

WASHINGTON COUNTY ROTATION WRECKER REGULATIONS

The purpose of the Rotation Wrecker System is to establish a fair, dependable, professional and impartial wrecker service for motorists who need the services of a wrecker and do not have a preference. The following regulations are mandatory for wrecker establishments wishing to serve the public of Washington County.

- I. The Sheriff or his designee shall perform a background investigation on each wrecker service desiring to be placed on the Wrecker Rotation System. The Sheriff or his designee will inspect and determine if the wrecker service meets the requirements set forth herein.

- II. All wreckers must be a minimum of one-ton chassis with dual rear wheels and must be capable of moving/towing vehicles under normal conditions with the exception of large trucks. Additional regulations for large wrecker rotation are attached.
 - A. Wreckers shall be properly registered as wreckers with the North Carolina Department of Motor Vehicles.
 1. No wrecker or wrecker rotation shall use dealer plates,
 2. No wrecker or rollback shall assist another rotation wrecker while using dealer plates.

 - B. Wreckers shall have a valid North Carolina Safety Inspection Certificate and all items covered in G.S. 20-183.3, and shall be in good working order at all times.

 - C. Wreckers shall be equipped with legally required lighting in compliance with G.S. 20-130.2 and other safety equipment to protect the motoring public and shall maintain such equipment in good working order.

 - D. The rotation wrecker service's name and telephone number of the business shall be clearly discernible on each side of the wrecker.
 1. Magnetic signs are prohibited.

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E. The following items shall be available on all rotation wreckers.

1. Ax
2. Broom
3. Current County Map
4. Dollies
5. Fire Extinguisher
6. Flares
7. Recovery lights or spot lights on rear of wrecker
8. Scotch Blocks (2) or Hydraulic Spades
9. Shovel
10. Snatch Blocks
11. Wrecker Bar on Auto Power Machine

F. Roll-back may be used to supplement a rotation wrecker service, however, no one will be placed on the rotation wrecker list if they only have a roll-back.

G. Rotation wreckers and their storage areas are subject to inspection by the Sheriff or his designee at any time.

III. Owners of Rotation Wrecker Services shall comply with the following rules.

A. Shall have a safe and secure storage facility for all vehicles towed. This storage facility may be a locked building or a secure fenced area where the stored vehicles and other property are not accessible to the public.

B. Shall secure all vehicles and contents to prevent further damage by weather, vandals or other elements.

1. This facility must be located in the same area as the rotation wrecker service.
2. Sharing storage facilities with other garage/wrecker services are prohibited.

C. Shall maintain adequate liability insurance on each wrecker and will be required as follows: (if applicable)

1. Garage Liability
\$1,000,000 bodily injury and \$50,000 property damage.

Amended by
BOC 4/4/05
See Amendment II

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Amended by BOC
4/4/05. See
Amendment II

- 2. Automobile Liability or combined Single Limit of \$300,000
\$100,000/\$300,000 bodily injury and \$50,000 property damage.
 - 3. Garage Keepers Legal Liability
\$50,000 per vehicle.
 - 4. Worker's Compensation
Evidence of compliance with state minimum is required.
- D. Only one rotation wrecker service owned by the same person will be allowed on rotation in the same county.
- E. Shall be available to the County and the general public on a twenty-four hour basis.
- 1. Must provide two (2) telephone numbers to be listed on the County CAD system for rotation wrecker services or one (1) 24 hour number. These numbers shall indicate a DAY and NIGHT number. The Sheriff and/or Washington County Communications shall be notified immediately if these number(s) are changed.
- F. For Sheriff Patrol-involved incidents, shall respond only upon request from proper Highway Patrol or Sheriff's Deputy authority and shall not use scanners or other law enforcement radio monitoring equipment to respond to a disabled or wrecked vehicle.
- G. Shall adhere to all statutes regarding solicitation of business from the highway. Soliciting business or "running wrecks" at the scene of accidents or incidents is strictly prohibited.
- H. Shall impose reasonable charges for work performed and present one (1) bill for services to the owner or operator of any towed vehicle.
- 1. Rotation wrecker services may secure assistance from another wrecker service when necessary, but only one bill for services is to be presented to the owner or operator of the vehicle.
 - 2. Upon request or demand, return personal property stored in or with a vehicle, whether the towing, repair, and/or storage fee on the vehicle has been paid or will be paid.

