

IDAHO STATE POLICE PROCEDURE

07.17 USE OF TOW TRUCKS

A. General

A vehicle owner or driver's preference for a tow truck operator is honored unless that operator is unable to respond in a timely fashion, the responding trooper knows that the tow truck is unsafe or uninsured, or that the tow truck driver is unlicensed or unqualified.

B. Rotation List

1. The rotation list is the standard call order for tow trucks. However, when a prolonged wait for a tow truck may significantly increase the likelihood of harm to the public or jeopardizes officer safety, the closest tow company may be called in lieu of using the rotation list.
2. Each district Captain establishes and maintains up to three (3) tow truck rotation lists for the entire service area;
 - a. one for passenger cars or light-duty tows;
 - b. one for medium-duty tows; and
 - c. one for heavy trucks or other large vehicles.
3. Definitions of light-duty, medium-duty, and heavy-duty are in accordance with the Towing and Recovery Association of America's Vehicle Identification Guide, pages 8 and 9 of this procedure.
4. The district Captain may split the rotation lists into geographical areas based on response time.
5. When a vehicle driver or owner has no tow truck preference, the next tow company in sequence on the appropriate district rotation list is dispatched.
6. Only one company per owner or group of owners is placed on a rotation list, regardless of company size.

C. Tow Truck Company Eligibility for the Rotation List

1. District office staff provide a copy of the current version of 07.17 Use of Tow Trucks procedure, an [EHF 07-17-02 Tow Company Application](#) along with [EHF 07.17-01 Tow Company Cover Letter](#) to each tow company requesting inclusion on the Rotation List.
2. To be considered for inclusion on the Rotation List, each tow company must submit a completed [EHF 07-17-02 Tow Company Application](#) and all required documents to the district Captain.
3. As outlined on the [EHF 07-17-02 Tow Company Application](#) and consistent with [Idaho Code § 49-1807B](#), eligibility requirements include:

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- a. Generally, tow truck companies must be established Idaho businesses.
- b. If services by an Idaho business are not available in the area, an out-of-state company may be added to the rotation list with approval of the program Major.
- c. Service must be available 24 hours per day by phone with a maximum of two (2) phone numbers to be called.
- d. The tow truck company must have a reasonably accessible, secure storage lot or building in which vehicles towed for ISP are stored and secured from vandalism and/or theft. At a minimum, the storage facility must be:
 - 1) large enough to accommodate all vehicles towed for ISP;
 - 2) surrounded by a well-maintained fence at least six feet in height with a locked gate or be a locked and secured building.
 - 3) Normally, the storage facility shall be at the same location as the business address. If it is not at the same location, there shall be no charge for any additional distance traveled to and from a secondary location, or for retrieving vehicles or property at a secondary storage location.
- e. Each tow truck must have at least the following equipment and each tow truck and all required equipment must be maintained in safe and good working condition:
 - 1) vehicle lighting and equipment as specified by Idaho Code;
 - 2) amber, red or a combination of amber/red emergency lights visible for 360 degrees;
 - 3) additional equipment consisting of, at minimum:
 - 4) high-visibility vests or coats complying with ANSI / ISEA 107; 2004 edition class 2 or 3, which must be worn by all tow company employees while working within the right-of-way of any Federal-aid highway;
 - 5) five (5) traffic cones;
 - 6) one (1) fully charged fire extinguisher having a minimum of five (5) pounds of ABC dry chemical;
 - 7) broom;
 - 8) shovel;
 - 9) lights for towed vehicle; and
 - (10) tow bar, cradle, towing dolly or equivalent for towing passenger cars.
- f. Heavy-duty tow companies are additionally required to be able to perform traffic control at scenes where the recovery operation lasts longer than one (1) hour in duration. The ability to perform traffic control includes but is not limited to: Flaggers certified through the Idaho Transportation Department, and signs, cones, and communications capabilities.
- g. Each tow truck must have the business name of the tow truck company clearly and permanently painted or otherwise attached on both sides of the truck.
- h. Prior to being placed on the rotation list, each tow company must provide a list of their proposed hourly rate, mileage rate, and storage fee to the district Captain.
- i. Fees for extraordinary circumstances involving heavy-duty recovery operations must also be submitted.
- j. The district Captain determines or sets the rates and fees for light and medium duty tow trucks that are reasonable and consistent with the usual and customary rates and fees for the district. If they are, the Captain allows the company placement on the rotation list.
- k. Each company must provide the district Captain current proof of insurance by designating ISP as a "certificate holder." The proof of insurance must show that the

