



MICHAEL A. ADKINSON, JR., SHERIFF
Office of the Sheriff, Walton County

General Order

Title: **Wrecker -Towing**

Number: **2.7**

Effective Date: **12/17/19**

Amends: **None**

Applicable Standards

CFA: **None**

FCAC: **None**

Approved by:

Sheriff Michael A. Adkinson, Jr.

I. Purpose: To establish the use of wrecker services and a wrecker rotation list.

II. Authority:

Chapter 30, Florida Statutes

III. Definitions:

Abandoned Vehicle – An unattended vehicle, which is directed by a member to be removed because it is improperly parked in violation of Sections 316.194, 316.1945 or 316.1951, Florida Statutes. This shall not apply to an abandoned vehicle being removed because it was involved in a crash.

Service Call – Any rotation wrecker response in which the removal of the vehicle is not required. Such calls may include but not be limited to changing a flat tire, providing gas or use of jumper cables, assisting in starting a vehicle or unlocking a vehicle.

Wrecker Logs – For the purpose of this policy, the term “wrecker logs” shall mean documented information gathered regarding WCSO wrecker calls in both written and electronic Computer-Aided Dispatch (CAD) format.

Wrecker Operator – The individual, partnership, corporation, or business entity engaged for hire in the recovery, towing or removal of wrecked, disabled, stolen abandoned motor vehicles. A hired driver or employee shall be considered an agent of the wrecker operator and shall be governed by these rules.

IV. General:

A. Approved Rotation Wreckers

1. The WCSO shall utilize wrecker companies that have been inspected and approved for service by the Florida Highway Patrol.

2. All companies who wish to be placed on the WCSO rotation list must receive Periodic Inspections as required in 49 Code of Federal Regulations (CFR) 396.17. The wrecker companies are required to produce a certified copy of the Periodic Inspections if requested by the FHP or the Walton County Sheriff's Office.
3. Vehicles passing roadside or periodic inspections performed by the Florida Highway Patrol (FHP), will be considered to have met the requirements of an annual inspection for a period of 12 months commencing from the last day of the month in which the inspection was performed.
4. The wrecker operator shall maintain the following policies of insurance according to the minimum limits set forth below. Each policy shall be in the name of the wrecker operator and shall include coverage for towing and storage. The policy shall be effective throughout the period that the wrecker operator is qualified under these rules. It is not the intent of this rule to limit the operator to the types of insurance required herein.
 - a) Worker's compensation and employer's liability insurance as required by statute.
 - b) Garage liability insurance in an amount not less than \$300,000 combined single limit liability.
 - c) Garage keeper's legal liability insurance in an amount not less than \$50,000 for each loss, covering perils of fire and explosion; theft of a vehicle, its parts or contents; riot and civil commotion; vandalism; malicious mischief; and damage to a vehicle in tow.
 - d) The following minimum levels of combined bodily injury liability insurance and property damage liability insurance required by Section 627.7415, F.S., in addition to any other insurance requirements as required by this directive.
 - (1) Fifty thousand dollars (\$50,000) per occurrence for a wrecker with a gross vehicle weight of less than 35,000 pounds.
 - (2) One hundred thousand dollars (\$100,000) per occurrence for a wrecker with a gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds.
 - e) The insurance coverage required shall include those classifications that are listed in standard liability manuals, which most nearly reflect the operations of wrecker operators.
 - f) All insurance policies required above shall be issued by companies authorized to do business in the State of Florida.

B. Wrecker Classification (Class)

1. The WCSO shall maintain one combined wrecker rotation list for all classifications of wreckers. The only classification (classes) of wreckers are "A", "B", and "C". There are no other classes of wrecker approved to be utilized by the WCSO.

