

ORDER

STANDISH TOWN COUNCIL

DATE: June 7, 2016  
ORDER NUMBER: 61-16

Submitted by: Olson

TITLE: AMENDMENT TO TOWN OF STANDISH TOWING POLICY

ORDERED that the following amendments to the *Town of Standish Towing Policy* be adopted effective immediately:

**TOWN OF STANDISH  
WRECKER POLICY  
COMMERCIAL TOWING  
~~July 10, 2007~~ June 7, 2016**

**PURPOSE:** In order to protect persons who operate motor vehicles within the town limits; to ensure that the streets, public ways and public property of the town remain open and free of hazard to the public; and to further effectuate the enforcement of the town's traffic, parking, snow removal and other regulatory ordinances, it is determined necessary to register and regulate businesses engaged in vehicle wrecker and towing services when said services are provided for the Town of Standish.

**I. Minimum Requirements:**

1. All approved Wrecker operators for the Town of Standish shall maintain a place of business and storage area within the Town of Standish. If the place of business is leased or rented a copy of the agreement must be provided.
2. All wreckers operators shall, during each fiscal year July 1 through June 30, allow a person duly licensed as a State Inspector and as designated by the Town of Standish to do one (1) regular and one (1) random inspection of the storage area(s) and each vehicle used for towing a copy of the state commercial vehicle inspection report must be submitted to the Town of Standish annually.
3. If a vehicle is unclaimed on the last day of the month a copy of the tow slip or invoice for the tow of any unclaimed vehicle shall be forwarded to the Sheriff or his designee by the tenth day of the following month.
4. All wreckers shall carry a broom and shovel ~~to assist with the~~ clean up any non-hazardous vehicle debris resulting from an accident.
5. Wrecker operators are not to make repairs to vehicles towed unless specifically requested to do so by the owner of such vehicle.
6. All wreckers are to be commercially registered ~~through the Town of Standish~~ in order to provide towing services as described to Title 29, M.R.S.A., Section 1002
7. Wrecker operators shall hold the Town of Standish harmless from all claims for damages to property or injuries to persons resulting from negligence in the towing or storage of vehicles.
8. Wrecker operators shall arrive on scene within 20 minutes of receipt of service.
9. No wrecker shall respond to the scene of an accident or other emergency unless requested by Standish Dispatch.
10. Vehicles must be towed, not driven, to the storage area.
11. All Wrecker operators shall without exception wear an ANSI class II reflective vest when working on the side of a public roadway.

**II. Abandoned Vehicles**

1. Wrecker operators will comply with the provisions of Title 29, M.R.S.A., Section 2610. A copy of same will be provided to each wrecker operator.

2. If a vehicle is abandoned or unclaimed, the wrecker operator shall comply as outlined in Title 29, M.R.S.A., Section 2610.

### III. Impounded Vehicles

1. A vehicle which has been impounded or stored at the request of a Law Enforcement Officer shall not be released until authorized to do so by the Law Enforcement Officer.

### IV. Prerequisites for Wrecker Rotation

1. Each wrecker operator shall submit to the Town of Standish the following information prior to being placed on the rotation schedule. On or before July 1<sup>st</sup> of each year. Insufficient or inadequate information, in the judgment of the Town Manager, shall be grounds for non-acceptance on the rotation schedule.
  - a. Location and security features of the storage area to which vehicles will be towed to which persons come to claim their vehicles.
  - b. List of towing equipment including size and capacity.
  - c. Copies of all insurance as described in the following Section.
  - d. Proof of registration.
  - e. Inspection Report
  - f. Lease/Rental agreement

### V. Insurance Requirements

1. Each wrecker shall maintain Comprehensive and Liability Insurance policies and valid Road Service Liability Policies of at least \$400,000 or greater in accordance with the limitation on damages established in Title 14, Section 8105 M.R.S.A., as subsequently amended. The intent of this section is that the minimum amount of insurance required will, at a minimum, equal the limitation of damages in Title 14, Section 8105 M.R.S.A., as amended. Each operator must offer proof of appropriate insurance coverage upon registration.
2. In registering, a wrecker shall hold the Town of Standish harmless from all claims for damages to property and injuries to persons resulting from wrecker's negligence in the towing of or storage of vehicles pursuant hereto.
3. The above policies shall contain an endorsement by the carrier providing thirty (30) days notice to the Town of Standish and the insured of any change in coverage or cancellation of the policy.

### VI. Revocation of Usage

A wrecker operator may be temporarily or permanently removed from the rotation schedule by the Town of Standish if, in the judgment of the Town Manager, it is determined any of the following has occurred:

1. Violation of any requirements listed herein.
2. Provision of unsatisfactory service, which includes but is not limited to; excessive response time, repeated unavailability, unsafe operation.
3. Lapsing or cancellation of any of the insurance policies as listed herein.

4. Complaints will only be heard in writing.
5. Dispatchers are simply dispatchers, they have no authority to make changes to the policy or the rotation lists. Use of vulgar or offensive language to the dispatchers or anyone on a scene may result in a permanent revocation.

The length of the suspension or revocation will be set in accordance with the violation and any past record of violations for same.

## WRECKER POLICY LAW ENFORCEMENT AND DISPATCH

1. A rotation list will be established by the Town of Standish and will be used as the primary method, by all personnel, of obtaining wreckers.
2. If a vehicle owner has a preference as to what wrecker is used and that wrecker can be obtained and can respond without unnecessary delay the owner's preference will be honored.  
  
If a Law Enforcement Officer on scene feels that the wrecker service of the vehicle owner's preference will in any way cause danger to the public and prevent the expedient restoration of traffic flow then the wrecker rotation schedule shall be utilized.
3. No Law Enforcement Officer may, at any time, recommend or advise against the use of any wrecker on the list.
4. At no time shall a dispatcher's opinion affect the selection of a particular wrecker.
5. All complaints regarding the performance of any wrecker operator shall be placed in writing to the Town Manager prior to official consideration of the complaint.
6. If, in the judgment of the officer on the scene, there is a situation where the response time for removal of a disabled vehicle is excessive for the situation, the Law Enforcement Officer may request a closer wrecker.
7. Standish Dispatch shall call the most readily available wrecker operator.
8. The dispatch will log all wrecker calls and pertinent information, both rotation and owner request, in a wrecker log to be kept in the dispatch office at all times and open to public inspection.
9. The dispatch shall use a rotation wrecker unless specifically requested otherwise. If the 20 minute response time is unacceptable for removal of disabled vehicles then the Standish Dispatch shall call the closest available wrecker.
10. If a wrecker is called and the vehicle, for whatever reason, no longer needs the service of that wrecker when it arrives on scene then the wrecker will be put back on the rotation list for the next call.
11. The wrecker company will provide Standish Dispatch with ~~two-three~~ phone numbers to be activated. If direct contact is not made on either the primary or back up phone number, a message will be left. The dispatcher will wait ~~five-three~~ minutes for a call back, if no call back is received, the dispatcher will cancel the request and the next wrecker on the rotation list will be contacted.

APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_

ROLL CALL                      YEA                      NAY                      ABSTAIN

BLANCK	_____
HIGGINS	_____
NESBITT	_____
OLSON	_____
ORDWAY	_____
POMERLEAU	_____
SARGENT	_____

CLERK/SECRETARY \_\_\_\_\_