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tow truck company has the following coverage:

- 1) \$750,000 minimum vehicle liability insurance; and
- 2) “on-hook” and garage keeper’s insurance coverage of at least \$50,000 per incident.

A copy of the current vehicle registration showing the tow truck company as the registered owner is filed with the district Captain.

- l. Each tow truck company must submit the name of each current/new owner, operator, and/or driver for driver’s status and criminal record checks prior to responding for ISP tows. This includes a duty to submit the name and fingerprints each time a new driver, operator and/or owner is hired by the company and those employees must pass a criminal records check and driver’s license check prior to responding to ISP tows. Failure to do so is grounds for rejection, suspension, removal and/or denial of reinstatement to the non-preference tow list. The following guideline can be used to determine eligibility:
 - 1) Felony: five years after confinement to include probation and parole.
 - 2) Misdemeanor: three years after confinement including probation and parole.
 - 3) The Captain or their designee also has discretion to allow or disallow based on other factors that may arise.
- m. The tow truck company must ensure that all drivers have sufficient knowledge to properly and safely operate all necessary equipment, and to properly and safely conduct towing and recovery maneuvers.
- n. If more than one company operates out of the same facility and a request is made for a separate place on the rotation list, each company must show proof of separate billing systems, vehicle titles, tax numbers, and phone numbers.
- o. Tow truck companies must have the same towing rates for driver preference and rotation calls. Instances of different rates for preference and non-preference tows may be grounds for removal, suspension, rejection, and/or denial of reinstatement to/from the rotation list.
- p. Equipment, records and facilities of tow companies on ISP rotation lists are subject to inspection at any time by ISP personnel. Additionally, inspection of driver’s licenses may be carried out during ISP rotation calls to ensure tow company drivers possess valid driver’s licenses and have been authorized by ISP to provide ISP rotation services. Inspection of identification of non-driving tow company operators may also be carried out during ISP rotation calls to ensure they have been authorized by ISP to provide ISP rotation services.
- q. ISP may conduct periodic audits of its tow rotation lists to ensure that all owners, operators and drivers for those companies that have applied for, are currently on, and/or who seek reinstatement to the list are in compliance with the requirements of this procedure, including ISP’s statutory duties under [Idaho Code § 49-1807B](#).

D. Suspension, Removal, Denial of Reinstatement and/or Inclusion on Tow Rotation List

1. Tow truck companies and their employees must conduct themselves in a professional manner with ISP employees, other law enforcement agencies and the public. Unprofessional conduct may result in the tow truck company’s or involved employee’s removal from the rotation list by the district Patrol Lieutenant. Unprofessional conduct may include, but is not limited to:

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- a. use of abusive, intimidating or bombastic language or actions;
 - b. use of profanity;
 - c. threatening movements or actions;
 - d. sexual or other harassment;
 - e. attempts to circumvent the tow rotation priority lists via false or misleading statements or other tactics;
 - f. threats of violence to ISP employees, other law enforcement entities, and/or citizens involved with a call or tow rotation, response, or operation;
 - g. failure to follow the directives in ISP tow procedure; or
 - h. failure to follow instructions of ISP personnel, including dispatch.
2. The unprofessional conduct described here will be considered in violation of the standards of ISP procedure when directed at or against ISP personnel, other law enforcement and/or any other persons present or involved with a tow operation or response.
3. ISP has a “zero tolerance” for ISP rotation tow company operators responding to ISP rotation calls with detectable amounts of alcohol or illegal drugs in their systems. Violation of this procedure may result in the tow truck company’s or involved employee’s suspension or removal from the rotation list by the district Patrol Lieutenant.
4. A tow truck operator or company may be suspended or removed from a rotation list for failure to meet the standards of this procedure, failure to obey Idaho Code, or for inequities in services or fees.
5. Tow truck companies assessing additional charges, surcharges, excessive charges or other inequities for rotation calls will be investigated and may be removed from the rotation list.
6. A history of criminal conviction may prohibit the inclusion of a driver, operator, owner, or tow truck company on the rotation list. It may also be grounds for removing the driver, operator, owner, or tow truck company from the rotation list. For purposes of this section, “conviction” means a finding or plea of guilt, whether or not the sentence is imposed, suspended, deferred, or withheld; and whether or not the case or charge is dismissed pursuant to [I.C. §19-2604](#) or any comparable statute or procedure.
7. Tow companies refusing to respond to remove abandoned vehicles may be removed from the rotation list.
8. Troopers and RCOs must submit documentation of any non-compliance to the district Patrol Lieutenant through the chain of command.
9. The district Patrol Lieutenant notifies the tow truck company, in writing, of the reasons for suspension or removal from the rotation list prior to the effective date.
10. If exigent circumstances exist, such as danger to the public or gross negligence, the district Patrol Lieutenant may suspend or remove the tow truck company and/or driver from the rotation immediately, then provide notification to the company as soon as practical.

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11. The Lieutenant notifies the Captain, who notifies the appropriate Major of all intended or actual suspensions or removals from rotation lists.
12. The affected tow truck company may appeal the suspension or removal from the rotation list:
 - a. within ten (10) working days of the suspension or removal notification, the tow truck company submits a written request for a hearing with the district Captain;
 - b. the district Captain is the Hearing Officer and conducts the hearing within ten (10) working days of receiving the hearing request;
 - c. the company does not have a right to have counsel present at the hearing;
 - d. the Hearing Officer may permit counsel to attend the suspension hearing.
13. The company may appeal the district Captain's decision with a written appeal to the appropriate Major within ten (10) working days of the Captain's decision;
14. The Major's determination of the appeal is final.
15. A tow truck company suspended or removed from a rotation list may apply for reinstatement at a time period determined by the district Captain after the removal from rotation.
16. The district Captain may approve the request if there is documented reason to believe the company has resolved the issues that caused the suspension or removal from the rotation.

E. Request for a Tow Truck

When a tow truck is needed or requested by any person, the responding trooper:

1. if possible, asks if the requestor has a preference regarding a tow truck company;
2. if the vehicle in question is a commercial vehicle, has the Regional Communications Officer (RCO) call the trucking company for its preference if the driver expresses no preference, and time permits;
3. asks the RCO to call the preferred tow truck company or the next non-preference from the rotation list;
4. provides the RCO with the following information for relay to the tow truck company:
 - a. vehicle year, make, style, license number and key location;
 - b. damage, cargo or location/position that may require special handling; however, neither the trooper nor the RCO may specify equipment the tow truck company may need in response to special handling circumstances.
5. Unless the tow is for a motorist assist (see ISP Procedure [06.05 Vehicle Impound and](#)

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Inventory” section “D” for tow and inventory procedures at crash scenes), the trooper completes the [EHF 06-05-01 Towed Vehicle Inventory/Notice](#) form authorizing the tow of the vehicle, and provides copies to both the tow operator and the vehicle’s legal or registered owner.

6. If the vehicle’s legal or registered owner is not present, the trooper completes the printed [EHF 06-05-01 Towed Vehicle Inventory/Notice](#) form authorizing the tow of the vehicle, gives a copy to the tow operator, and delivers a copy to the district office so it can be mailed to the vehicle’s legal and/or registered owner according to Idaho statute.

