

# WINTER HAVEN POLICE DEPARTMENT

## GENERAL ORDER 61.10

### Wrecker Qualification and Rotation System

**ACCREDITATION STANDARDS:** CALEA – 41.2.4; CFA – 18.03, 18.04

**EFFECTIVE DATE:** January 8, 2007

**RESCINDS:** G.O. 61.10 January 5, 2018 and all applicable Amended/Temporary Orders prior to December 10, 2019

**LAST REVISED DATE:** December 10, 2019

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#### **POLICY**

It shall be the policy of the Winter Haven Police Department to establish rules to assist private and commercial users of the roadways of the City of Winter Haven by ensuring that only qualified and reputable wrecker operators and equipment are provided for removal of wrecked, disabled, stolen, or abandoned vehicles in the event the owner or operator is incapacitated, unavailable, or leaves the procurement of wrecker service to the discretion of the investigating member.  
(CALEA 61.2.2h)

#### **PURPOSE**

The purpose of this General Order is to establish policy, procedures, and responsibilities concerning a wrecker rotation system, to provide guidelines for the selection of wrecker operators for placement on rotation lists, and to enumerate the responsibilities of those wrecker operators.

#### **SCOPE**

This General Order shall apply to all Department members.

## **PROCEDURE**

### **I. Rotation Wrecker Eligibility**

- A.** The wrecker shall have the ability to be on the scene within thirty minutes after notification.
- B.** The wrecker company shall have a vehicle storage area within five miles of the city limits of Winter Haven.
- C.** The wrecker company shall have a wrecker and wrecker operator within five miles of the city limits of Winter Haven.

### **II. Wrecker Operations**

- A.** Wrecker operators shall be called for the removal of a wrecked, disabled, stolen, recovered, or abandoned vehicle by the Department according to the operator's placement on a wrecker rotation list, and according to the wrecker classification for the size of the vehicle to be towed.
  - 1.** Wrecker operators shall be called in succession from the top of the list.
  - 2.** Following each call an operator shall be rotated to the bottom of the list except as provided herein.
  - 3.** An operator shall respond to a call with a tow truck classified to meet or exceed the size of the vehicle to be towed. (CALEA 41.2.4) (CFA 18.04b)
- B.** The wrecker operator may not assign, transfer, pledge, surrender, or otherwise encumber or dispose of their approval under this policy or their place on the rotation list. A replacement or successor operator shall be approved under this policy before being placed on the rotation list.
- C.** Wrecker requests from the field shall be transmitted by the member to the Sheriff's Office ECC who shall notify the proper wrecker service.
  - 1.** Owner's request for wrecker operators shall not be rotated and such operators shall maintain their position on the rotation list.
  - 2.** The Department may cancel a request for services of a participating wrecker operator at any time. In the event of cancellation or response without rendering service, the operator shall not be rotated, but shall maintain their position on the rotation list.
- D.** Wrecker operators shall be listed only once on each list and only in the name under which they are qualified under the provision of this policy and conducting business in this state.

1. It is prohibited for a wrecker operator conducting business at one location to receive multiple listings or classifications by utilizing a different or fictitious name for wreckers operating out of the same location or by utilizing the same named wreckers out of different locations within the same county.
  2. All wreckers operated in conjunction with a wrecker operators' towing and recovery business shall have an identification number painted on both sides of the cab. The same number on two or more vehicles is prohibited. The number shall be painted in contrasting color and at least four inches in height.
- E.** Wrecker operators shall only respond to accidents or remove vehicles involved in an accident within the Winter Haven Police Department's jurisdiction when called by a member of the Department as set forth in these rules.
1. In the event of a call to a wrecker operator by someone other than a member of the Department, such operator shall first clear the call through the Sheriff's Office Emergency Communication Center (ECC) before proceeding to the scene.
- F.** Wrecker operators shall supply the Winter Haven Police Department with a twenty-four hour contact number. Answering services or beepers shall not be permitted. The wrecker operator shall notify the ECC operator whether or not they will respond, at the time the call is received.
1. Wrecker operators shall be on call twenty-four hours a day, seven days a week, fifty-two weeks per year.
- G.** Out-of-rotation wrecker requests are permitted in the event of an emergency or the absence of a wrecker of proper classification.
1. The Department may call or cause to be called, specialized recovery equipment on a nearest available basis in the event of specialized recovery requirements not otherwise met by the wrecker operators.
- H.** For multiple car accidents involving multiple disabled vehicles, the Sheriff's Office ECC Operator shall dispatch one wrecker for each crash needing vehicles removed.
1. The Sheriff's Office ECC shall advise the wrecker company of how many vehicles are involved and ascertain if they can handle all the vehicles at the time of dispatch.
  2. If that Wrecker Company cannot handle all the vehicles involved, the next rotation wrecker shall be called for the remaining vehicles.
  3. The first wrecker on the scene may be required to move vehicles from the roadway and such movement shall not affect the choice of wrecked vehicles. No fee shall be charged for such service.
- I.** Wrecker rotation logs will be maintained at the Sheriff's Office ECC.

