



---

**GAINESVILLE POLICE DEPARTMENT  
RULES FOR PROVISION OF  
ROTATION TOWING SERVICES**

## **GAINESVILLE POLICE DEPARTMENT**

### **RULES FOR PROVISION OF ROTATION TOWING SERVICES**

The Gainesville Police Department (GPD) Towing Rotation List (TRL) establishes a towing services operator (“Operator”) network for the removal of wrecked or disabled motor vehicles from crash scenes, in the event a vehicle owner or operator is incapacitated or unavailable or leaves the procurement of towing services to the investigating GPD officer at the scene. The GPD TRL is established for exclusive use by GPD, to help ensure that private citizens receive professional and prompt towing services from qualified and reputable Operators. These rules apply only to those Operators approved for, and listed on, the GPD TRL.

To best serve the needs of GPD, the City of Gainesville and those citizens operating motor vehicles on its streets, the GPD Towing Administrator reserves the right to:

- 1.** Amend these rules in any way, at any time.
- 2.** Determine the maximum rates charged for the towing and storing of vehicles.
- 3.** Limit the total number of Operators participating in the GPD TRL to a number ample to fulfill the rotation towing needs of GPD. Once the sufficient number of participants has been determined, the TRL will be frozen until such time as an Operator withdraws or is removed from the TRL.

The Gainesville Police Department shall not be held liable or responsible for any fees or charges incurred and/or owed by a private vehicle owner to any Operator authorized by, and listed on, the GPD TRL. The Gainesville Police Department will not be held liable or responsible for damages to a vehicle or any property caused by any Operator authorized by, and listed on, the GPD TRL.

## **A. Application/Registration Process; Fees**

- 1.** Each Operator must make application to the GPD Towing Administrator for inclusion on the TRL by completing and submitting a registration packet. The registration packet must be completed in full and signed by the Operator business owner. The registration fee listed in Appendix A must be submitted along with the registration packet. This fee is non-refundable, whether or not an Operator is selected for inclusion on the TRL.
- 2.** Annually thereafter, Operators selected for inclusion on the TRL shall submit an updated registration packet and pay the registration fee. Failure to submit the completed registration packet and/or pay the registration fee in full and in a timely manner shall result in the immediate suspension of the Operator from the TRL.
  - a.** If the registration packet and/or fee payment is overdue more than thirty (30) days, but less than sixty (60) days, the Operator shall be suspended from the TRL and shall incur an additional \$50.00 late fee. Such suspension shall continue in effect until such time as the packet is submitted and/or the registration fee is paid in full.
  - b.** If the registration packet and/or fee payment is overdue more than sixty (60) days, the Operator shall be removed from the TRL for a minimum of one calendar year.
- 3.** Applications will be processed in the order received by the Towing Administrator, with the exception of an application that is incomplete, improperly filled-out, or lacking the registration fee. Such an application will lose its place, in terms of the order received, and will not be processed until completed or corrected, as required.
- 4.** The Towing Administrator shall deny an applicant's inclusion on the GPD TRL if the Operator:
  - a.** Fails to meet or comply with any of the provisions of these rules.
  - b.** Fails to pay any registration and/or administrative fees.
  - c.** Submits an application which contains deliberately and intentionally misleading or falsified information.
  - d.** Fails to provide all required information or to complete the application packet in full.
  - e.** Fails to maintain any local or state license required for the operation of a towing service.
  - f.** Fails to have or maintain the place of business within the city limits of Gainesville.
  - g.** Fails to maintain a place of business wherein:
    - 1)** There is a sign posted on the exterior which identifies the business as a towing service.
    - 2)** There is office space, staffed from at least 8:00 a.m. to 5:00 p.m., Monday through Friday, with the exception of holidays.
    - 3)** There is a telephone communications system in place to allow for the answering of calls, 24 hours per day.