2. The classification of each wrecker is governed by manufacturer's related capacities of the tow truck and the weight of the vehicle to be towed. The following specifications and requirements shall apply.
 - a) **Class "A" Wrecker** – (To be used for the removal of cars, light duty trucks or vehicles weighing 10,000 pounds' gross vehicle weight – CVW or less.) It shall consist of a truck chassis with a manufacturer's rated capacity of at least 10,000 pounds GVW with a boom and winch(es) having a manufacturer's combined rating of at least 4-ton capacity mounted on the chassis. In addition, operators who wish to remove cars and light trucks may use Roll-Backs or Slide Back carriers.
 - b) **Class "B" Wrecker** – (To be used for the removal of medium duty trucks or vehicles weighing 20,000 pounds GVW or less.) It shall consist of a truck chassis with a manufacturer's rated capacity of at least 20,000 pounds GVW with a boom and twin winches having a manufacturer's combined rating of at least 10-ton capacity mounted on the chassis.
 - c) **Class "C" Wrecker** - (To be used for the removal of heavy duty trucks, house trailers, buses, etc., weighing over 20,000 pounds GVW.) It shall consist of a truck chassis with a manufacturer's rated capacity of at least 30,000 pounds GVW and 50,000 pounds GVW for tandem axle trucks with a boom and twin winches having a manufacturer's combined rating of at least 25-ton capacity mounted on the chassis.
 - d) **Roll-Back/Slide-Back Carrier** - (To be used for the removal of passenger cars, light trucks, small trailers, burned vehicles, boats and other cargo without causing further damage.) It shall consist of a flatbed-type body, which hydraulically slides back on the frame until it reaches ground level to facilitate loading by use of a winch, which is used to pull or side the vehicle on the transporter. It shall consist of a truck chassis with a manufacturer's rated capacity of at least 10,000 pounds GVW, with a minimum of a 16-foot bed, dual rear wheels and a winch with at least 8,000-pound capacity.

C. **Maximum Rates Charged by Rotation Wrecker Operators**

1. Except where towing and storage rates are established by County Commission and adopted by the Walton County Sheriff's Office, rates will be set by the WCSO and shall consist of the following rate schedule. Separate rates may be established for each tow truck classification.
 - a) **Base Rate** – The basic charge for responding to a call within a 10-mile radius from the wrecker operator's place of business. It includes attaching to the disabled vehicle and towing it to a place of storage. It also includes no more than a 30-minute wait at the crash scene before commencing actual retrieval.
 - b) **Hourly Rate** – The per-hour charge for use of a wrecker in retrieving submerged vehicles, up righting overturned vehicles, retrieval from ditches or the attachment of dollies. It does not include travel time or the first 30

minutes of working or waiting on the scene. There shall be no separate charge for winching.

- c) Mileage – Rate charged per mile for travel or towing outside of the 10-mile radius from the wrecker operator’s place of business.
 - (1) Mileage may only be charged while the wrecker is under load, and outside of the 10-mile radius.
 - (2) Mileage may not be charged outside of the 10-mile radius while in route to the scene/location of the vehicle.
 - (3) Mileage may not be charged outside of the 10-mile radius while returning to the vendor’s place of business after dropping off the load.
 - d) Daily Outside Storage Rate – The daily rate for a vehicle in outside storage based on a 24-hour day, each day starting at 12:01 a.m. The initial six hours of storage shall be without charge. Thereafter, the daily rate will apply and any fraction of a day will count as a full day.
 - e) Daily Inside Storage Rate – The separate charge for inside storage according to the same criteria set forth above for outside.
2. When a wrecker responds and performs a service call, he/she may charge a fee not to exceed \$50.
- a) The fee does not include the cost of parts or labor required or any authorized vehicle repair made at roadside.
 - b) A wrecker operator shall not charge the base towing rate fee for a call resulting in service only to a disabled motorist that does not involve towing the vehicle from the scene.

D. Wrecker Files and Wrecker Logs

- 1. The Agency Fleet Manager will contact the wrecker operator’s used and inspected by the Florida Highway Patrol to determine interest in becoming a wrecker operator for the Walton County Sheriff’s Office.
- 2. If a contacted wrecker operator wants to be included in the Walton County Sheriff’s Office rotation list, an agreement with an established attached fee for service schedule must be signed by the owner/operator and maintained by the Fleet Manager.
- 3. The fee for **service schedule** is established each calendar year by the Walton County Sheriff’s Office as permitted by established County Ordinance. The fee schedule will mirror prevailing rates established by other Northwest Florida counties.

E. Wrecker Rules

1. All wrecker operators and drivers must have in their possession a valid Florida driver's license as required by Florida law for the operation of any vehicle to be driven.
2. Wrecker operators and their drivers are required to comply and be familiar with the Florida Uniform Traffic Control Law, Chapter 316, F.S.
3. Wrecker operators properly at the scene of an accident shall remove only the vehicle involved at the direction of the requesting deputy.
4. Wrecker operators shall sweep glass from the roadway and remove all debris or hazards from the scene, and comply with the requirements of Section 316.2044(2), F.S.
5. Wrecker operators shall impound such vehicles as requested by the requesting member or a WCSO representative.
6. Wrecker driver(s) shall be thoroughly familiar with the operation of the wrecker he/she is operating.
7. Except as provided in subsection 15B-9.003(14), F.A.C., for Class C wreckers, wrecker operators who are called from the rotation list shall not delegate or request assistance from another wrecker operator to perform the services necessary to accomplish the recovery or removal of vehicles in that class as defined pursuant to those rules.
 - a) A wrecker operator unable to perform the recovery or removal shall be rotated and the next rotation wrecker on the list shall be called.
8. The WCSO is not responsible for any damage to a vehicle caused by the wrecker operator.
9. The wrecker operator shall maintain the policies of insurance according to the minimum limits set forth in section VI, subsection A-3 above.
10. Ensure the tow receipt is completed with all available information for the vehicle towed and a member of the Walton County Sheriff's Office signs the tow receipt.
11. Ensure Walton County Sheriff's Office is billed within seven (7) business days from the time vehicle is towed.

