

Faulkner County Sheriff's Office

POLICIES AND PROCEDURE MANUAL

Policy Name: Towing Policy
Policy Number: 2018 – Tow Policy
Policy Effective Date: 06/01/2018

PURPOSE

The Faulkner County Sheriff's Office (FCSO) deputies must know when the towing of certain vehicles is authorized. Owners or operators of a disabled vehicle for which towing is required will be encouraged to specify a towing service of their own choice whenever possible. When required, the Deputy will request needed wreckers, and a tow log will be maintained by the FCSO to ensure wreckers are called on a rotation basis.

DEFINITIONS

As used in this policy, the listed terms are defined as follows:

- A. Vehicle:** A vehicle that is self-propelled and capable of transporting a person or persons or any material or any permanently or temporarily affixed apparatus shall be deemed a motor vehicle.
- B. Tow Vehicle:** Any motor vehicle and/or related equipment subject to registration in the State of Arkansas that is used to tow, recover, upright, transport, or otherwise facilitate the movement of vehicles on public roadways.
- C. Equipment:** Any vehicle and/or related equipment used by a member of the towing industry to recover, upright, transport, or to otherwise facilitate movement of vehicles on public roadways.
- D. Non-Consent:** The towing, storage, or recovery of any unattended or abandoned vehicle or any disabled or inoperative vehicle for which the owner preference is waived by the owner or person in charge thereof. When the driver of such vehicle is taken into police custody and/or is unable to make a legitimate disposition of the vehicle or when the vehicle is needed as evidence and/or is used in the commission of a crime.
- E. Consent:** Towing, storage, or recovery of any vehicle, which towing, storage or recovery is done with the permission of the owner or other person in charge of the vehicle.
- F. Tow Vehicle Safety Permit:** A decal issued by the Arkansas Towing and Recovery Board to be affixed to the windshield of any tow vehicle operated by a member of the towing industry.
- G. Storage:** A daily fee required by a towing company to secure and safely store a vehicle.
- H. Person:** Any individual, partnership, corporation, association, or other entity.
- I. Application Period:** The period of time beginning on October 1st and ending November 30th every year during which time the FCSO accepts application packets from towing companies who either wish to remain on or be placed on the Tow Company Rotation List.
- J. Company:** Towing company submitting an application to be placed on the rotation list of qualified towing companies being used by the FCSO.
- K. Tow Company:** Towing company selected from the pool of company applicants meeting needs, requirements, and conditions for placement in the Rotation for use by the FCSO. An applicant company may be placed on a waiting list and activated as tow company positions become available.
- L. Rotation:** The order in which the Tow Company is selected will determine its place and corresponding position to be on-call for the FCSO. Tow companies that are selected will be placed on the rotation list. New tow companies will be placed at the end of the current Rotation.
- M. Rotational Term:** The Rotation will cycle sequentially from call to call through the list of tow companies and will repeat once the cycle is complete.
- N. Service(s):** Towing services requested by the FCSO.

- O. Towed Vehicle:** Any vehicle towed at the request of the FCSO.
- P. Light-Duty Tow Vehicle:** A tow vehicle as defined by the Arkansas Towing and Recovery Board Regulations 7.4 shall be classified as Light Duty: nine thousand (9,000) pounds through fifteen thousand (15,000) pounds Gross Vehicle Weight Rating (GVWR).
- Q. Medium-Duty Tow Vehicle:** A tow vehicle as defined by the Arkansas Towing and Recovery Board Regulations 7.4 shall be classified as Medium Duty: fifteen thousand one (15,001) pounds through thirty three thousand (33,000) pounds Gross Vehicle Weight Rating (GVWR).
- R. Heavy-Duty Tow Vehicle:** A tow vehicle as defined by the Arkansas Towing and Recovery Board Regulations 7.4 shall be classified as Heavy Duty: thirty three thousand one (33,001) pounds and over Gross Vehicle Weight Rating (GVWR).
- S. Gross Vehicle Weight Rating (GVWR):** The gross vehicle weight rating of vehicle as physically listed on the vehicle or listed in manufacturer's publications.
- T. Owner Preference:** The statutory right of a vehicle owner, his or her agent, or any competent occupant of a disabled or inoperative vehicle to request some responsible and reasonable person, gratuitous bailee, or bailee for hire of his or her choosing to take charge and care of the vehicle.