- J. If a wrecker does not respond to a request for service or if the wrecker is cancelled by the Department because the wrecker has not responded within the thirty minute time limit, the wrecker operator shall be rotated to the bottom of the rotation list.

### **III. Wrecker Operator Requirements**

- A. It is the responsibility of the individual wrecker companies to ensure that their wrecker drivers are licensed in accordance with Florida State Statutes 322.
- B. Wrecker operators and their drivers are required to comply and to be familiar with the Florida Uniform Traffic Control Laws, Florida State Statute 316.
- C. Wrecker operators at the scene of a crash shall remove only the vehicles involved at the direction of the investigating member.
  - 1. Wrecker operators shall impound such vehicles as requested by the member on the scene. (CFA 18.04g)
- D. Wrecker operators shall sweep glass from the roadway and remove all debris or hazards from the scene as required by Florida State Statute 316.2044(2).
- E. The wrecker operator shall be thoroughly familiar with the operation of the wrecker they are operating.
- F. The wrecker operator is responsible for any damage to a vehicle caused by the wrecker operator.

### **IV. Wrecker Operator's Response to Calls**

- A. The wrecker operator shall respond to all requests for service made through the Sheriff's Office ECC within thirty minutes. If the response cannot be made within the allotted time the wrecker operator shall notify the Sheriff's Office ECC of the estimated time of delay and the reason. The ECC Operator may cancel the request for service after the approval of a supervisor and use the services of another participating wrecker service.
- B. Unless authorized by the Sheriff's Office ECC at the request of a supervisor, amber lights shall not be used while responding to a call for wrecker service.
- C. Flashing amber lights shall be used at the scene, and when towing from the scene in accordance with Florida State Statute 316.2397(3).
- D. When the investigating member releases a vehicle at the scene, the wrecker operator, at a minimum shall tow to any location the owner requests within Polk County.
- E. Any ancillary services, such as the use of a dolly, dropping and hooking up linkage, are to be performed only if required and appropriate.

- F. The wrecker operator shall forfeit a call if the wrecker operator or agent, responds to a call in such a condition that the member on the scene reasonably believes that they are incapable of safely removing the vehicle. Such condition shall include, but shall not be limited to, impairment due to consumption of alcohol or any chemical substance or controlled substance; in accordance with Florida State Statute 321.051.

## **V. Inspections**

- A. The Polk County Sheriff's Office shall inspect the tow truck, equipment, and facilities before being placed on the rotation list.
- B. Wreckers placed on the Department rotation system shall be inspected annually by the Polk County Sheriff's Office. This does not prohibit the periodic inspection of wreckers on the Department's rotation system by WHPD Traffic Unit Sergeant or their designee.

## **VI. Specifications and Equipment Requirements for Rotation Wrecker**

- A. Wrecker operators who wish to remove cars and light trucks requires a Class "A" wrecker with specifications and equipment as follows:
  - 1. A truck chassis with a manufacturer's rated capacity of at least ten thousand pounds gross vehicle weight. A complete, commercially manufactured crane and winch having a manufacturer's rating of at least four plus tons must be mounted on the chassis. Hand crank winches do not satisfy these requirements and will not be approved.
  - 2. A minimum of one hundred feet of 3/8 inch cable.
  - 3. A cradle tow plate or tow sling to pick up vehicles. The cradle or tow plate is to be equipped with safety chains and so constructed that no further damage will occur when picking up vehicles.
  - 4. Dual rear wheels.
  - 5. Vehicles that are equipped with wheel lifts or equivalent may also qualify as Class "A" tow trucks so long as all other applicable requirements are met.
- B. Operators who wish to remove cars and light trucks may have a rollback or slide-back carrier with specifications and equipment as follows:
  - 1. These are trucks which are used to pick up burned vehicles, sports vehicles (to prevent damage to plastic front ends), small trailers, boats, and to transport cargo from an accident scene.
  - 2. A minimum of a one-ton truck with a sixteen-foot bed, dual wheels, and one winch with an eight thousand pound capacity.
  - 3. A minimum of fifty feet of 3/8 inch cable.
  - 4. A brake lock device.