## **B. Calls for Service**

- 1.** Operators will be subject to call, by class, for service by GPD via the Combined Communications Center (CCC), in succession from the top of the GPD TRL. Following each completed call for service, Operators will be rotated to the bottom of the list.
- 2.** Operators shall be on call to receive requests for services 24 hours per day, seven days per week.

- 3.** Calls for service must be physically answered by the owner or employee of a towing services operator. CCC will **not** leave a message for the purposes dispatching a call for service on answering machines, voicemail, answering services or pagers.
- 4.** In the event a call for service to an Operator by CCC is not answered, or answered by voicemail, answering machine or any other device, CCC will immediately disconnect, then call back a second time. If the call is again unanswered or answered by device, the Operator will be rotated to the bottom of the list and the next available Operator on the list will be called for service.
- 5.** An Operator may be bypassed for a call, despite its position at the top of the list, in the event it lacks the appropriate, specialized or specific equipment required for a particular crash scene (e.g., a Class “C” Wrecker). An Operator thus bypassed will not be rotated and will retain its position on the list.
- 6.** In the event of specialized recovery or removal requirements not otherwise met by Operators on the TRL, CCC shall call outside the list.
- 7.** The GPD officer on-scene may cancel a request for services of an Operator at any time.
- 8.** In the event of cancellation or response without rendering service, the Operator will not be rotated and will retain its position on the list.
- 9.** The Operator specifically requested by a vehicle owner will not be rotated and will retain its position on the list.
- 10.** Operators are prohibited from calling CCC or GPD to ascertain their current position on the TRL.

### **C. Response to Calls for Service**

- 1.** Operators must respond to all GPD TRL calls for service by CCC within thirty (30) minutes or less, under normal conditions and circumstances.
  - a.** In the event an Operator cannot respond within thirty minutes, the Operator shall notify CCC of the estimated duration of and reasons for the delay. The investigating GPD officer on the scene will be apprised of the situation by CCC and may elect to have the next available Operator on the TRL called. The original Operator called shall then be rotated to the bottom of the list.
- 2.** The Operator shall respond to a call with a tow truck or “wrecker” classified to meet or exceed the size of the vehicle to be towed.
- 3.** In the event an Operator called from the TRL arrives at a scene and discovers that it is unequipped to accomplish the recovery or removal of a vehicle, that Operator is prohibited from delegating or requesting assistance from another towing company, whether or not that company is an authorized GPD TRL Operator. The Operator will contact CCC and/or the investigating officer and notify them of the situation. CCC shall then call the next available and appropriately equipped Operator from the TRL. The original Operator will not be rotated and will retain its position at the top of the list.
- 4.** For vehicle crashes involving multiple disabled vehicles, the Operator subject to call by class from the TRL will be advised on the number of wreckers needed to separately remove each vehicle and will be given the option of removing all of the disabled vehicles if the Operator maintains a sufficient number of qualified drivers and wreckers. If the Operator lacks the capacity to remove all of the vehicles at a scene, it will nevertheless be called and additional Operators will be called as needed from the TRL.

- a. The first Operator called from the list will have a choice of wrecked vehicles. If the first-listed Operator does not arrive on the scene within a reasonable time, the investigating GPD officer will assign vehicles as he/she believes necessary, to available Operators.
  - b. The first Operator on the scene may be required to move vehicles from the roadway, and such movement will not affect the choice of wrecked vehicles. No fee shall be assessed for such services.
5. If the Operator responds to a call pursuant to these rules and removal of a vehicle is not required, the Operator may charge a reasonable fee, not to exceed \$35 for the following (the fee does not include the cost of parts or labor required for any authorized vehicle repairs made at roadside, which may be charged by the Operator in addition to the service fee):
- a. Changing a flat tire
  - b. Providing gas
  - c. Use of jumper cables
  - d. Assisting in starting a vehicle
  - e. Unlocking a vehicle
6. The Operator is prohibited from assessing a towing charge if the vehicle is not removed. If the Operator renders services other than towing a vehicle, it will not be rotated and will retain its position on the top of the list.