Any other words are to be defined by industry standard, common usage, or plain meaning.

POLICY

- A.** It is FCSO's policy to utilize services of licensed and permitted non-consent tow companies that are in compliance with Arkansas state statutes pertaining to towing and who abide by rules and regulations declared by the Arkansas Towing and Recovery Board. Compliance with these regulations and requirements will provide a level of safety to the motoring public, law enforcement, and first responders on the scene, as well as the tow operator. These standards are also intended to protect motorists from potential unethical or unfair business practices.
- B.** The scope of this policy affects the following:
 - ◆ Property and Evidence
 - ◆ Towing of Vehicles / Wrecker Service Calls
 - ◆ Traffic Operations
- C.** Operational Documents:
 - ◆ Tow Company Rotation List Application
 - ◆ Vehicle Inventory Form (triplicate)
 - ◆ Tow Violation Sticker

CONSENT/NON-CONSENT TOWING PRACTICES AND PROCEDURES

- A. Towing Situations-(general towing situations but not limited to)**
 - 1. Accident:** Any vehicle involved in an accident shall be removed to the shoulder of the road or elsewhere as soon as possible after necessary accident investigation information has been obtained. Vehicles shall be removed from the shoulder without unnecessary delay.
 - a. At no expense to owner, vehicles may be pushed at no expense to the shoulder of the road or other legal parking spot that does not obstruct or impede vehicle travel on the roadway.
 - b. If this is not possible, and a traffic hazard is potentially created, towing of the vehicle at the expense of the owner may be ordered by the investigating Deputy.
 - 2. Emergency Situation:** Any vehicle found illegally parked in the vicinity of a fire, traffic, or airplane accident, or area of emergency that creates a traffic hazard or interferes with the necessary work of law enforcement, fire, or other rescue workers may be ordered towed by a Deputy at the expense of the owner.

3. **Impeding/Danger to Traffic:** No vehicle shall be stopped in such a manner as to impede or render dangerous the use of the highway of others, except in cases of mechanical breakdown or accident. If such disabled vehicle is not promptly removed and creates a traffic hazard, the Deputy may order the vehicle towed at the expense of the owner.
4. **Blocking Driveway or Parking Area:** Any Deputy discovering or having report of any motor vehicle, trailer, or other vehicle blocking a driveway or parking area, or obstructing or interfering with the movement on any driveway or parking area without the land owner's permission may order the vehicle towed at the expense of the owner of the vehicle.
5. **Unattended Traffic Hazard/Violation of Law:** Deputies may tow any motor vehicle found on the public street or grounds unattended by the owner/operator that constitutes a traffic hazard or is parked in such a manner as to be in violation of the law.
6. **Unattended Vehicle:** Means a vehicle that is Left on public property without the consent of an authority in charge of the property or on or near a public way without some person, gratuitous bailee, or bailee for hire in possession of the vehicle and that:
 - a. Located within a distance of three feet (3') of the traveled surface of the public way;
 - b. Located on or near a public way at a distance of three feet (3') or more of the traveled surface of the public way for a period of twenty-four (24) hours or more; or
 - c. Not located on or near a public way but is left for a period of forty-eight (48) hours or more
7. **Abandoned Vehicle:** Means a vehicle deemed to be an unattended vehicle as defined in this section:
 - a. As to which the owner has overtly manifested some intention not to retake possession; or
 - b. That remains unattended, whether in its first-found location or in another location to which it has been removed under this subchapter, for a period of thirty (30) days during which period the owner gives no evidence of an intent to retake possession.
8. **Removal from Private Property:** Property owners, etc., may act immediately to have vehicles towed that are occupying lot, area, space, building, or part thereof without their permission.
9. **Evidence/Crime Involvement:** Vehicles that must be processed as evidence, having been involved in the commission of a crime, will be towed at the request of the Deputy to the appropriate facility directed by FCSO. When all evidentiary processing has been completed, vehicles may be released to owners upon presentation of proof of payment of the tow bill.
10. **DWI Vehicles:** A vehicle driven by a DWI suspect will be:
 - a. Towed by the next wrecker on the rotation list, or
 - b. Left at the registered vehicle owner's residence should the arrest occur at the driver's residence at the discretion of the Deputy or
 - c. Released to a sober licensed driver per the owner's request at the discretion of the Deputy.
11. **Other Arrest:** Non-Consent tow due to arrest of driver/owner
 - a. Towed by the next wrecker on the rotation list, or
 - b. Left at the registered vehicle owner's residence should the arrest occur at the driver's residence at the discretion of the Deputy or
 - c. Released to a licensed driver per the owner's request at the discretion of the Deputy.

