WRECKER
CITY ORDINANCE CHAPTER 41

- Sec. 41-1 "It is declared to be the purpose and intent of this chapter that all wreckers, towing and wrecker services doing business within the corporate limits of the City of Memphis are hereby permitted to engage is such business provided that, such wrecker and towing services obtain the requisite permit, license and insurance coverage as set forth in the governing provisions of this chapter." A wrecker company must have facilities for safely storing a minimum of 25 disabled vehicles!

  The provisions of this chapter shall not apply to wrecker or towing services located outside city limits which occasionally pass through or deliver vehicles within the city limits, unless such wrecker or towing services pick up and deliver such vehicles within the city limits".

- The application fee is a one time five hundred dollars ($500). Once approved each vehicle must be inspected and receive a decal which expires on April 15th of each year with renewals required between March 1st and April 15th. Decals are fifty dollars ($50) each but twenty five dollars if the application is approved after September 1st

- The wrecker industry operates with over 80 wrecker companies and 2 "intent-to-tow contracts" in 6 zones. The Uniform Patrol division of Police Services completes "2 day" or "10 day" "intent to tow" notices for abandoned vehicles and leaves them on the window or a door.

- The Memphis City Council sets the towing fees <u>NOT</u> the Permits Office nor the tow companies!

LIABILITY INSURANCE REQUIRED

Section 41-30 – Wrecker Services

- Liability policy of no less than three hundred thousand dollars ($300,000) single limit.
- Garage keepers legal liability insurance covering fire, theft, explosion and collision in the minimum amount of fifty thousand dollars ($50,000).

Section 41-31 – Emergency/Non-Consent Wrecker Operators

- Liability coverage for the owner and their operation with an insurance company authorized to do business in Tennessee and approved by the commission and shall be filed with Permits Office:

  (1) Garage keepers legal liability policy covering fire, theft, explosion and collision in the minimum amount of one hundred thousand dollars ($100,000).

  (2) Garage keepers liability policy covering the operation in the amount of seven hundred and fifty thousand dollars ($750,000).
- The policy or policies must contain an endorsement providing for thirty day (30) notice to the City in the event of any material change or cancellation!
- The City shall be named as an additional insured on all relevant policies!
- All wrecker services must comply with these insurance requirements if they engage in non-consent tows, as well.

RECOGNIZING TOWS

- **"Consent" Towing** - means the towing/wrecker company has permission from the VEHICLE OWNER to tow a vehicle from one location to another.

- **"Non-consent" Towing** - means someone **other than the vehicle owner** is authorizing the tow. Every wrecker used to make non-consent tows are required to obtain express written authorization for each vehicle towed as outlined in **TCA 55-16-112**. This authorization should be in the wrecker company's possession at the time of the tow.

  PRIOR TO making the tow, the driver/operator of every wrecker used to make **non-consent tows** MUST report the vehicle identification number to COMPSTAT and receive a control number for each tow. Officers verify control numbers at 901-636-3575. **(Ord. 41-11-m)**

  The non-consent tow fee is a maximum of $125 and $30/day storage beginning 2 hrs after reaching storage lot. A rate card must be clearly visible!

- **"Emergency" Towing** – is towing initiated or authorized by law enforcement. These include accident, arrests, criminal and/or traffic violations, etc.

- **"Non-Emergency" Towing** – is towing initiated or authorized by someone other than law enforcement.

- **NOTE:** The wrecker drivers have the duty to tow the vehicle directly to their permitted lot location, or where the owner desires the vehicle to be taken. They cannot drop vehicles upon the streets or go to any other location without permission from the vehicle owner. **(Ordinance 41-11-f)**

FEE TO DROP VEHICLE

- If the owner/operator is present and removes the vehicle to be towed before it is connected there is NO fee!
- If the owner/operator is present after the vehicle has been connected, the vehicle is NOT to be towed but the owner is liable for a fee up to $45 and must immediately remove the vehicle! The wrecker company's tow slip must be prepared and given to the owner/operator of the vehicle upon payment of such "drop fees" and in accordance with Section 41-10.
- Connection means "every procedure required to secure the vehicle o the wrecker or wrecker equipment so that the vehicle may be safely towed has been completed at the time the owner or operator arrives. Including the attachment of any safety chains. In the event the tow is disregarded, the wrecker/operator responding to the call shall be rotated back to the top of the City's Wrecker Rotation List."

