. Upon being notified by officers that a HOLD has been placed on towed vehicles, Communications Center personnel shall enter the HOLD status in the "LIEN" section of the department's CAD system. *RI 11.10(c)*

3. Supervisors shall ensure that vehicles impounded by personnel under their command are:

   a. Properly documented in the Department's computerized dispatch system;
   b. Promptly secured in the impound area of the rear lot;
   c. Ensure the Evidence Officer is notified when a vehicle is impounded. *RI 11.10(c)*

4. Evidence Officer:

   a. The Evidence Officer is responsible for vehicles stored in the impound area.
   b. Before releasing vehicles stored in the impound area, the Evidence Officer shall contact towing service companies that provided the original towing service to ensure that vehicle owners have paid their towing bill.
   c. The Evidence Officer shall determine when impounded vehicles stored in the impound area are no longer of evidentiary value and authorized to be released to towing service companies or authorized persons.
   d. The Evidence Officer shall adhere to applicable provisions enumerated in this General Order, including notifications to vehicle owners and the timely releases of impounded vehicles.

F. Release of Towed and Impounded Vehicles

1. Communications Center personnel must obtain supervisory approval before coordinating the release of vehicles listed as having a HOLD status.
2. Persons other than vehicle owners requesting the release of impounded vehicles must provide notarized letters from vehicle owners authorizing such release.
3. Front Communications Center personnel shall forward all notarized letters to the Traffic Lieutenant.

G. Tow Companies

1. Any towing company desiring to be placed on the department Tow List or Heavy Tow List must submit a signed and dated Letter of Interest to the Traffic Officer-in-Charge (OIC), c/o Woonsocket Police Department, 242 Clinton Street, Woonsocket, R.I. 02895
2. Upon receipt of a Letter of Interest, the Chief of Police will determine the department's need and company eligibility.
3. Companies that have filed applications with the division before this General Order will not be required to submit a new Letter of Interest.
4. Upon a vacancy on either list, at the direction of the Chief of Police, the Traffic OIC, or designee, will contact the vendor next on the Letter of Interest list. If that vendor is still interested in towing for the department, they will be asked to apply. If, for any reason, the Chief of Police feels that there is no need for an additional towing company, no replacement will be made.
5. A towing company must satisfy the following minimum requirements to be placed on either the Tow List:

    a. The application must be completed in its entirety and updated as required by this policy.
    b. All owners and employees will be subject to a criminal history check by the Woonsocket Police Department Bureau of Criminal Identification Unit (BCI). All criminal records will be reviewed, and a determination will be made as to whether the nature of the offense(s) is serious enough to warrant exclusion of that individual from the Woonsocket Police Department Tow Rotation List or Service Recovery List.
    c. All persons operating a tow truck or service vehicle for the applicant shall possess a valid and proper driver's license for the type of vehicle being operated.
    d. All persons operating a tow truck or service vehicle for the applicant must have a satisfactory driving record.
    e. All towing companies must have a satisfactory record with the Public Utilities Commission (PUC) and charge appropriate tariffs assigned by the PUC.
    f. All towing companies must have a satisfactory record with the Better Business Bureau.
    g. The applicant must meet or exceed the minimum vehicle, equipment, and facility standards established by this policy after an on-site inspection by the Traffic Division and/or Rhode Island State Police Commercial Enforcement Unit (CEU).
    h. The Traffic OIC may make on-site inspections annually or when otherwise deemed necessary to ensure compliance with all minimum standards.

6. A towing company on the Tow List shall be allowed to tow any vehicle up to 15,000 lbs. GVWR with single rear wheels. Vendors may tow a vehicle over 15,000 GVWR

providing that they possess the necessary equipment and Public Utilities Commission (PUC) tariffs. Vendors' list must have a minimum of two trucks, consisting of a wrecker and a flatbed, one of which is equipped with a wheel lift, which meets the following minimum requirements:

a. Wrecker:

1) 14,000 GVWR minimum commercially manufactured wrecker and chassis;
2) Dual rear wheels;
3) 3,000 lbs. minimum wheel lift capacity;
4) 8,000 lbs. minimum hydraulic boom capacity 3/8 “X 100’ cable or OEM specifications;
5) Two (2) safety chains 3/8“ X 10’ High Test;
6) Two (2) tow chains 3/8” X 10’ High Test with “J” & “T” Hooks, and Grab Hooks;
7) Wheel lift safety straps or equivalent wheel retention device;
8) One (1) 3-ton snatch block; and
9) Trailer ball hitch attachment with a 1 7/8 inch and 2-inch ball.