5. A minimum of two-safety tie down chains twenty feet in length.
  6. Two spot or flood lights mounted on the rear.
- C.** Specifications and equipment for Class "B" wreckers for removal of one- and two-ton trucks are as follows.
1. A truck chassis with a manufacturer's rated capacity of at least fifteen thousand pounds gross vehicle weight. A complete, twin-winch, commercially manufactured crane, and a winch having a manufacturer's rating of at least eight plus ton capacity mounted on the chassis.
  2. A minimum of one hundred feet of at least 1/2 inch cable on each drum.
  3. Air brakes so constructed as to lock the rear wheels automatically upon failure and to supply air to disable vehicles.
  4. A cradle, tow plate, or tow sling to pick up vehicles. The cradle, tow plate, or tow sling is to be equipped with safety chains and so constructed that no further damage will occur when picking up vehicles.
  5. Dual rear wheels.
- D.** Specifications and equipment for Class "C" wreckers used for removal of semi-trucks, house trailers, and buses are as follows.
1. A truck chassis with a manufacturer's rated capacity of at least twenty-five thousand pounds gross weight and fifty thousand pounds gross vehicle weight for tandem axle trucks. A complete twin-winch commercially manufactured crane, and a winch having a manufacturer's rating of at least twenty-five plus ton capacity mounted on the chassis.
  2. A minimum of two hundred feet of at least 5/8 inch cable on each drum.
  3. Air brakes so constructed as to lock the rear wheels automatically upon failure and to supply air to disabled vehicles.
  4. A cradle tow plate or tow sling to pick up vehicles. The cradle or tow plate is to be equipped with safety chains and so constructed that no further damage will occur when picking up vehicles.
  5. Dual rear wheels.
- E.** All wreckers on the Department's wrecker rotation system shall maintain all of the following specifications and equipment:
1. Sirens on wreckers are prohibited.

2. The name, address, and telephone number of the wrecker operator must be professionally lettered and painted in a conspicuous place on both sides of the truck as required by Florida State Statute 713.78(6). The name must be in letters of at least four inches high and the address and telephone number shall be at least two inches high. Magnetic or removable signs or placard will not meet this requirement.
3. The wrecker operator shall have nothing on vehicles, buildings, or correspondence that implies any official relationship between the wrecker operators and the Winter Haven Police Department or any other police agency.
4. Wreckers shall be properly equipped with clearance and marker lights and all other equipment as required by the Florida Statutes.
5. There shall be a rotor beam or strobe-type light, amber in color, mounted on the wrecker in such a manner that it can be seen from the front, rear, and both sides.
6. Dollies, except Class "B", Class "C", and rollback carriers.
7. At least one heavy duty push broom with a minimum width of twenty-four inches.
8. Flood lights on the hoist.
9. A square shovel.
10. An axe.
11. A crowbar or pry bar with a minimum length of thirty inches.
12. Minimum of one five pound CO2 or dry chemical fire extinguisher or equivalent. The extinguisher must be of an approved type and have attached a current inspection tag.
13. A pair of bolt cutters with a minimum one-half inch opening.
14. A set of jumper cables.
15. A four way lug wrench.
16. A flashlight.
17. A set of red reflectors.
18. Five 30-minute flares.
19. One snatch block for each winch, manufacturer's rating to match winch, except roll-back carrier.
20. A set of scotch blocks for wheels or hydraulic rear extendable scotch blocks. (Class "B" and "C" wreckers only.)