IDENTIFYING LICENSED WRECKERS

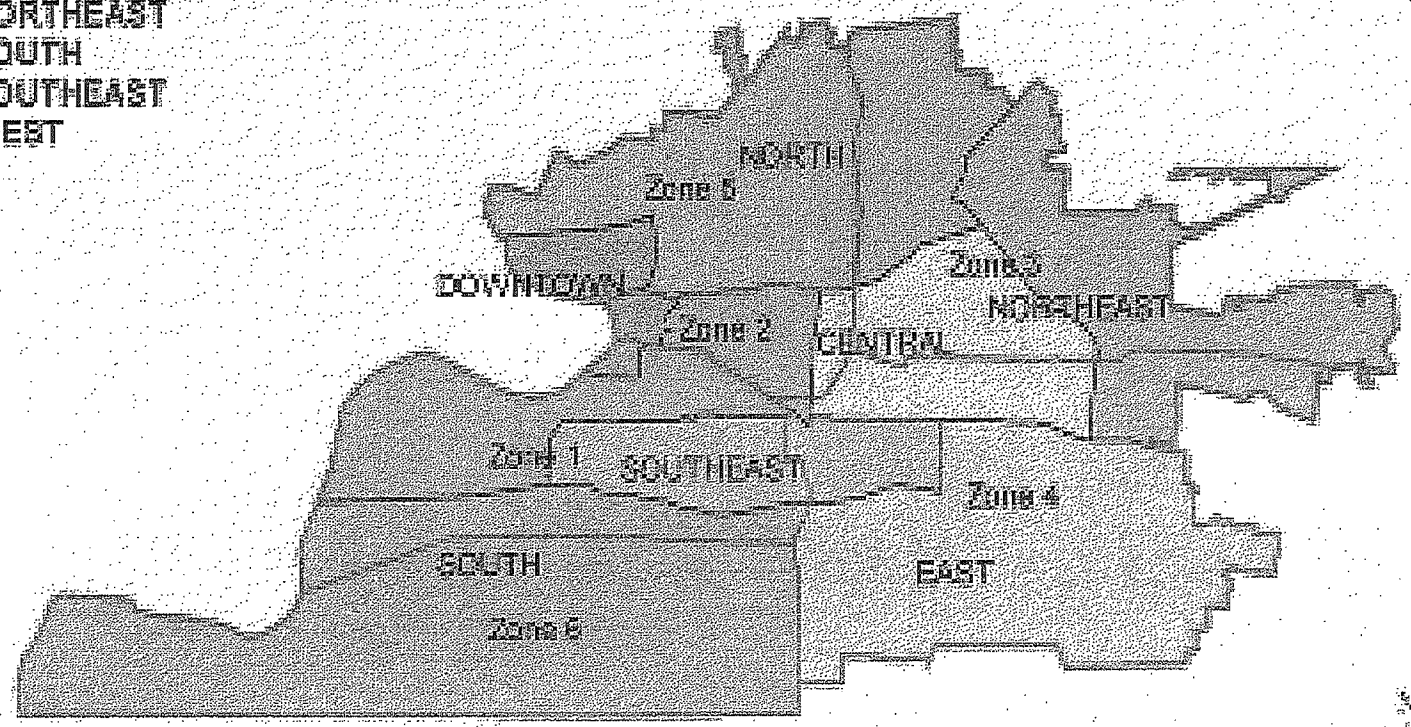
- **A wrecker must display a current City permit wrecker decal on the windshield (front or back), (Ordinance 42-34)**
- If the wrecker is permitted by the city, (i.e. has business address within Shelby County), each wrecker must have the company's name address and business phone number permanently affixed on the outside of each front door of the wrecker in four inch letters.. **(Ordinance 41-5)**
- If the wrecker is permitted by the city, (i.e. has business address within Shelby County), each wrecker must have the company's name address and business phone number permanently affixed on the outside of each front door of the wrecker in four inch letters.. **(Ordinance 41-5)**
- **The wrecker must also display a current city permit wrecker decal on the windshield (front or back),** (City Ordinance 41-34)

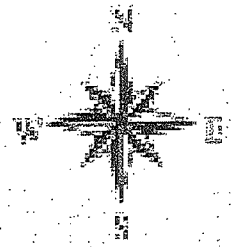
GENERAL PROVISIONS

- Every operator, upon receipt of a call involving death, injuries or property damage shall immediately notify police dispatcher and provide the location, make, model and vehicle type. No wrecker service shall respond to the scene without police permission!
- Making the determination if a wrecker and the type is in fact needed before you contact the dispatcher requesting a wrecker.
- Where vehicles will be needed for evidentiary purposes, the responding officer must accommodate the pull to the impound lot!
- Cleaning of the streets after an accident.
- Making sure no Zone jumping occurs.
- Making sure that each wrecker company gets the vehicle that they were actually called for.
- Because of the high amount of disregards in the towing industry the dispatcher may ask for the nature of your disregard.