b. Flatbed:

1) 14,500 lbs. GVWR minimum commercially manufactured flatbed and chassis;
2) Nineteen (19) feet or longer hydraulically operated slide back or tilt bed;
3) 3/8 “ X 50’ cable or OEM specifications;
4) Four (4) safety chains 3/8 ‘ X 10’ High Test;
5) One (1) Bridle chain High Test with “J” Hooks, “T” Hooks, and Grab Hooks;
6) One (1) 4-ton snatch block; and
7) An assortment of wood blocks and boards.

c. In addition to the above-listed equipment for wreckers and flatbeds, each vehicle must carry the following equipment:

1) Motorcycle towing equipment;
2) Amber emergency lights (with a proper permit from the State of Rhode Island);
3) Two flood or work lights to the rear of the towing vehicle;
4) Two-way radio or cellular phone;
5) Appropriate tools;
6) Pry bar (36” or greater);
7) Jumper cables or booster pack;
8) Flashlight, fire extinguisher (5 lb. chemical ABC), and first aid kit;
9) Gas can;
10) A lug wrench and jack;

11) Broom and shovel, road flares, and triangles or road cones;
12) A container of radiator water (5 gallons, May through September only);
13) Lockout set.

7. A towing company on the Heavy Tow List shall be allowed to handle all accidents, recovery, and winching incidents for any vehicle over 15,000 lbs. GVWR or any vehicle that has dual wheels. Vendors on the Heavy Tow List must meet the following minimum requirements:

   a. Wreckers:

      1) One (1) 45-ton (minimum) tandem wheel commercially manufactured wrecker with a hydraulic boom. (also see 3f)
      2) One (1) 30-ton (minimum) commercially manufactured wrecker with a hydraulic boom. (also see 3g)

      (Note: Vehicles must be legally registered with a minimum GVWR applicable to the manufacturer's specifications or higher.)

   b. Must meet State and Federal DOT requirements governing Commercial Motor Vehicles;
   c. Air Brakes;
   d. Air transfer system – means of controlling the brakes of the towed vehicle;
   e. At least one truck shall have an axle lift (under reach) with a 25,000 lbs. minimum lift capacity and 80,000 lbs. tow capacity;
   f. 80,000 lbs. minimum winch capacity (applies to sec. 3a, i);
      80,000 lbs. minimum boom capacity (applies to sec. 3a, i);
   g. 60,000 lbs. minimum boom capacity (applies to sec.3b, ii);
      60,000 lbs. minimum boom capacity (applies to sec. 3b, ii);
   h. 5/8" X 200' cable or OEM specifications;
   i. Two (2) safety chains ½" X 8'alloy;
   j. Two (2) tow chains ½" X 10' and four (4) chain binders;
   k. Four (4) winching chains ½" X 8' alloy;
   l. Four (4) Tie-down chains 5/16" X 10' and four (4) chain binders;
   m. Four (4) recovery straps 6" X 20' or longer;
   n. Axle lift safety straps or equivalent retention device;
   o. Two (2) scotch blocks or recovery stiff legs mounted into the body of the truck;
   p. Two (2) 12-ton snatch blocks;
   q. Amber emergency lights (with a proper permit from the State of Rhode Island);
   r. Two (2) flood or work lights to the rear of the wrecker;
   s. Two-way radio or cellular phone;
   t. An assortment of wood blocks and boards;
   u. An assortment of air fittings/plugs;
   v. An assortment of tools;

w. Flashlight;
x. Angle iron;
y. Two light bars or magnetic tow lights;
z. T-Bolts/maxi release pins (brake pins);
aa. Hydraulic bottle jack (10-ton minimum);
bb. First aid kit;
cc. Fire extinguisher (5 lb. chemical ABC);
dd. Broom and shovel;
ee. Road flares, triangles, or road cones;
ff. One (1) spill kit; and
gg. Additional equipment – either owned or subcontracted:

1) One (1) air cushion recovery system, including starter cushions, with a motor-driven air pump, with a lifting capacity of 100,000 lbs.
2) One (1) semi-tractor with a fifth-wheel;
3) One (1) Lowboy or Landall type equipment hauling trailer with a minimum hauling capacity of 40,000 lbs.; and
4) One (1) relief trailer or truck capable of transferring loads from damaged trucks.