#### **D. Towing Services Operator Requirements**

1. All Operators and drivers must possess a valid Florida driver's license. Prior to approval, the GPD Towing Administrator shall obtain background information on each driver, including criminal history and driver history records.
2. **GPD Rotation Towing Driver Permit/ID Badge:** All Operators and drivers shall be required to obtain and display, on their person and also in the cab of their vehicle, easily visible to the public, the GPD-issued driver permit(s). Operators and drivers must display the driver permit at all times whenever providing services from the TRL. The permit is valid for two years from the date of issue. In order to secure a driver permit a driver must not have been convicted, pled nolo contendere to, nor had adjudication withheld for any of the following:
- a. Any capital felony, any first degree felony, sexual battery, any violent felony involving the use of a gun or knife or which results in great bodily harm.
  - b. Within the previous ten years, any violent felony.
  - c. Within the previous ten years, any felony or first degree misdemeanor directly related to the business of towing motor vehicles; repossession of motor vehicles; motor vehicle theft; car jacking or chop shops; or liens for recovering, towing, or storing vehicles and vessels.
  - d. Within the previous five years, of either:
    - 1) Driving under the influence of alcohol, a controlled substance, or chemical substance.
    - 2) Driving with an unlawful blood alcohol level.
3. Operators shall immediately notify the Towing Administrator of any changes in drivers, vehicles, insurance coverage or any other changes relating to ownership or management of the business.

4. Operators and their drivers are required to comply and be familiar with the Florida Uniform Traffic Control Law, Chapter 316, FSS.
5. Operators called to the scene of an accident from the GPD TRL shall remove involved vehicles only at the direction of the investigating officer.
6. 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), FSS.
7. Operators shall not solicit business from citizens involved in a vehicle crash under any circumstances.
8. Operators shall maintain the following policies of insurance according to the minimum limits set forth below. Each policy shall be in the name of the Operator and shall include coverage for towing and storage. The policy shall be effective throughout the period that the 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, FSS., in addition to any other insurance requirements as required by this rule:
    - 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.
    - 3) Three hundred thousand dollars (\$300,000) per occurrence for a wrecker with a gross vehicle weight of 44,000 pounds or more.
9. The insurance coverage required shall include those classifications that are listed in standard liability manuals, which most nearly reflect the operations of wrecker operators.
10. All insurance policies required above shall be issued by companies authorized to do business in the State of Florida.
11. The wrecker operator shall furnish certificates of insurance to the Towing Administrator prior to approval for participation on the GPD TRL, and thereafter thirty (30) 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 classifications required for compliance with this rule and that no material change or cancellation of the insurance shall be effective without thirty (30) days prior written notice to the Towing Administrator.
12. **Per-Rotation-Tow Fee:** Operators shall be assessed a **\$25.00** fee for every vehicle towed by that operator in response to a call for service from the TRL.
  - a. **Monthly Billing:** Operators will be billed monthly, based upon the total number of vehicles towed by the Operator in that month.
  - b. **Failure to pay the Per-Rotation-Tow Fee:** Payment in full of per-rotation- tow fees are due within thirty (30) days of the date a billing is sent out. Failure to pay said fees within the prescribed timeframe may result in the immediate suspension or removal of an Operator from the TRL:

**c. Overdue Payment of Per-Rotaion-Tow Fees: Penalties**

- 1) If payment is overdue more than thirty (30) days, but less than sixty (60) days, after billing is sent out, the Operator shall be suspended from the TRL. Such suspension shall continue in effect until such time as the overdue fees are paid in full.
- 2) Payment of in full of overdue fees within sixty (60) days of a billing being sent out shall result in the immediate reinstatement of an Operator on the TRL.
- 3) Non-payment of overdue fees for a period more than sixty (60) days shall result in the removal of an Operator from the TRL for a minimum of one calendar year. Full payment of all overdue fees shall be required before an Operator will be considered for reinstatement on the TRL.