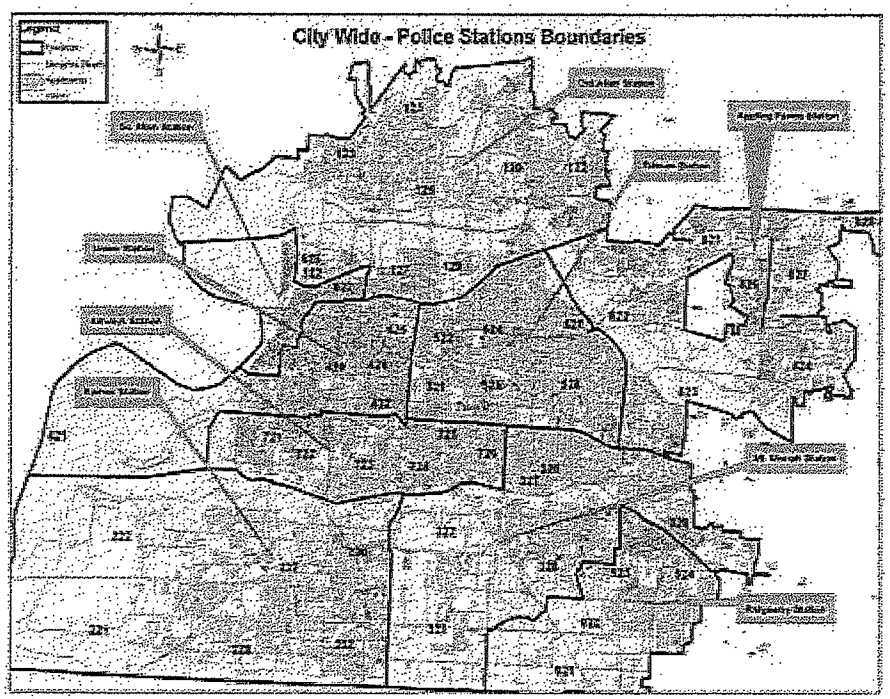
Wrecker Zones

Wrecker_region.shp
City Boundary
Precincts_region.shp
CENTRAL
DOWNTOWN
EAST
NORTH
NORTHEAST
SOUTH
SOUTHEAST
WEST