8. All towing companies on both the Towing Rotation List and the Heavy Tow List must meet the following minimum equipment and facility standards:

a. A towing company must have its towing vehicles legally registered, properly permitted for emergency lights, and must possess any other permits required by the State of Rhode Island. All markings and safety requirements must comply with federal and state regulations.
b. All towing companies shall own, rent, or lease a lighted fenced area, at least 3,000 square feet in size.
c. The principal location, which must be staffed during business hours, shall maintain a clean, comfortable waiting room, toilet facilities, and a telephone available to customers.
d. All towing companies shall have in effect, at all times, an insurance policy that meets or exceeds the minimum coverage for carriers set forth by Section 39-12-27 of the General Laws of Rhode Island, 1956, as amended. Proof of this insurance policy shall be in the form of a certificate of insurance, and a copy shall be provided to the Traffic OIC. The insurance policy shall also provide for immediate notification to the Traffic OIC should the policy expire or be canceled.

9. **Code of Conduct:** Towing companies are instrumental in assuring a rapid, professional response to roadway incidents. It is because of this valuable service to the Woonsocket Police Department and its public service mission that a code

of conduct and discipline is required for towing companies assigned to either tow list.

a. No company shall be called by and for the Woonsocket Police Department without prior authorization.
b. All towing companies on either list shall fully comply with all minimum vehicle, equipment, and facility standards established by this policy. Failure to comply with any of these standards may result in removal from either list.
c. Upon the change of ownership of a towing company, the new owner will not automatically be placed on either tow list. The company will be temporarily removed from either or both tow lists pending re-application by the new owner and satisfactory results of all background investigations.
d. Any towing company on either list must report changes in equipment, personnel, and/or facilities to the Traffic OIC in writing via mail, fax, or email within five days of the change.

    1) It is the responsibility of the towing company to confirm that any changes reported are received by the department.

e. Any company incurring substantial changes in a calendar year will be required to submit a new application in its entirety at the discretion of the Chief of Police.
f. The Chief of Police reserves the right to request a new application at any time.
g. All tow vehicle operators and assistants must be either an owner or an authorized employee of the towing company.
h. All drivers must maintain appropriate certification for the level of service provided:

    1) Any driver of a tow company on either list operating a vehicle 10,000 lbs. or less must obtain a Level 1 National Driver Certification or equivalent. New hires must obtain a certificate within nine (9) months from the start of employment.
    2) Any driver of a tow company on either list operating a vehicle over 10,000 lbs. must obtain a Level 2 National Driver Certification or equivalent. New hires must obtain a certificate within nine (9) months from the start of employment. Also, the driver must possess a Commercial Driver's License (CDL).
    3) Any driver of a Recovery Services List vehicle must obtain a Level 3 National Driver Certification or equivalent. New hires must obtain a certificate within nine (9) months from the start of employment and must have received training in an industry-recognized recovery course.
    4) All driver certifications will be verified.

5) The method of towing, transporting, or recovering a vehicle shall be performed consistently with the applicable manufacturer's ratings, including but not limited to the following:

    a) Chassis gross vehicle weight rating;
    b) Chassis combined gross vehicle weight rating;
    c) Boom capacity rating; and
    d) Winching capacity rating.

6) Tow operators and assistants must be properly attired. Proper attire is defined as attire that presents a professional appearance, preferably with some part of the clothing that identifies the tow company (i.e., shirt, hat, etc.).
7) Ride-along occupants, acquaintances, etc., shall not be present at roadway incidents or incidents that the Woonsocket Police Department is charged with managing.
8) Towing companies on either tow list must be available 24 hours per day, 7 days per week. This does not preclude refusal of a request for service when that company's resources are expended or because of other reasonable circumstances that prohibit the company from responding to a request for service.
9) The maximum expected response time shall be 15 minutes under normal conditions. Excessive response time will be noted by the Communications Center and forwarded to the Traffic OIC. Each case will be reviewed individually, and if necessary, appropriate action will be taken.
10) If a towing company owned by or employs any person who the owner knows engages in illegal activity or violates the laws of the State of Rhode Island will be subject to removal from the list.
11) A towing company's owner(s) or employee(s) shall obey the instructions of sworn members of the Woonsocket Police Department when responding to a request for service. If an owner or employee refuses or willfully disobeys such an instruction, the towing company shall be subject to removal from the list.
12) When a towing company's performance does not meet department guidelines and is not serving the best interests of the motoring public, that company may be removed from either tow list. Examples of poor performance include disruptive or careless behavior at the scene of an incident, lack of training or mechanical expertise in towing vehicles, etc.
13) A towing company that is found to be overcharging for services, based on the rate charges set by the PUC and fees stated in their application, shall be removed from either or both lists.
14) When a towing company's rights to tow are suspended or terminated by any governmental agency, for any reason, it is that towing company's responsibility to notify the Traffic OIC. Failure to make this notification