B. Towing Procedure

1. The Deputy should know under which provision of departmental policy the vehicle will be towed.
2. It is always preferred to have the vehicle owner/operator name the Tow Company to be used when applicable.
3. If the owner/operator does not wish to specify a tow company or is not available to make a choice, the Deputy will request the next wrecker from the Tow Company Rotation List.
4. In an emergency situation involving major traffic congestion or officer/public safety, the Deputy will request the closest/most readily accessible Tow Company.

5. The Deputy will advise Communications if the oversized vehicle(s) are involved.
6. The Deputy will advise Communications when a vehicle owner/operator requests a specific Tow Company. Communications will make an entry in the CAD system noting the owner's request.
7. The Deputy will advise Communications when the wrecker arrives on scene.
8. The Deputy may place a "hold" on a towed vehicle pending an investigation.

C. Inventory

1. A **Vehicle Inventory Report** will be completed when a Deputy assumes responsibility of a vehicle that is being towed which includes, but is not limited to, all on-consent tows.

ROTATION LIST APPLICATION

- A. Any company with a base of operations in Faulkner County that wishes to provide services must submit an application packet annually. Under no circumstances will companies be added as a Tow Company to the rotation list without completing and submitting an application packet.
- B. An application packet will also be required for the current Tow Companies wanting to maintain their place in the Rotation. Once the Application Period is closed, no other applications will be accepted by the FCSO. Pursuant to **Arkansas Code Annotated § 27-50-1219 Suspension from Law Enforcement Non-consent Rotation List**.
- C. The FCSO shall provide each Applicant Tow Company that wishes to participate in the non-consent rotation with a copy of the policy, and each company owner shall acknowledge in writing that he or she has received a copy of the policy by completing the **Tow Policy Notification**.
- D. Required documents and information in the application packet:
 1. **Application Form** must include/identify:
 - a. Company's owner(s).
 - b. Company's physical location.
 - c. Storage area(s) location if different from physical location.
 - d. Any and all licenses and copies of current approved tow **Vehicle Safety Equipment Inspection Forms** for each tow vehicle to be used with the permit number referenced for consensual and non-consensual towing as required by the Arkansas Towing and Recovery Board.
 - e. All tow vehicles listed for use in non-consent rotation must successfully pass a North American Level 1 DOT Inspection as prescribed by the Arkansas Highway Police.
 - ∴ A copy of the **North American Level 1 DOT Inspection Form** for each vehicle must be included in the application packet.
 - ∴ Inspection will be conducted by certified personnel not working for the company that is applying for rotation.
 - ∴ Three (3) photos of each tow vehicle must accompany each inspection sheet (front, rear, entire driver's side for verification of tow vehicle type and proper markings).
 - f. The application packet must contain copies of disciplinary action taken against the company by the Arkansas Towing and Recovery Board within the last five (5) years prior to the current application packet being submitted. Results of all appeals contesting the Arkansas Towing and Recovery Board disciplinary action and copies of these documents must be provided and submitted by the applicant company.
 - g. Copies of any additional training certificates relating to the towing and recovery industry (owners / drivers).
 - h. Copies of current **Arkansas Vehicle Registration** forms for each tow vehicle to be used while providing services to the FCSO.
 - i. Detailed copy of the tow company's fee sheet.

