

TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA

RESOLUTION # 129

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THIS
TOWNSHIP ESTABLISHING THE TOWNSHIP'S POLICE
DEPARTMENT TOWING POLICY.

TOWING POLICY

I. Effective Date

The effective date of this policy will be October 1, 1987.
All prior towing policies are hereby voided.

II. This towing policy will be in effect when a Police Officer determines that a damaged vehicle or unattended vehicle constitutes an obstruction or hazard upon the highway; or when a Police Officer otherwise determines that a vehicle requires removal, except that

a) When an emergency situation exists which requires the immediate presence of a tow truck for the purpose of extricating an injured person from a position of peril, the Police Officer has the discretion of obtaining the closest available qualified tow truck; and

b) The towing policy does not apply to towing and storage of abandoned or recovered stolen vehicles;

III. Statement of Policy

1. If the owner or operator of the vehicle in question requests a specific towing service, the Police Officer will have the Communications Center notify that service. Any towing service so requested by the owner or operator, for the purpose of timely response must be located within a radius not to exceed fifteen (15) miles of the vehicles location.

2. In the situations set forth below, the Police Officer will have the Communications Center contact the answering service or other agency which has been authorized by Washington Township to maintain and dispatch approved towing services on a rotating basis.

a) When the owner or operator fails, refuses, or is unable by reason of injury, or absence to request the officer to have a specific towing service dispatched.

b) When the towing service requested is unavailable upon notification or when so notified fails to arrive on the scene within thirty (30) minutes of being notified.

3. In any case where a tow truck is requested from the approved rotating tow list, the towing service responding as a result of that notification will tow the vehicle in question regardless of any other tow service called to the scene without the officer's knowledge or who happened upon the scene.

4. Tow trucks responding to any scene without notification by the owner or operator or the Police Officer will not be allowed to tow any vehicle.

IV. Participation and Annual Participation Fee

1. All towing services within the immediate vicinity of Washington Township, who can respond to any part of Washington Township within thirty (30) minutes of notification may apply to participate in the Township's Rotating Towing Service by submitting an application and fee to the Township on form number (WTPD 4018) to be provided by the Township. Any changes to this form shall be provided to the township as they occur.

2. The participation period shall be one year beginning November 1 each year and ending October 31 the following year. A new application for Approved Tow Status (form WTPD 4018) must be completed and signed for each participation period and must be submitted along with participation fee to the Township Office in the month of October except the Township reserves the right to accept such application in a month other than October for any new towing service, in which case the participation fee may be prorated.

3. The participation fee to cover the cost of maintaining the rotating list and central dispatch of participating tow services shall be \$120,00/year. The fee shall be paid to Washington Township prior to the first day of the participation period each year. The yearly fee is non-refundable if the service is dropped from or chooses to drop out of the rotating tow service, but will be refunded in full when applications is disapproved.

V. Qualification Criteria

1. Minimum Liability Insurance coverage in an aggregate amount of Three Hundred Thousand Dollars (\$300,000) or any greater amount as stipulated by law. (Motor Cargo Act - 1980)

2. Tow truck to be utilized must have a minimum Gross Vehicle Weight of Ten Thousand Pounds (10,000).

3. The fee schedule as set forth on the application for approved tow status must reflect reasonable and customary rates generally charged in the community.

4. Tow truck(s) must be equipped and outfitted as follows:

- a) Combination boom and winch with a lifting capacity of no less than eight thousand (8,000) pounds operated either by a power take off unit or by hydraulics. Cable length must be no less than fifty (50) feet.
- b) Tow Truck must be equipped with tow dolly.
- c) Tow Truck must be equipped with yellow flashing or rotating lights visible 360 degrees and from a minimum distance of five hundred (500) feet under normal conditions.
- d) The name of the tow service or operator must be displayed on both sides of the truck. (Pa. Veh. Code Section 4573)
- e) Towing service must have provision for twenty-four (24) hour notification, dispatch and response.
- f) Towing service must provide one telephone number to the answering service by which they can be dispatched twenty-four (24) hours per day.

VI. Fee Schedule

- 1. The fee schedule as provided by each tow service on the application for approved tow status form, WTPD 4018, is the maximum amount of fee that may be charged for any service as a result of being called by the Township. Rates being charged in excess of the submitted fee schedule will result in removal from the Township's rotating towing service list.
- 2. New fee schedules may be submitted with each new participation period which begins in November of each year.
- 3. During a participation period the fee schedule may be amended only upon request and documentation of need to the Washington Township Board of Supervisors.

VII. Removal from the Rotating List

A towing service will be removed from the approved list for one or more of the following reasons:

- 1. Failure to meet any of the requirements as set forth in Paragraph V.
- 2. Failure to maintain twenty-four (24) hour service, or failure to respond when notified without reason and without proper notification to the answering service.
- 3. Falsification of any item listed on the application WTPD 4018 or failure to update an initial application.

4. Failure to respond to the scene within thirty (30) minutes of notification.
5. Utilization of unqualified tow truck operators.
6. Charging rates in excess of those set forth in the approved application for tow status form.
7. Failure to provide valid certification of insurance.
8. Use of offensive conduct toward any owner/operator.
9. Failure to clear an accident scene within a reasonable time frame based upon the circumstances of the accident.

VIII. Miscellaneous Provisions

1. In the event a Tow service is notified to respond as a result of his position on the rotating list and his/her tow truck is out of service, the operator may elect to have another approved tow service respond in its place. In any case such response shall constitute a rotation for the initial service notified.
2. If a tow service upon arrival at the scene is advised by a Police Officer that a roll back truck is required, that tow service has the choice of what roll back truck is to be summoned on the scene. Such truck and operator shall then perform under the direction of the assigned towing service.
3. Township reserves the right to alter the form as necessary.

DULY RESOLVED this 21st day of September 1987, by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania in lawful session duly assembled.

Township of Washington
Franklin County Pennsylvania



Richard E. McCrea, Chairman

Attest:



Juanita L. Ausherman, Secretary