shall result in immediate removal from either list. (An example of this type of violation would be a towing company's rights to tow being suspended by the PUC). Notification of a suspension by the PUC or any other governmental agency shall result in immediate removal of that towing company from either or both tow lists for the period specified in the suspension order. A towing company that is suspended by a governmental agency twice or more in one year shall be subject to review concerning eligibility to tow for the department.

15) A towing company may be suspended or terminated from a Woonsocket Police Department tow list because of pending criminal or civil complaints or if its performance is tarnishing or may tarnish the reputation of the department.
16) All suspensions or removals from either tow list are subject to the approval of the Chief of Police, or designee.
17) A tow company shall be notified in writing by the Traffic OIC of a suspension or removal from a Woonsocket Police Tow List. Suspension or removal may be immediate if the Traffic OIC determines that it is in the public interest. Within ten (10) business days from the date of such notice, a tow company shall have the opportunity to provide a written response explaining why it should not be suspended or removed from the list, including any supporting documentation. The Chief of Police shall review any documentation and/or explanation provided by the tow company. A written determination confirming, modifying, or revoking the suspension or removal shall be provided by the Chief of Police or designee within fifteen (15) business days of receipt of the tow company's response.

10. Procedure for complaints

a. Complaint by a tow company

All complaints by an owner or employee of a towing company shall be forwarded, in writing, to the Traffic OIC at the Woonsocket Police Department, 242 Clinton Street, Woonsocket, R.I. 02895.

b. Complaint against a tow company

All sworn personnel are directed to report any violation of the towing policy to the Traffic OIC via the chain of command by completing an "Offense Report" (i.e., OF). This completed report will be forwarded to the Traffic. If the complaint results in probation, suspension, removal, or any other action against a towing company, notification will be made to all department members regarding the company's status. Members will be notified when the term of action has expired.

c. Complaints by other persons or agencies

1. If a person files a complaint against a particular towing company, department personnel shall document this complaint in the form of an "Offense Report" (OF). This completed form will then be forwarded to the Traffic OIC.
2. If a public or private agency files a complaint against a particular towing company, Department personnel shall document this complaint in the form of an "Offense Report" (OF). This completed form will then be forwarded to the Traffic OIC.

11. Actions imposed upon towing companies for violations of this policy are subject to approval from the Chief of Police or designee.

    a. Towing companies that provide unacceptable service for any reason will be given a written notice by the Traffic OIC. This will be placed in that towing company's file.
    b. Probation: If a towing company violates any of the department's policies, a probationary period may be imposed before that company can return to full service. Any violation of the department's policies by a towing company on probation may result in immediate suspension or removal from either or both tow lists.
    c. Suspension: A towing company suspended from either tow list shall not accept any requests for service and towing or perform any tow services for the department.
    d. Removal: A towing company, which has been removed from either tow list, may not accept a request or be contacted to perform any tow services for the Department.
    e. Towing companies will be expected to abide by all tow rate fees listed on their application form and set by the Public Utilities Commission.
    f. Each towing company desiring to be placed on either tow list and any tow company currently on either tow list must include current towing rate fees. Any changes to rates must be reported within five (5) days of the change. Also, any changes in equipment, personnel, and/or facilities must also be reported within five days. This shall be forwarded to the Traffic OIC c/o Woonsocket Police Department 242 Clinton Street Woonsocket, R.I. 02895

12. The City of Woonsocket, The Woonsocket Police Department, and all sworn and non-sworn members of the Woonsocket Police Department assume no liability or responsibility for property damage or personal injury in the towing of any vehicle by any vehicle towed by any tow company on either list.

Per order,

Thomas F. Oates, III

Chief of Police

Written directives published within DTS are in full force and effect on the referenced dates and have been approved by the Chief of Police.