**13. Rotation Tow Log:** Operators are required to keep and maintain a rotation tow log with the following information, and to keep all such logs on file for a minimum period of tow (2) years, and make such logs available for inspection upon request.

- a. Date and time of rotation tow
- b. Location/Address from which the vehicle was towed
- c. GPD Case Report number (if applicable)
- d. Vehicle Description: make, model, year, tag number
- e. Wrecker Driver Name
- f. Wrecker Unit Number

**E. Tow Truck Classification and Required Equipment**

1. Each tow truck (“wrecker”), trailer or other related equipment utilized by an Operator for the provision of TRL services shall be of commercial manufacture.
2. **Wrecker Inspection:** All wreckers and associated equipment shall be inspected by the Towing Administrator or designee, and approved for duty before being placed into service on the TRL. Thereafter, wreckers and equipment shall be subject to periodic checks as necessary to ensure compliance with these rules.
3. **GPD Rotation Tow Vehicle Permit:** All wreckers approved to provide services to the TRL shall display the GPD-issued decal on the front or rear windshield.
4. Failure of a wrecker to pass vehicle inspection as per the requirements of these Rules shall require the following actions:
  - a. The failed wrecker unit shall be immediately suspended from use on the list by the Towing Administrator pursuant to the “Notice of Emergency Suspension and Administrative Complaint Form,” until such time as it passes inspection and is approved for use.
  - b. In the event a suspended wrecker is the only tow vehicle maintained by the Operator, the Operator shall be suspended immediately from the TRL by the Towing Administrator, pursuant to the “Notice of Emergency Suspension and Administrative Complaint Form.”
  - c. The Operator must correct the deficiencies and request to have the wrecker re-inspected within 30 days from the date of the suspension. If the deficient wrecker has not been re-inspected and approved by the Towing Administrator within the required 30-day period, and the wrecker is the only tow vehicle maintained by the Operator, the Operator shall be removed from the TRL for a minimum period of one year.
  - d. Continued use of a suspended wrecker unit shall constitute grounds for the immediate

suspension of the Operator from the TRL for a period of no less than six (6) months for a first offense. A second offense will result in the removal of the Operator from the TRL for a period of no less than one (1) calendar year. Subsequent offenses of this rule may result in the permanent removal of the Operator from the TRL.

5. The wrecker operator shall not represent or imply on any vehicle, building or correspondence an official relationship between the Operator and GPD or any other police agency.
6. All wreckers shall be equipped with a commercial communications radio or mobile telephone or cellular telephone. The mobile radio or telephone shall enable the Operator to communicate with his base of operations from any point within the city limits.
7. Specifications and required equipment for ALL wrecker classifications shall be as follows:
  - a. A cradle, tow plate or tow sling to pick up vehicles. The cradle, tow plate or tow sling shall be equipped with safety chains and constructed in such a manner that it will not damage the vehicle to be towed.
  - b. Dual rear wheels.
  - c. Clearance and marker lights and all other equipment as required by Chapter 316, FSS.
  - d. 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.
  - e. The name, address and telephone number of the Operator must be painted or permanently affixed in a conspicuous place on both sides of the trucks as required by Section 715.07(7) and 713.7898) FSS, and these Rules:
    - 1)The name must be in letters at least three (3) inches in height.
    - 2)The address and telephone number must be at least one (1) inch in height.
    - 3)A unit number unique to each wrecker must be painted on both sides of the cab, in letters at least three(3) inches high and in contrasting color.
    - 4)Multiple addresses and telephone numbers are prohibited.
    - 5)Magnetic, temporary or otherwise removeable signs or placards are prohibited.
  - f. At least one heavy duty push broom with a minimum width of twenty-four (24) inches.
  - g. One (1)square shovel.
  - h. One (1) ax.
  - i. One (1) crowbar or prybar with a minimum length of thirty (30) inches.
  - j. Minimum of one (1) five-pound CO<sub>2</sub> or dry chemical fire extinguisher or equivalent. Must be charged and have a current inspection tag attached.
  - k. One (1) pair of bolt cutters with a minimum opening of 1/2 inch.
  - l. One (1) set of jumper cables.
  - m. One (1) four-way lug wrench.
  - n. One (1) flashlight.
  - o. Five (5) thirty minute fuses.
  - p. One (1) snatch block for each winch with manufacturer's rating to match winch.
  - q. Extra towing chain six (6) to eight (8) feet in length with hooks.
  - r. At least three (3) safety cones or triangle reflectors.
  - s. Fifty (50) pounds of sand or equivalent granular absorbent material.
8. **Class "A" Wreckers:** For the removal of cars and light duty trucks and vehicles weighing 10,000 pounds gross vehicle weight or less. Specifications and equipment in addition to requirements outlined above in E.6 (a-s) shall be as follows:
  - a. A truck chassis with a manufacturer's rated capacity of at least 10,000 pounds gross