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- I. Shall immediately notify the Sheriff and/or County Communications whenever the rotation wrecker service is unable to respond to a call.
- J. A reasonable amount of time will be allowed in order for rotation wreckers to respond before another rotation wrecker is requested. Except in unusual circumstances, thirty (30) minutes will be considered a reasonable response time.
 - 1. If a second rotation wrecker is requested before the arrival of the first rotation wrecker, the initial requested wrecker will forfeit his call and will immediately leave the accident/incident scene.
 - 2. Failure to respond to a call by County Communications will result in being placed at the bottom of any rotation wrecker log and consistent failures to respond will result in removal from the system.
- K. If a rotation wrecker is requested by a Sheriff's Deputy and for some valid reason does not tow a vehicle, he can be placed back at the top of the rotation list by the Sheriff or his designee in the County where the rotation wrecker is located by contacting the County Communications Center.
- L. Shall tow disabled vehicles to any destination requested by the vehicle owner or other person with apparent authority.
- M. The owner shall ensure that the owner, each wrecker driver or other employee or agent involved in the wrecker service has not been convicted at any time of a felony arising out of the operation or use of a vehicle, or a felony involving force, violence, theft, embezzlement, forgery, fraud, false statement, sexual misconduct, or the manufacture, sale, transportation, or possession of a controlled substance or alcoholic beverage, or convicted within the past five years of any other felony or a misdemeanor involving fraud, forgery, embezzlement, theft, or violence, controlled substances or sexual misconduct. Within ten days of the employment of any person or upon request of a member of the Sheriff's Department, the owner of the wrecker service agrees to supply the Sheriff with the full name, current address, date of birth, social security number, and driver's license number and state of issuance for the owner, wrecker driver, or other employee or agent involved in the wrecker service.

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- N. Comply with North Carolina law G.S. 20-77 which states: "An operator of a place of business for garaging, repairing, parking or storing vehicles for the public in which a vehicle remains unclaimed for 30 days, or the landowners upon whose property a motor vehicle has been abandoned for more that sixty (60) days, shall, within five (5) days after the expiration of that period, report the vehicle as unclaimed to the division. Failure to make such a report shall constitute a misdemeanor punishable by a fine not to exceed \$50.00 or imprisonment not to exceed thirty (30) days, or both, in the discretion of the court."
- O. Cooperate fully with the Sheriff's Department and allow inspections of their facilities and equipment at the discretion of the Sheriff's Department.
- P. If the owner sells or goes out of business, he shall notify the Sheriff prior to doing so.
- Q. If the owner adds an additional driver, he shall notify the Sheriff.
- R. Shall make all complaints to the Sheriff or his designee regarding any incident involving the Sheriff's Department within thirty (30) days of the alleged incident.
- S. Agree that being requested by the County to tow a vehicle does not create a contract with or obligation on the part of County personnel to pay any fee or towing charge.
- T. Agree that being placed on the County Wrecker System does not guarantee a particular number of calls as any other service, or compensation when not called in accordance with the system or removed from the system.
- U. Agree to comply with and ensure their drivers comply with regulations previously set out in this directive and must sign an agreement to that effect.
- V. Rotation Wrecker Services shall be located in Washington County.