F. Disciplinary Action for Non-Compliance

1. When a wrecker operator violates any provisions of the Agency's wrecker rules, it shall be grounds for denial of inclusion, removal or suspension from the rotation list.
2. Members observing any violations of this policy and/or Chapter 15B-9, Florida Administrative Code; Wrecker Qualifications and allocation System Rules, by the various wrecker companies on the WCSO Rotation Wrecker list shall notify their immediate supervisor who in turn will notify the Fleet Manager.

G. Emergency Provisions

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1. A Bureau Chief, Watch Commander, District Lieutenant or designee can immediately suspend a wrecker operator under the following conditions:
 - a) The wrecker operator violates Florida State Statutes or other rule of law.
 - b) The wrecker operator violates lawful orders given by a deputy at the scene of the incident.
 - c) The wrecker operator creates an unsafe environment for members of the WCSO or other individuals.
 - d) Violates rules outlined in the section IV above A.1.c above.
2. In cases where a wrecker operator is immediately suspended from the wrecker rotation list per the emergency provisions of the wrecker rules, the Fleet Manager will be immediately notified via the chain-of command of the action taken.
 - a) A complete report and all supporting documentation are to be forwarded through the chain-of-command to the Fleet Manager.
3. The wrecker operator will have five (5) business days to appeal the suspension in writing.
 - a) If the appeal is not filed with the allotted time period, the suspension will become permanent and the wrecker operator will have to reapply to be added back to the WCSO wrecker rotation list.

V. Procedures:

A. Call Allocation System

1. Wrecker requests from the member will be transmitted to the Communications Center.
 - a) The member will ascertain from the owner/driver of the vehicle to be towed if they have any preference of a wrecker operator.
 - b) If they have an owner's request, the member shall advise Communications to call the wrecker operator, regardless of whether or not they are on the rotation list.
 - c) If they have no particular request of a wrecker operator, the member shall advise the Communications Section to dispatch the next rotation wrecker for that class.
2. Members will advise Communications of the nature of the wrecker request and make any subsequent changes in or cancellation of the request documentation in the CAD and wrecker log.
3. Wrecker operators shall be called by Communications personnel for the removal of a wrecked, disabled, stolen, or abandoned vehicle according to the operator's placement of the wrecker rotation list and according to the wrecker classification for the size of the vehicle to be towed.

- a) An operator shall respond to a call with a tow truck classified to meet or exceed the size of the vehicle to be towed.
4. Companies included on the WCSO Wrecker Rotation list are expected to respond to every type of call, including but not limited to the following:
 - a) All service calls;
 - b) Disabled, stolen or abandoned vehicle calls;
 - c) Wrecked vehicle calls; and/or
 - d) Vehicle calls resulting from arrests.
5. Wrecker operators may not choose which type of call they wish to respond to once contacted by the WCSO.
6. In instances where wrecker operators opt not to take a call and the question arises as to whether the company should be rotated or not, the Communications Section shall not delay the call for service, but shall instead, call the next rotation wrecker available.
 - a) The LCO (Lead Communications Officer) or OIC (Officer in Charge) shall then notify the Watch Commander. The Watch Commander will generate a notification email to the Agency's Fleet Manager. The Fleet Manager or designee will follow-up with the wrecker company.
 - b) Companies who opt not to take the types of calls that are typical with law enforcement needs will be removed from the rotation list.
7. A member shall not advise the Communications Section to tell a wrecker operator to respond "10-18" (emergency) to a scene.
8. The requesting member may call for specialized recovery equipment on a nearest available basis, in the event of specialized recovery requirements not otherwise met by the wrecker operators within the County.
 - a) The member shall advise the Communications Section the reason for such request for documentation in the CAD and wrecker log.
9. For multiple car crashes involving multiple disabled vehicles, the member shall advise the Communications Section to the total number of wreckers needed to separately remove each vehicle.
 - a) The Communications Section personnel shall call the wrecker operator on top of the rotation list and advise him/her of the total number of wreckers needed from the operator to accomplish the removal.
 - b) If the wrecker operator lacks the capacity to remove all of the vehicles, he/she shall nevertheless be called and additional wrecker operators called, as needed, from the rotation list.
10. The first wrecker on the list shall have a choice of wrecked vehicles.