vehicle weight. A complete, commercially manufactured boom and winch(es) having a manufacturer's combined rating of at least four (4) tons must be mounted on the chassis. **Hand crank winches do not satisfy these requirements and will not be approved.**

**b.** A minimum of 100 feet of 3/8-inch cable.

**c.** Dollies.

**d.** Flood lights on the hoist.

**e.** Vehicles which are equipped with wheel lifts or the equivalent may also qualify as Class A tow trucks so long as they are equipped with a boom and all other applicable requirements are met. Wheel lifts shall be rated at a minimum of 3,000 lbs. lift capacity and must utilize wheel safety straps when lifting vehicles by the wheels only.

**9. Class "A" Roll-Back or Slide-Back Wreckers:** For the removal of cars and light duty trucks and vehicles weighing 10,000 pounds gross vehicle weight or less. Specifications and equipment for roll-back or slide-back carriers in addition to the requirements outlined in E.6 (a-s) shall include the following:

**a.** A truck chassis with a manufacturer's rated capacity of at least 10,000 pounds gross vehicle weight with a minimum of a sixteen (16) foot bed, dual rear wheels and a winch with at least 8,000 pound capacity.

**b.** A minimum of 50 feet of 3/8-inch cable.

**c.** A minimum of two(2) safety tie-down chains of at least ten (10) feet each in length.

**d.** Two (2) flood lights mounted on the rear of the carrier.

**10. Roll-Back or Slide-Back Carrier Trailer:** Must be towed by and used in conjunction with an approved wrecker that meets or exceeds the class of the vehicle to be towed and shall meet the following requirements:

**a.** A commercially manufactured carrier trailer with a rated capacity of at least 8,000 pounds gross vehicle weight with a minimum sixteen (16) foot bed.

**b.** A winch with at least 8,000 pound capacity.

**c.** A minimum of 50 feet of 3/8 inch cable.

**d.** Brakes and trailer lights which meet the minimum statutory requirements of Florida law.

**e.** Safety chains.

**11. Class "B" Wreckers:** For removal of medium duty trucks or vehicles weighing 20,000 pounds gross vehicle weight or less. Specifications and equipment in addition to the requirements outlined in E.6 (a-s) shall be as follows:

**a.** A truck chassis with a manufacturer's rated capacity of at least 20,000 pounds gross vehicle weight. A complete, twin-winch, commercially manufactured boom and winches having a manufacturer's combined rating of at least ten (10) ton capacity mounted on the chassis.