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- IV. Drivers of Rotation Wrecker Services shall comply with the following rules.
- A. Shall possess valid drivers license for the types of vehicles being driven.
 - 1. The operators driving and criminal record will be verified by the Sheriff or his designee.
 - B. Shall consistently respond, under normal conditions, in a timely manner.
 - 1. North Carolina traffic laws will not be violated when responding to a wrecker request.
 - C. Shall not respond to a wrecker request while under the influence of an impairing substance or after consuming any alcohol.
 - D. Shall demonstrate an ability to perform required services in a safe, timely and efficient manner.
 - E. Shall be experienced and knowledgeable in the proper operation of a wrecker whereby dependable service can be obtained with no additional damage caused to the vehicle being serviced.
 - F. Shall remove debris from the highway and agree to clear the highway prior to leaving the accident scene.
 - G. The towed vehicle will be taken to the storage facility approved for that wrecker service by the Sheriff unless otherwise requested by the owner or other person with apparent authority.
 - H. Shall fully cooperate with the members of the Sheriff's Department when performing the above duties.
 - I. Each operator shall conduct themselves in a proper manner at a collision scene when dealing with law enforcement members and the public.

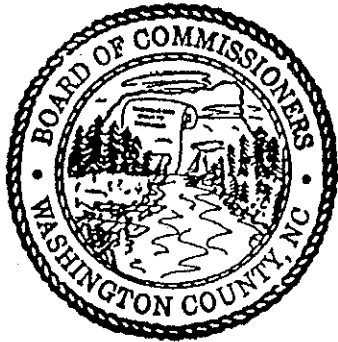
LARGE ROTATION WRECKER REGULATIONS

- I. Firms wishing to be on the County wrecker rotation list shall comply with all the regulations for the regular rotation wrecker in addition to the following regulations:
 - A. Large wreckers shall be capable of removing and towing large trucks from accident/incident scenes to a secure location approved by the Sheriff.
 - B. Large wreckers shall be equipped to supply air to the brakes on large trucks while in tow.
 - C. Driver shall have a valid drivers license for the type of vehicle being driven.
 - D. Driver shall be experienced and knowledgeable in towing large trucks.

VIOLATION OF ROTATION WRECKER REGULATIONS

- I. Failure by the owner of a rotation wrecker firm or any of his operators to comply with any of the requirements contained in this Directive will be justification for removal of the wrecker firm from the rotation wrecker list established by the County in the discretion of the Sheriff. All of the regulations set out in the Directive supersede any previous regulations.
 - A. The Sheriff or his designee is responsible for accurate documentation of suspensions and removals of wrecker firms.
 - B. Repeated incidents of not taking rotation requests for any reason will be justification for removal from the rotation wrecker list.
 - 1. First offense of violating these requirements will result in suspension of the wrecker firm for sixty (60) days, or until the wrecker firm demonstrates that it is in compliance, which ever is longest. After which time the firm may re-apply to the Sheriff to be placed back on the rotation wrecker list.
 - 2. A second offense of violating these requirements will result in a permanent suspension from the rotation wrecker list.

Adopted by the Washington County Board of Commissioners on this the 3rd day of August, 1998.



Howard Davenport
Howard Davenport, Chairman
Board of Commissioners

Lois C. Askew
Lois C. Askew, CMC
Clerk to the Board

North Carolina State Highway Patrol
Wrecker Inspection Form

Amendment I

Wrecker Firm _____

Address _____

Telephone Numbers Day: _____ Night: _____

Owner's Name _____

Office Hours _____ Business License Yes No

Liability Insurance:

Insurance Company _____

Policy Numbers _____

Limits of Liability:

Large Wreckers and Rollbacks (\$750,000 minimum) _____

Small Wrecker (\$30,000/60,000/25,000) as required by GS 20-279.1(11) _____

On Hook or Cargo Insurance Each Large Wrecker (\$150,000) minimum _____

Each Small Wrecker (\$50,000) minimum _____

Garage Keepers Insurance (\$100,000) minimum _____

Policy Dates _____

Number of Wreckers _____ Large _____ Small _____

Rollback Yes No If Yes, Number _____

Storage Area:

Address _____

Approximate Size: Fenced Area: _____ Enclosed Area: _____

Is the lot of sufficient size to accommodate all vehicles towed? Yes No