F. Tow Truck Operator Response

1. Upon receiving a request for service, the tow truck driver/operator:
 - a. gives the RCO a realistic estimated time of arrival (ETA) for the tow truck;
 - b. advises the RCO if the service is not immediately available to handle the request to allow the RCO to call the next service on the list;
 - c. immediately responds to the requested location;
 - d. travels the quickest route to the call, avoiding all non-emergency delays and obeying all traffic laws.
2. Under normal circumstances, only the requested tow truck company may respond and tow the vehicle:
 - a. tow truck operators may not “sub-contract” or refer rotation calls to another company;
 - b. should another company respond to the scene, both tow truck companies lose their turn on the rotation and may be removed from the rotation list;
 - c. in special circumstances where an extra piece(s) of equipment or personnel may be needed, a tow company may use a one-time “sub-contract” or referral of a rotation call after approval is received from the Patrol Lieutenant/designee.
3. Upon the tow truck’s arrival, the responding trooper advises the RCO of the name of the tow truck that arrived and the time of arrival. This information is documented by the RCO.
4. The tow truck operator is also responsible for the cleanup of any and all debris deposited at the scene as required by [I. C. §49-613](#).
5. If inequities in tow truck services or fees are brought to the attention of the district Patrol Lieutenant, he or she:
 - a. investigates the allegation;
 - b. if appropriate, removes the tow truck company from the rotation list;
 - c. may notify the Attorney General of the State of Idaho, Consumer Affairs Section;
 - d. advises the complaining party that the matter is a civil dispute and the party may contact an attorney.

G. Tow Charges and Storage Fees

1. For ISP rotation list tows, tow companies may charge when applicable, an hourly rate, a mileage rate, a daily storage rate after the first 24 hours, a fee when significant additional

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tow company resources are required, an administrative fee for credit card use, and an after-hours gate fee.

2. If applicable, an hourly rate, a mileage rate and a storage rate may be established for each class of tow, light-duty, medium-duty, and heavy-duty.
 - a. Hourly rates for tows shall include virtually all labor and processes associated with a given towing situation including, but not limited to: call-out/hook-up; winching; labor to perform preparation to tow, cleanup of debris and fluid, drive-line removal, recovery, and use of dollies, snatch blocks and skates. ISP recognizes certain tow situations involving special circumstances requiring significant additional tow company resources (personnel or equipment) may necessitate additional fees beyond what is normal. Examples could include, but are not limited to, major clean-ups at crash scenes when more than two tow company employees are required, when second tow vehicles or specialized equipment are required for difficult recoveries, or when long-term traffic control by the tow company is necessary. If billing questions arise, these situations will be reviewed by ISP on a case-by-case basis.
 - b. The hourly rate is the maximum allowable rate charged if all services and processes are provided. This does not mandate tow companies to charge the full hourly rate if all services and processes are not provided. It is expected that on routine tows, the full maximum hourly rate will not be charged to the customer. Exorbitant charges will be grounds for removal from the rotation list.
 - c. Tow companies may charge a minimum of one (1) hour for each tow performed. The hourly rate may include travel time to and from the scene of the tow.
 - d. Mileage rates are defined as mileage from point of hook-up to the tow company's place of business by reasonable and customary routes.
 - e. Storage fees: vehicles stored less than 24 hours shall not be charged storage. Each day or partial day thereafter shall be calculated by calendar day.
 - f. An administrative fee of 3% may be assessed when a credit card is used for payment by a customer.
 - g. After-hours gate fee: Tow companies may charge up to the equivalent of two days of their accepted daily storage rate for releasing personal property or vehicle after-hours.
 - h. There shall be no charge for the release of personal property from towed vehicles during normal business hours. Personal property means items that are not affixed to the vehicle such as, but not limited to: papers, cell phones, portable radios, clothes, luggage, tools, or other items.
3. Once accepted for the ISP rotation list, tow companies may not increase their rates or fees, unless approved by the district Captain.
4. When requested, rates and fees may be changed each year in July. Any proposed changes to rates and fees must be submitted in writing to the district Captain by May 15. Approved changes are effective July 1 of each year.
5. To remain competitive in the open market, tow companies may lower their approved rates and fees at any time by notifying the district Captain and providing the revised rates and fees.

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Law enforcement communications with towing and recovery operators describing an incident and the vehicles involved can insure quick and efficient clearing of these scenes and less disruption to traffic flow. In an effort to standardize communications, the towing industry is adopting the federal vehicle class standards as outlined herein.