**b.** A minimum of 100 feet of at least 1/2-inch cable on each drum.

**c.** One set of scotch blocks for wheels or hydraulic rear-extendable scotch blocks.

**d.** Flood lights on the hoist.

**12. Class "C" Wreckers:** For the removal of heavy duty trucks, house trailers, buses, etc., weighing over 20,000 pounds gross vehicle weight. Specifications and equipment in addition to the requirements outlined in E.6 (a-s) shall be as follows:

**a.** A truck chassis with a manufacturer's rated capacity of at least 30,000 pounds gross vehicle weight and 50,000 pounds gross vehicle weight for tandem axle trucks. A complete, twin-winch, commercially manufactured boom and winches having a

- manufacturer's combined rating of at least 25 ton capacity mounted on the chassis.
- b.** A minimum of 200 feet of at least 5/8-inch cable on each drum.
  - c.** Air brakes so constructed as to lock the rear wheels automatically upon failure.
  - d.** External air hookup and hoses, to supply air to disabled vehicles.
  - e.** One set of scotch blocks for wheels or hydraulic rear-extendable scotch blocks.
  - f.** Flood lights on the hoist.

#### **F. Storage Facilities.**

- 1.** Operators shall provide storage facilities which shall be maintained at the operator's place of business, located within the limits of the City of Gainesville. These facilities must be fenced and locked for the protection of vehicles and property.
- 2.** The wrecker operator shall provide storage for all towed vehicles in the outside storage area unless specific written instructions are given for inside storage by the owner.
- 3.** Storage facilities shall be located on the premises of an Operator's place of business.
- 4.** The registered owner of a vehicle or the owner's representatives or owner's insurance adjusters, upon proper identification, shall be permitted to inspect or photograph stored vehicles during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. The Operator shall not require the owner, adjuster or representative to pay any fee in order to inspect or photograph the stored vehicle.
- 5.** All storage facilities shall be surrounded by fencing or solid wall, at least six (6) feet high, to discourage theft of any vehicle or any property being stored inside. All storage facilities shall be illuminated with lighting of sufficient intensity to reveal persons and vehicles at a distance of at least 150 feet during nighttime.
- 6.** Inside storage facilities must be permanent, weather-tight buildings. A lean-to, tent or shed does not meet the requirements of this section.
- 7.** A minimum of 25 storage spaces with three (3) inside storage spaces must be available.
- 8.** During the hours from 8:00 a.m. to 5:00 p.m., Monday through Friday, Operators will provide adequate staffing at the storage facility so that personal property may be removed from the vehicle, or the vehicle itself may be released without undue delay.
- 9.** Should it become necessary that personal property be removed from a vehicle or a vehicle be released "after-hours," the Operator will be required to do so and will be allowed to charge a reasonable fee.

#### **G. Maximum Rates for Towing and Storage.**

- 1.** As maximum rates for rotation towing and storage of vehicles for Alachua County are not established by a county commission pursuant to s. 125.0103 and s. 166.043, F.S., or other applicable authority, the City of Gainesville shall establish maximum rates for towing and storage charged by Operators approved and listed on the GPD TRL.
- 2.** Maximum rates shall be established, taking into consideration:
  - a.** Costs incurred by the Operator in the storage of vehicles, including the rental or purchase of property, insurance premiums and maintenance of storage facilities.
  - b.** Costs incurred by the Operator in the removal of vehicles, including maintenance and operation of wrecker units.
  - c.** Prior or existing contracts between wrecker services and governmental agencies for the

removal and storage of vehicles.

**d.** Towing and storage charges currently imposed by towing service operators for rotation and owner's-request calls.

**3.** Maximum rates are as set forth in **Appendix B** to these rules. Separate rates shall 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 the place of storage. It also includes no more than a 30-minute wait at the accident scene before commencing actual retrieval. Any waiting time at the scene beyond 30 minutes may be charged at the hourly rate as defined below. Mileage traveled, in going to the scene or in returning to the place of storage, which is beyond the 10-mile radius from the operator's place of business may be billed at the applicable mileage rate.

**b. Hourly Rate:** The per-hour charge for use of a wrecker in retrieving a vehicle, attaching dollies, etc. Hourly rate does not include travel time or the first 30 minutes of working or waiting time on a scene. There shall be no separate charge for winching.