2. Tow Vehicle Requirements

- a. Ownership or lease must be maintained at all times on all tow vehicles used to provide service for the FCSO while in the Rotation.
- b. Proof of ownership or lease showing the company has legal possession the following:
 - ∴ Ownership or Long-Term Lease of one (1) light duty wrecker:
 - ◇ Capable of hoisting and/or for towing a vehicle during recovery and/or transport equipped with dual rear wheels
 - ◇ Rated at a minimum of nine thousand (9,000) pounds GVWR
 - ◇ Include winches with an eight thousand (8,000) pound minimum capacity used for recovery and/or hoisting and for towing a vehicle during transport
 - ∴ Ownership or Long-Term Lease of one (1) medium duty wrecker as defined by Towing and Recovery Board Regulation Rule 7.4, excluding rollback tow vehicles:
 - ◇ Equipped with an under-lift device rated at no less than sixty five hundred (6,500) pounds at full extension.
 - ◇ Capable of hoisting and/or for towing a vehicle during recovery and/or transport equipped with dual rear wheels
 - ◇ Rated at a minimum of fifteen thousand one (15,001) pounds thru thirty three thousand (33,000) pounds Gross Vehicle Weight Rating (GVWR).
 - ◇ Include winches with an eight thousand (8,000) pound minimum capacity used for recovery and/or hoisting, and for towing a vehicle during transport
 - ◇ Winch capacity and cable size shall increase proportionately with the Gross Vehicle Weight Rating (GVWR) increase.
 - ∴ Ownership or Long-Term Lease of one (1) heavy duty wrecker thirty three thousand one (33,001) pounds and over Gross Vehicle Weight Rating (GVWR) as defined by Arkansas Towing and Recovery Board Regulation Rule 7.4:
 - ◇ Equipped with tandem rear axles and equipped with an under-lift device rated at no less than twelve thousand (12,000) pounds at full extension.
 - ◇ Capable of towing / recovering the following, including but not limited to buses, straight trucks, trailers, refuse trucks, construction vehicles, semi-trailers, and tractor-trailer combinations.
- c. A minimum of four (4) wrecker or tow vehicles is required to meet the above specifications. When a specific wrecker is required and unavailable, the next larger wrecker will be used at the lower price point.
 - ∴ One (1) light duty wrecker
 - ∴ One (1) medium duty wrecker
 - ∴ One (1) medium duty rollback
 - ∴ One (1) heavy duty wrecker
- d. Vehicles used by participating wrecker or tow companies shall be equipped with the equipment required by Rule 7 ("Equipment Requirements") as declared by the Arkansas Towing and Recovery Board's rules and regulations (Arkansas Code Annotated § 27-50-1201 et seq.), and those additional items commonly used in towing and recovery industry.

POLICY TERMS

A. Tow Company Selection

1. If a company is selected as a Tow Company, the owner(s) and all driver(s) used to provide service for the FCSO will be required to provide proof of Traffic Incident Management (TIM) responder training within four (4) months. If the company has already completed TIM responder training, copies of certificates/training rosters will need to be included in the application packet.

2. If a company is selected as a Tow Company to provide service for the FCSO, owner(s) will be required to take the following National Incident Management System (NIMS) courses offered by Federal Emergency Management Agency (FEMA). These courses are free of charge, web-based, and provide a consistent nationwide template to enable all government, private-sector, and nongovernmental organizations to work together during domestic incidents. Owner(s) will be required to provide proof of NIMS training within four (4) months. If the company has already completed NIMS training, copies of certificates/training rosters will need to be included in the application packet.
 - › IS 700 - National Management System (NIMS), An Introduction
 - › ICS 100 - Introduction to Incident Command System (ICS)
 - › ICS 200 - ICS for Single Resources and Initial Action Incidents
3. All packets will be reviewed to the satisfaction of the FCSO's Tow Review Board/Crash Review Board, which is a group of select individuals mandated to establish and review policies for the FCSO. The Tow Review Board/Crash Review Board meets monthly. Oral interviews with the company may be required at the discretion of the Sheriff or his/her designee. The Applicant Company may be placed on a waiting list and activated as tow company positions become available.