VIN CODES

The year of the vehicle is critical information for towing operators in order for them to reference correct towing procedures. The diagrams on the front are examples of classifications. The following information about vehicle identification numbers affixed to the chassis will help determine the vehicle's year. As noted, the vehicle's year, identified by a letter or number in the VIN sequence, is the eighth character from the right.

1P8ZA1279SZ215470

EXAMPLE 1995 VIN NUMBER: _____

1980.....A	1987.....H	1994.....R	2001.....1	2008.....8
1981.....B	1988.....J	1995.....S	2002.....2	2009.....9
1982.....C	1989.....K	1996.....T	2003.....3	2010.....A
1983.....D	1990.....L	1997.....V	2004.....4	2011.....B
1984.....E	1991.....M	1998.....W	2005.....5	2012.....C
1985.....F	1992.....N	1999.....X	2006.....6	
1986.....G	1993.....P	2000.....Y	2007.....7	

TOW TRUCK/CAR CARRIER CLASSIFICATION

LIGHT-DUTY

TOW TRUCK



CAR CARRIER



MEDIUM-DUTY

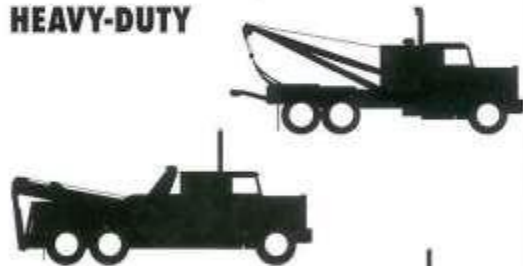
TOW TRUCK



CAR CARRIER



HEAVY-DUTY



LOW BOY TRAILER



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TRAA VEHICLE IDENTIFICATION GUIDE[®]

CLASS 1 • LIGHT-DUTY • (6,000 lbs. or less GVW - 4 tires)*



CLASS 2 • LIGHT-DUTY • (6,001 - 10,000 lbs. GVW - 4 tires)*



Classes 1 and 2 include passenger vehicles, light trucks, minivans, full size pickups, sport utility vehicles and full size vans.

CLASS 3 • MEDIUM-DUTY • (10,001 - 14,000 lbs. GVW - 6 tires or more)*



CLASS 4 • MEDIUM-DUTY • (14,001 - 16,000 lbs. GVW - 6 tires or more)*



CLASS 5 • MEDIUM-DUTY • (16,001 - 19,500 lbs. GVW - 6 tires or more)*



CLASS 6 • MEDIUM-DUTY • (19,501 - 26,000 lbs. GVW - 6 tires or more)*



Classes 3 through 6 include a wide range of mid-size vehicles, delivery trucks, utility vehicles, motorhomes, parcel trucks, ambulances, small dump trucks, landscape trucks, flatbed and stake trucks, refrigerated and box trucks, small and medium school and transit buses.

CLASS 7 • HEAVY-DUTY • (26,001 - 33,000 lbs. GVW - 6 tires or more)*



CLASS 8 • HEAVY-DUTY • (33,001 lbs. and over GVW - 10 tires or more)*



Classes 7 and 8 include a wide range of heavy vehicles, large delivery trucks, motor coaches, refuse trucks, cement mixers, all tractor trailer combinations including double trailers.

Information Needed To Correctly Dispatch Towing and Recovery Units:

- Year, Make and Model of Vehicle to be Towed or Recovered
- DOT Classification (Class 1 – 8 based on GVW)
- Location of Vehicle
- Type of Tow (impound, accident, recovery motorist assist, etc.)
- Additional Vehicle Information
 - 2 wheel drive, 4 wheel drive, all wheel drive
 - damage to vehicle, tire condition
 - vehicle loaded or empty
 - cargo contents
 - does the vehicle have a trailer
 - are the keys with the vehicle

Note: Any vehicle may carry hazardous materials. Advise if placarded.

*** Note:** The Gross Vehicle Weight Rating (GVWR) of the vehicle to be towed or recovered can be found on the identification label on the vehicle's driver's side doorframe. The number of pounds listed on the label can then be compared with the DOT Classification Vehicle Type Chart for the correct DOT class.

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