**c. Mileage:** The rate charged per mile for travel or towing outside of the 10-mile radius from the Operator's place of business.

**d. Daily Outside Storage Rate:** The daily rate for storing a vehicle in outside storage based on a 24-hour day, each day starting at 12:01 a.m. The initial six (6) hours of storage shall be without charge pursuant to s. 713.78(2)(c), F.S. 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 rate charged for inside storage according to the same criteria as that set forth above for outside storage.

**4.** A maximum of \$30.00 may be charged to the owner/driver of a vehicle towed or stored for the preparation, filing or mailing of any forms required by Florida State Statutes, local ordinance or the Towing Administrator, if a vehicle is in storage for more than 24 hours.

**Note:** This paragraph does not apply to any action initiated by an Operator to foreclose a lien recognized by Florida law.

**5.** Any wrecker operator qualified under these rules who charges a fee for a particular service or services in excess of the rates established by this rule will be subject to sanctions as set forth in section **H.3.b.** below.

**6.** A wrecker operator shall not charge the base towing rate fee for service to a disabled motorist which does not involve towing the vehicle from the scene.

#### **H. Denial of Inclusion on, or Suspension or Removal from, the GPD TRL; Disciplinary Progression**

**1.** Violation of any of the provisions of these Rules by an Operator may be grounds for denial of inclusion on, or suspension or removal from, the TRL.

**2.** Violations may result in one or more of the below-listed disciplinary actions being taken against an Operator. Disciplinary action will typically follow the progression listed below, in **2. a.-d.**, for violations other than those listed in **H.3.-7.** below. Circumstances of violation(s) not specifically addressed in these Rules (e.g., multiple "First" violations) shall be reviewed by the Towing Administrator, who may initiate disciplinary action at any level of the progression.

**a. First Violation:** Issuance of Notice of Warning and Administrative Complaint.

**b. Second Violation:** Thirty (30) day suspension from the TRL for a second violation of the same rule within one (1) calendar year of the first violation.

**c. Third Violation:** Six (6) months suspension from the TRL for a third violation of the same offense within one (1) calendar year of the first offense);

**d. Fourth Violation:** Removal from the TRL for a period of no less than one (1) calendar year (for a fourth or subsequent offense within one (1) calendar year from the first offense):

**3. Immediate Suspension for a First Violation:**

The following violations shall result in the immediate suspension of an Operator from the TRL, for a 30-day period, for a first violation. A second offense within one (1) calendar year of the first offense will result in six (6) months suspension. A third violation within one (1) calendar year will result in removal from the TRL for a period of no less than one (1) calendar year.

**a.** Removal of a wrecked, disabled or abandoned vehicle without investigation or clearance by a GPD officer.

**b.** Any charge, demand or request by an Operator for a rate which exceeds the maximum rate established by the Towing Administrator.

**c.** Any charge of the base towing rate fee for service to a disabled motorist which does not involve towing the vehicle from the scene.

**4. Immediate Removal of an Operator from the TRL:**

The following violations shall result in the immediate removal of an Operator from the TRL:

**a.** Continued use of a suspended wrecker (second or subsequent violation).

**b.** Lack of reputability: For the purpose of this Rule, lack of reputability shall mean that GPD cannot trust the Operator to safeguard the welfare and property of the public. Lack of reputability shall include, but not be limited to:

1) Conviction of a felony without restoration of an Operator's civil rights.

2) 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.

3) Responding to a call while under the influence of alcohol or any controlled substance or chemical substance.

**5. Insurance Coverage Violations:** If the wrecker operator's insurance policy has been canceled or has not been renewed according to the requirements of rule **D.11.:**

**a.** The wrecker operator shall be immediately suspended from the list by the Towing Administrator, pursuant to the "Notice of Company Suspension and Administrative Complaint" form. The use of a wrecker by an Operator who does not maintain the insurance coverage required by these rules is declared to be an immediate serious danger to the public health, safety or welfare.