- a) If the first listed wrecker does not arrive on the scene within a reasonable time, the requesting member will assign vehicles to available wrecker operators.
- b) The first wrecker on the scene may be required to move the vehicles from the roadway, and such movement will not affect the choice of wrecked vehicles.

(1) No fee shall be charged for such service.

11. Wrecker operators shall be on-call 24 hours a day, seven days a week.

a) Wrecker operators may request to be taken temporarily off the list once within a 90-day period (This shall be requested in writing to the Agency's Fleet Manager).

b) The wrecker operator is to be placed on the bottom of the wrecker rotation list upon return to service.

c) An answering service may be permitted if no undue burden is placed on the Sheriff's Office.

(1) The wrecker operator must acknowledge the rotation call by contacting the Communications Section within five minutes after the rotation call was received by the answering service.

(2) If the wrecker operator does not acknowledge the call as required, the Communication Officer shall cancel the non-responsive service, rotate the wrecker operator to the bottom of the list and request the services of the next available wrecker operator.

B. Rotation of Wrecker Operators

1. Wrecker operators will be called in succession from the top of the list.

a) Following each call, a wrecker operator will be rotated to the bottom of the list, unless it is an owner's request call.

b) Owner's request for wrecker operators will not be rotated and such operators will maintain their position on the list.

2. Wrecker operators are prohibited from calling the Communications Section to ascertain their current placement on the rotation list.

3. Members will not inquire of the Communications Section as to which rotation wrecker operator is next to the list.

4. The member may cancel a request for services of a participating wrecker operator at any time.

a) In the event of cancellation, the wrecker operator will not be rotated, but will maintain its position on the list.

- b) In all cases of cancellation of service of a wrecker operator, the member shall advise the Communications Section the reason for cancellation for documentation in the CAD and wrecker log.
5. Out-of-County wrecker requests are permitted only in the event of an emergency or absence of an approved wrecker of proper classification within Walton County.
- a) In the event of specialized recovery equipment requirements not otherwise met the wrecker operators within Walton County, the Communications Section personnel may call specialized recovery equipment on a nearest available basis.
 - b) An owner/driver may make an owner's request, by name, from another county.
6. When a wrecker responds to a rotation wrecker call and determines that he/she cannot handle the removal within their own company approved wrecker(s) and equipment, they shall not be allowed to call a different wrecker, whether the operator is approved or not, to assist them.
- a) The wrecker company shall be rotated to the bottom of the rotation list and the next rotation wrecker will be called.
7. When a wrecker operator responds to a rotation wrecker call and removes a vehicle from the scene, he/she will be rotated to the bottom of the rotation list.
- a) However, when a wrecker removes an abandoned vehicle as defined in the policy, the wrecker operator shall not be rotated to the bottom of the rotation list, but shall remain at the top of the list for the next available call.

C. Roadside Service

1. The wrecker rotation list shall be used for all "roadside service requests" in the absence of an owner's request.
- a) The wrecker call shall be logged the same as any other wrecker rotation call.
 - b) However, the wrecker operator that renders service rather than towing a vehicle shall not be rotated to the bottom of the rotation list but shall remain at the top of the list for the next available call.

D. Wrecker Requirements On-Scene

1. As required by Section 316.2044(2), Florida Statutes, wrecker operators removing a wrecked or damaged vehicle from a street or highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

E. Location of Towed Vehicles

1. Vehicles involved in criminal cases or determined to possibly be evidence shall be towed to the impound yard at the Walton County Sheriff's Office.

a) If the vehicle needs to be protected from the elements, the towing Agency member shall coordinate with the Evidence Section to secure the vehicle in the evidence bay.

2. Vehicles towed for non-criminal offenses shall be towed to a location determined by owner of the vehicle and/or the wrecker operator.

F. Wrecker Tow Bills

1. Wrecker tow receipts shall be:

a) Signed by Agency member (or designee) requesting the vehicle be towed.

b) Scanned into an incident report along with documentation why the vehicle was towed.

c) Forwarded to the Purchasing Section.

(1) Purchasing Section shall generate a purchase order (PO) and forward the original copy to the Finance Section.

2. If a wrecker is not requested by a Walton County Sheriff's Office member, the individual or organization requesting the vehicle be towed is responsible for paying the tow bill.