B. Liability Insurance

1. Proof that the company is covered by general liability insurance of at least \$750,000 or the minimum amount required by the Arkansas Towing and Recovery Board, whichever is higher.
2. Company must have the following insurance coverage for on-hook vehicles or Arkansas Towing and Recovery Board required minimum, whichever is higher.
 - › Light Duty \$50,000 limit
 - › Medium Duty \$100,000 limit
 - › Heavy Duty \$200,000 limit
3. Company providing copies of the certificate of liability insurance will ensure that vehicles to be used while providing services to the FCSO are included on or as an attachment to the certificate with all (general liability, on-hook, etc.) appropriate insurance liability limits.

C. Combined Services

1. Two (2) or more companies may join together to provide services pursuant to this request for qualifications; however, the FCSO will recognize both companies as one (1) entity. Any entity resulting from the combination of two (2) or more tow companies must provide written documentation identifying the legal relationship of the entity. Further, representatives of the entity must provide documentation evidencing their authority to execute agreements on behalf of the entity, which legally binds the entity to such agreements. The FCSO shall have a single point of operational contact with the entity that is formed pursuant to this provision.
2. Two (2) or more companies with the same physical address or with a single-point-of-operational contact will be considered one (1) entity for purposes of the above requirements and for purposes of consideration of placement on the Tow Company Rotation List.

D. Rotation Sequence Determination

1. The number of tow companies needed for Rotation by the FCSO will be determined by the Sheriff.
2. Tow companies that are selected will be placed in the rotation on the first day of the new rotation cycle.
3. The rotational terms will sequentially cycle from call to call through the list of tow companies and will repeat once the cycle is completed.

E. Requirements of Tow Companies

To achieve and maintain tow company status, tow companies must agree to conform to the following regulations and specifications. Failure to conform to these regulations and specifications will constitute grounds for summary removal of the Tow Company from the FCSO Rotation.

1. Provide a base of operations and secured storage area within the jurisdiction of Faulkner County and be accessible to the public.
2. Must have a secure storage area to prevent entrance by unauthorized person(s) and must hold itself responsible for any theft or vandalism to vehicles or other property within its control.
 - a. The perimeter of all storage areas used by the tow company shall have fencing installed.
 - b. The fencing shall be of a chain-link type or equivalent, six (6) feet or higher in height, and topped by no fewer than two (2) strands of barbed or razor wire.
3. Tow companies that maintain storage areas are required to have monitored video surveillance and continuous record capabilities.
 - a. Tow companies shall make available video surveillance recordings to any FCSO Deputy upon request.
 - b. Surveillance video must be maintained for a minimum of thirty (30) days.
4. Any change of ownership or change in company name shall require the company to reapply to be added as a Tow Company to the rotation list.
5. Tow companies shall hold Faulkner County and the FCSO harmless for damages to towed vehicles, theft of towed vehicles, and items missing from towed vehicles from the time that the Tow Company takes control of the vehicle.
6. The Tow Company agrees to hold Faulkner County and the FCSO harmless of and from any and all liability negligence or from any damage occurring to towed vehicles while the vehicles are in the Tow Company's possession or control regardless of Tow Company's negligence.
7. The Tow Company will immediately notify FCSO with any changes/additions to driver(s) and/or wrecker(s) listed on the Rotation List Application during terms of this agreement.
8. Tow Company shall be prepared to provide services whenever the FCSO calls for service.
 - a. If the Tow Company is nonresponsive or fails to arrive within thirty (30) minutes from the FCSO initial call for services then the next Tow Company in the rotation will be contacted for service. (Forty-five (45) minutes during peak traffic hours. Peak hours are Monday through Friday 6:30 a.m. to 8:30 a.m. and 5:00 p.m. to 7:00 p.m.)
 - b. If for any reason the Tow Company is delayed in route due to traffic, weather, or other adverse highway conditions, Dispatch shall be contacted immediately.
 - c. During emergencies, disasters, inclement weather, or other times when the Tow Company is unable to provide timely service, the FCSO reserves the right to use the next Tow Company in the Rotation.
 - d. Each Tow Company must, upon request for service by the FCSO, either immediately makes available a suitable tow vehicle and qualified operator, or else immediately inform the requesting FCSO employee that no suitable tow vehicle is available so that services may be obtained from another participating Tow Company if necessary.
 - e. A Tow Company may not summon the services of another Tow Company to respond to a FCSO call.
9. Tow Company must allow for the release of vehicles towed for the FCSO seven (7) days per week from 8 a.m. to 5 p.m.
 - a. The Tow Company must have a telephone number in the name of their business published in the local telephone directory or accessible through directory assistance and/or the Internet.
 - b. This number must be answered seven (7) days a week from 8 a.m. to 5 p.m.