**b.** If the required insurance coverage is not obtained and provided to the Towing Administrator within thirty (30) calendar days of the date of cancellation or expiration, the Operator shall be removed from the TRL for a period of no less than one (1) calendar year.

**6. Law/Ordinance Violations:** Operators are responsible for complying with any applicable federal, state, county or city laws, rules or regulations regarding the removal, towing, recovery, storage and notification of owners and lien holders. Violations of laws or ordinances may result in the removal of an Operator from the TRL.

**7. State and Local Licenses:** Operators shall maintain all local and state licenses required

for the operation of a towing services company. If any required license is not obtained and provided to the Towing Administrator within thirty (30) days of the date of cancellation or expiration, the Operator shall be suspended from the TRL until such time as the required valid license is received. Failure to obtain any required license and to provide it to the Towing Administrator within sixty (60) days of the date of cancellation or expiration shall result in the removal of the Operator from TRL for a period of no less than one (1) calendar year.

**8. Re-Application/Registration:** Once an Operator has been suspended or removed from the TRL for more than 30 days, the Operator must make new application for retention or reinstatement on the TRL by completing and submitting a registration packet and paying the registration fee.

**I. Procedures for Denial of Inclusion on, or Suspension or Removal from, the TRL;  
Procedures for Appeal**

**1.** The Towing Administrator will notify the Operator in person or by certified or registered mail within seven days prior to the effective date of the denial of inclusion, suspension or removal from the TRL.

**2.** The Operator may file a written request of appeal with the Towing Administrator within ten calendar days of the date of the suspension or removal from the TRL.

**a.** Failure to submit written notice within the ten calendar-day period shall constitute a waiver by the Operator of any consideration of appeal.

**b.** The written request shall contain the grounds for the appeal and shall contain information to indicate that the finding is contrary to these TRL Rules and/or provide information which negates or mitigates the suspension or removal.

**3.** Appeals of **suspension** from the TRL will be reviewed by the Towing Administrator, who shall make the final determination.

**4.** Appeals of **removal** from the TRL will be reviewed by the Chief of Police, who shall make the final determination. The Chief of Police may decide to uphold, amend or reverse the decision of the Towing Administrator.

**Appendix A: Schedule of Fees**

Registration Fee (Annual)	\$150.00
Late Registration Fee	\$50.00
Driver Permit (Biennial)	\$20.00
Duplicate Driver Permit	\$11.00
Per-Rotation-Tow Fee	\$25.00

**Appendix B: Schedule of Maximum Rotation Towing Rates**

**CLASS A WRECKERS** (includes roll-back or slide-back carriers)

Base Rate	\$120
Mileage Rate	\$4.00/mile
Hourly Rate	\$85.00

**CLASS B WRECKERS**

Base Rate	\$180
Mileage Rate	\$4.00/mile
Hourly Rate	\$100.00

**CLASS C WRECKERS**

Base Rate	\$250
Mileage Rate	\$6.00/mile
Hourly Rate	\$180.00

**SEPARATE CHARGES**

Removal of Drive Shaft	\$45.00
Remove Axle	\$30.00
Remove Bumper	\$55.00
Remove Airfoil	\$40.00
Extra Tow Operator/hour (per hour charge)	\$30.00
Landall Trailer (roll-back of trailer or truck)	\$150.00/hour
Airbags	\$650/hour

**STORAGE RATES PER DAY**

Class A	Inside	\$25.00
	Outside	\$20.00
Class B	Inside	\$45.00
	Outside	\$30.00
Class C	Inside	\$50.00
	Outside	\$35.00

**OTHER CHARGES**

Administrative	\$30.00
Service Call	\$35.00
Changing a flat tire	\$35.00
Providing gas	\$35.00
Use of jumper cables	\$35.00
Assisting in starting a vehicle	\$35.00
Unlocking a vehicle	\$35.00