21. External air hookup and hoses. (Class "C" wreckers.)
  22. Extra towing chain, six to eight feet long with hooks on each end.
  23. At least six safety cones or triangle reflectors.
  24. The availability to at least twenty pounds of sand or suitable equivalent.
  25. It is prohibited for a tow truck or the business establishment maintained by the wrecker operator to have any equipment capable of monitoring messages, signals, or frequencies assigned to the Winter Haven Police Department as provided for in Florida State Statute 843.16.
  26. All trucks operated pursuant to this policy shall be equipped with a business type communication radio, licensed and approved by the Federal Communications Commission. A citizen band radio does not meet the requirements of this section. The Winter Haven Police Department may waive this requirement upon a showing of good cause.
- F.** The wrecker operator shall maintain the 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 schedule to limit the operator the types of insurance required herein.
- G.** Worker's Compensation and employee's liability insurance as required by statute.
- H.** Garage liability insurance in amounts not less than one hundred thousand dollars per person and five hundred thousand dollars per accident for bodily injury and fifty thousand dollars per accident for property damage endorsed to include:
1. Automobile hazard 2.
  2. Garage keepers legal liability covering perils of fire and explosion, theft of an entire vehicle, riot and civil commotion, vandalism and malicious mischief.
  3. Combined bodily liability and property damage liability as follows:
    - a. Fifty thousand dollars per occurrence for a wrecker with a gross vehicle weight of less than thirty-five thousand pounds.
    - b. One hundred thousand dollars per occurrence for a wrecker with a gross vehicle weight of thirty-five thousand pounds or more, but less than forty four thousand pounds.
    - c. Three hundred thousand dollars per occurrence for a wrecker with a gross weight of forty-four thousand pounds or more.
    - d. The insurance coverage required shall include those classifications that are listed in standard liability manuals, which most nearly reflect the operations of wrecker operators.

- e. All insurance policies required above shall be issued in companies authorized to do business under the laws of the State of Florida.
- I. The wrecker operator shall furnish certificates of insurance to the Winter Haven Police Department prior to the commencement of operations, and, thereafter, thirty days prior to the expiration dates of the policies. The certificates shall clearly indicate that the wrecker operator has obtained insurance of the type, amount, and classification required for compliance with this section and that no material changes or cancellation of the insurance shall be effective without thirty days prior written notice to the Winter Haven Police Department.

**VII. Denial, Suspension or Removal from Wrecker Rotation System**

- A. The following acts, omissions, and deficiencies on the part of any operator (including any partner if the operator is a partnership or of any director or officer if the operator is a corporation) or of any agent of the operator, shall be grounds for denial of inclusion on, or removal or suspension from the rotation list:
  - 1. Failure to comply with the provisions of these rules.
  - 2. Chasing or running wrecks without proper call from the department.
  - 3. Soliciting at the scene of an accident.
  - 4. Failure to answer a call or arrive at a scene after the thirty minute maximum without notifying the Sheriff's Office ECC two times within a three-month period.
  - 5. Inability to properly operate the tow truck in the removal of disabled vehicles or to remove a vehicle without causing additional damage.
  - 6. Removal of a wrecked or disabled vehicle without it having been investigated or cleared by a proper law enforcement agency.
  - 7. Lack of reputability, which shall include, but not limited to:
    - a. Conviction of any felony involving theft, when the person's civil rights have not been restored all or in part.
    - b. Conviction of any felony or first-degree misdemeanor directly related to the business of operating a wrecker, regardless of whether civil rights have been restored. For the purpose of this rule, any offense involving perjury or false statement shall be considered to be directly related to the business of operating a wrecker.
    - c. Conviction of any offense involving theft, fraud or misrepresentation.

- d. Conviction of the offense of driving under the influence of alcohol or any controlled substance or chemical substance to the extent that normal faculties are impaired or driving with an unlawful blood alcohol level, or of any criminal traffic offense, specific authority Florida State Statute 321.051. First offense, not within three years and multiple offenses within ten years. For the purposes of this policy, conviction shall mean having been found guilty by any court of competent authority, also including a plea of nolo contendere or where adjudication has been withheld or where there was an admission of guilt or wrongdoing as a condition of entering a diversionary program.
- 8. As the public may view a rotation list Wrecker Operator as an extension of the Police Department, any conduct that reflects badly upon the Winter Haven Police Department.
- B. The procedure for denial of inclusion on, or removal from or suspension from the rotation list shall rest with the Chief of Police based upon just cause.
- C. Wrecker Operators denied inclusion, removed from or suspended from the rotation list shall be notified of this action in writing within seven days of the action being taken.

**VIII. Definitions**

- A. *Operator or Wrecker Operator* – Means the individual, partnership, corporation, or business entity engaged for hire in the recovery, towing, or removal of wrecked, disabled, stolen, or abandoned motor vehicles. For the purpose of this policy, a hired driver of employee shall be governed by this policy while on duty and unless otherwise stated, shall be considered an agent of the wrecker operator.

APPROVED



**Charles E. Bird  
CHIEF OF POLICE**