10. Upon arrival at an accident scene, the Tow Company will stand by so as not to disturb the scene of an accident during the investigative process and will not proceed to work on or remove any vehicle until authorized to do so by a Deputy.
 - a. Any tow vehicle driver or employee of the Tow Company working outside of the tow vehicle is expected to wear High Visibility Safety Apparel (HVSA) the Code of Federal Regulations (23 CFR Part 634) implemented for Federal Aid Highways. The HVSA Standard: ANSI/ISEA 107-2015 Type R (Roadway) Class 3, compliant with the MUTCD (Manual of Uniform Traffic Control Devices) requirements will be used by Tow Company.
 - b. Any operator of a tow vehicle is expected to have the working knowledge necessary to operate safely and maintain the equipment used while providing services for the FCSO.
 - c. All tow operators shall conduct themselves in a professional and courteous manner.
11. It shall be the responsibility of every Tow Company to remove or provide for the removal of all debris from the street before leaving an accident scene in accordance with Arkansas Code Annotated § 27-31-1405. If vehicle parts or debris are left at the scene of an accident the Tow Company will be notified and will be required to dispatch a clean-up crew immediately at no additional cost to the vehicle owner or the insurance company.
12. All tow companies will have appropriate signage identifying the Tow Company by name, phone number, and address, and it shall be easily visible.

F. Invoices

1. Invoices for services provided to the FCSO should be sent to Faulkner County Sheriff's Office at 801 S. Locust Street, Conway, AR 72034, attention Fiscal Officer.
2. A list of fees or related documents made available to a citizen by the Tow Company shall indicate that a complaint concerning services provided should be made to the Sheriff or Designee at (501) 450-4914.

G. Non-Consent Permit

1. The Tow Company shall be in possession of a current "Non-Consent Permit" as issued by the Arkansas Towing and Recovery Board, as mandated by Arkansas Code Annotated § 27-50-1201. The Tow Company shall also hold any and all permits that may be required by other state laws.
 - a. A copy of the Non-Consent Permit shall accompany the company's application to the FCSO. Such permits shall be displayed at the place of business or on the tow truck as prescribed by law.
 - b. Tow Company shall be in full compliance with all state and local license requirements, Arkansas Code Annotated § 27-50-1101, and be properly permitted and in good standing with the Arkansas Towing and Recovery Board. Tow Company must report any change in status immediately to the Sheriff or Designee.

H. Insurance

1. All tow companies participating in the Rotation must carry valid insurance for all tow vehicles in compliance with this rule and the Arkansas Towing and Recovery Board requirements.
 - a. All insurance must meet or exceed the limits required by this policy.
 - b. If required insurance is terminated for any reason, the Tow Company will immediately notify the FCSO and be removed from the Rotation and cease all services.
2. Tow companies will list the FCSO as a Certificate Holder on the insurance certificate(s) and provide proof of such.
3. When insurance policies are updated or renewed, the Tow Company will provide proof of such.

I. Business Conduct

1. Towing operators that respond to FCSO calls shall not have a felony conviction or a theft-related misdemeanor within the last (5) five years. Prior convictions will be considered on a case-by-case basis. The Sheriff shall have complete discretion when weighing the desire of the towing company to be placed on the list against public confidence in FCSO's tow list.
2. No Tow Company shall accept a call for service if the tow vehicle operator is under the influence of any substance that could cause impairment.
3. While conducting business for the FCSO, the owner(s) and any employee(s) of the Tow Company's business shall comply with all federal and state laws.
4. The owner(s) and any employee(s) of the Tow Company's business shall comply with all requirements of the FCSO policy concerning Regulations, Specifications, and Authorizations for Approved Towing and Recovery Rotation.
5. Any disciplinary action taken against the Tow Company by the Arkansas Towing and Recovery Board will be reported immediately to the Sheriff or Designee. Results of all appeals contesting the Arkansas Towing and Recovery Board disciplinary actions will be reported immediately to the Sheriff or Designee.

J. Training

1. As a Tow Company, owner(s) and all driver(s) used to provide service for the FCSO will be required to provide proof of Traffic Incident Management (TIM) Responder Training within four (4) months.
 - a. When the Tow Company has completed TIM Responder Training, copies of certificates/training rosters will need to be provided to the Sheriff or Designee.
 - b. TIM Responder Training will be a requirement should the Tow Company hire new employees used while providing services to the FCSO.
2. As a Tow Company, all owner(s) used to provide service for the FCSO will be required to take the following National Incident Management System (NIMS) courses offered by Federal Emergency Management Agency (FEMA). These courses are free of charge; web based, and provides a consistent nationwide template to enable all government, private-sector, and nongovernmental organizations to work together during domestic incidents. Owner(s) will be required to provide proofs of NIMS training within four (4) months of becoming a Tow Company.
 - › IS 700 – National Management System (NIMS), An Introduction
 - › ICS 100 – Introduction to Incident Command System (ICS)
 - › ICS 200 – ICS for Single Resources and Initial Action Incidents

K. Towing Vehicles/Equipment

1. If the Tow Company has a change in towing equipment (new, leased, etc.) used while providing services to the FCSO during the rotation period, they must submit copies of the following to the FCSO's Designee:
 - a. Vehicle registration
 - b. Approved **Tow Vehicle Safety Equipment Inspection Forms**
 - c. Insurance certificates and a copy of the **North American Level 1 DOT Inspection Forms**
 - d. Photos of each tow vehicle must accompany each inspection sheet (front, rear, entire driver's side for verification of tow vehicle type and proper markings).
2. Tow companies will notify the Sheriff or Designee if a tow vehicle assigned to the non-consent rotation becomes disabled due to mechanical failure, motor vehicle accidents, or other issues not specified. It will be at the discretion of the Designee as to what action will be taken upon reviewing all information provided and how long it will take to get the tow vehicle back in service.

L. Voluntary Removal

A Tow Company may remove itself from the rotation list by giving the FCSO thirty (30) days written notice from the owner(s) or authorized representative.

M. Discrimination

All tow companies must agree not to discriminate against any individual on the basis of race, color, creed, religion, sex, national origin, age, disability, marital status, sexual orientation, or genetic information while providing services to the FCSO.

N. Recommended Fees

1. Standard tow fees charged by a Tow Company currently on the FCSO Tow Rotation List that exceed the recommended fees as governed by the Arkansas Towing and Recovery Board could cause the Tow Company to be reevaluated by the Sheriff.

NOTE: As per the Arkansas Towing and Recovery Board: 1.15 “standard tow” is any tow of a vehicle subject to registration in the State of Arkansas, removed from private property, accident scene, side of the roadway, etc., towed in a fashion regularly accepted as routine, to include regular preparation for the tow, response, hookup, loading, unloading, and transportation back to facility within a reasonable operating perimeter.

2. Failure to comply with any of the Sheriff’s findings could result in removal from the Tow Rotation List.

O. Termination

If at any time the Tow Company is found in violation of this Policy and/or receives disciplinary action from the Arkansas Towing and Recovery Board, the Sheriff has the discretion to terminate this Agreement effective immediately.