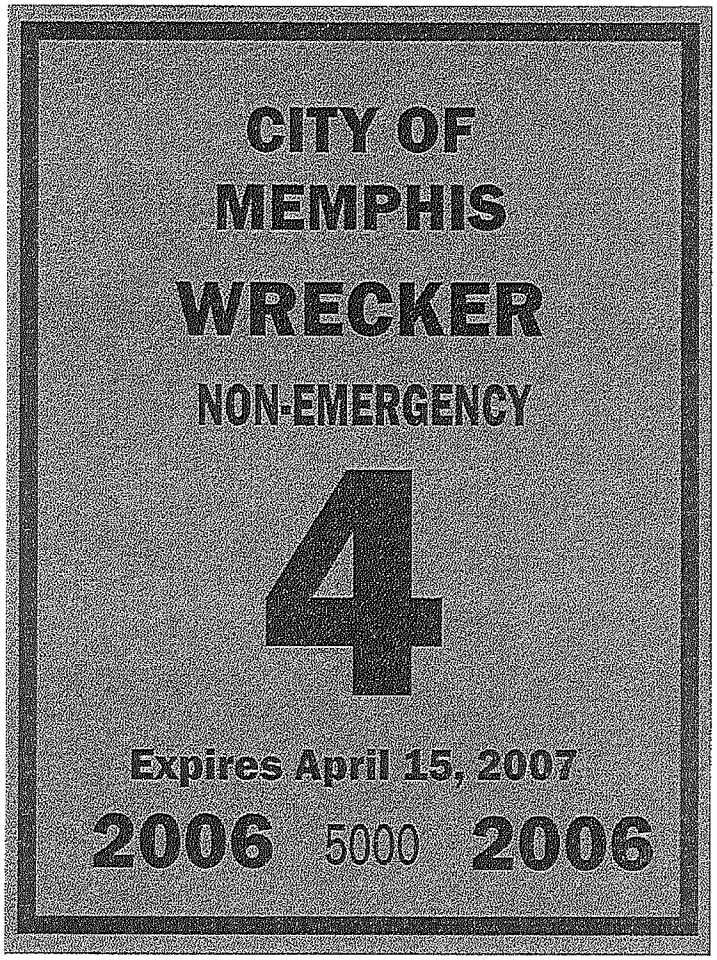


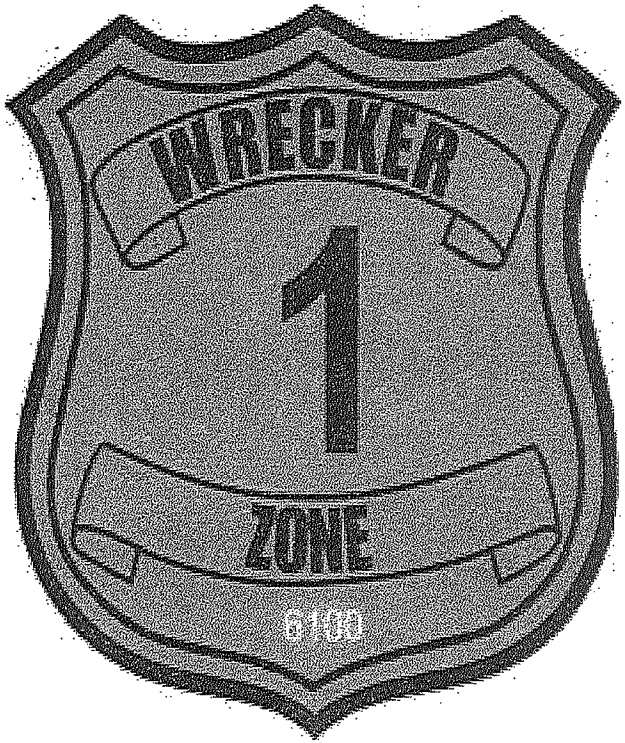


POLICE BOUNDARIES



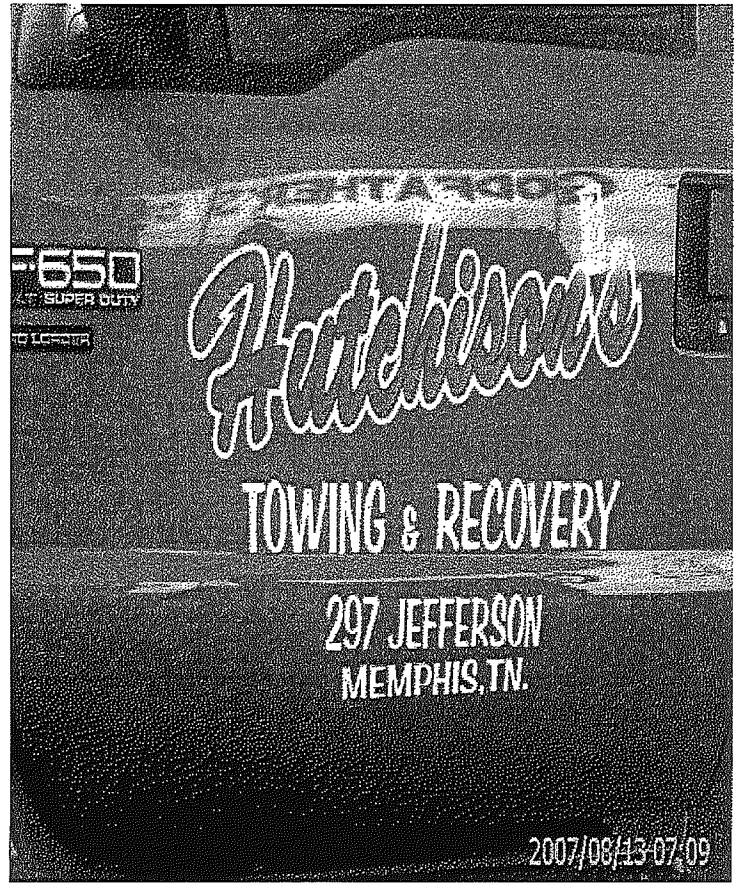
DECALS


CITY OF
MEMPHIS
WRECKER
NON-EMERGENCY
4
Expires April 15, 2007
2006 5000 2006


WRECKER
1
ZONE
6100

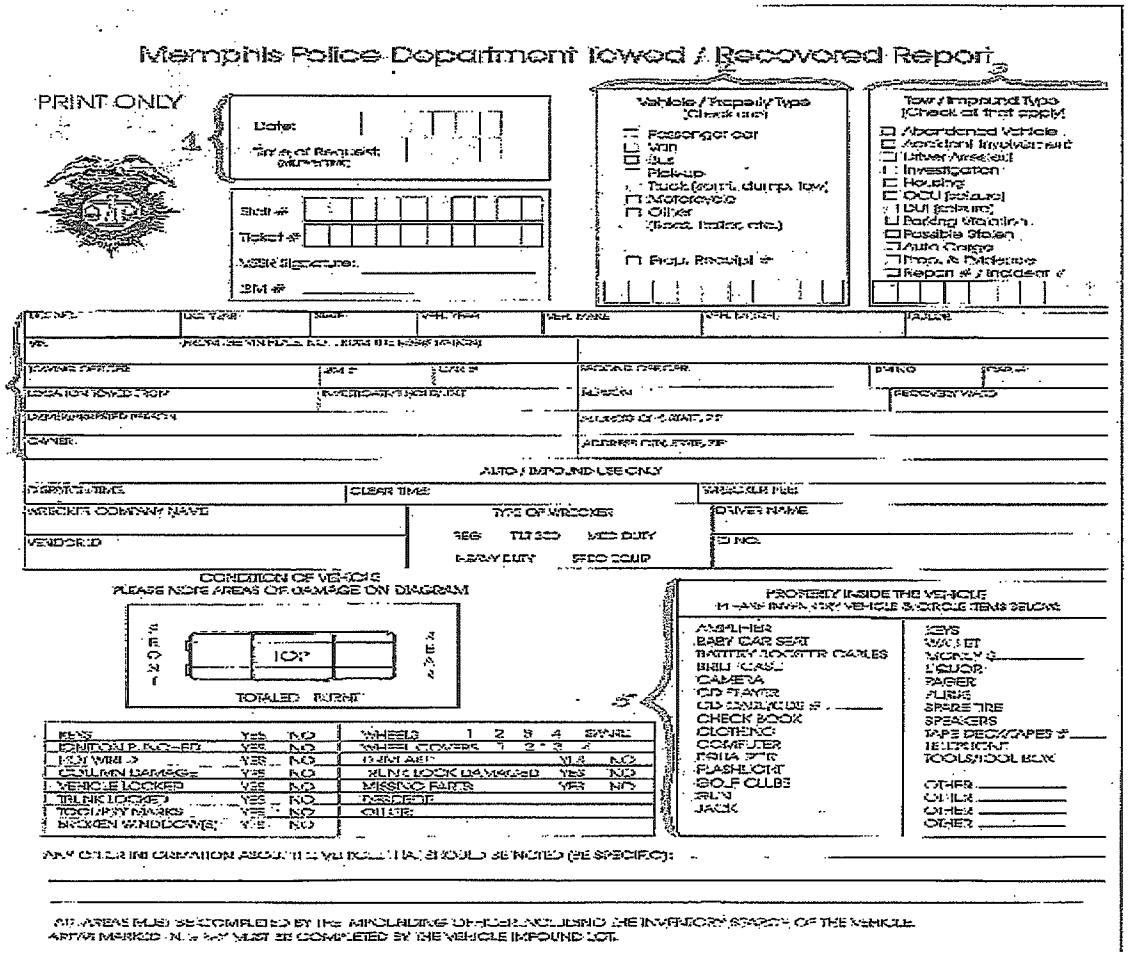
DECALS

OPERATING ZONES



The same company can operate in tow zones!

TOW TICKET



Memphis Police Department Towed / Recovered Report

PRINT ONLY

Date:

Time of Request:

Shift #

Ticket #

MSR Signature:

BM #

Vehicle / Property Type (Check one)

- Passenger car
- Van
- Bus
- Pickup
- Truck (semi, dump, tow)
- Motorcycle
- Other (Boat, trailer, etc.)
- Prop. Receipt #

Tow / Impound Type (Check all that apply)

- Abandoned Vehicle
- Accident Involvement
- Driver Arrested
- Investigation
- Housing
- OCU (seizure)
- DUI (seizure)
- Parking Violation
- Possible Stolen
- Auto Cargo
- Prop. & Evidence
- Report # / Incident #

AUTO / IMPOUND USE ONLY

CONDITION OF VEHICLE
PLEASE NOTE AREAS OF DAMAGE ON DIAGRAM

TOP

TOTALED BURNT

PROPERTY INSIDE THE VEHICLE
PLEASE INVENTORY VEHICLE & CIRCLE ITEMS BELOW

KEYS	YES	NO	WHEELS 1 2 3 4 SPARE		
IGNITION PUNCHED	YES	NO	WHEEL COVERS 1 2 3 4		
HOT WIRED	YES	NO	DRIVE AID	YES	NO
COLUMN DAMAGE	YES	NO	TRUNK LOCK DAMAGED	YES	NO
VEHICLE LOCKED	YES	NO	MISSING PARTS	YES	NO
TRUNK LOCKED	YES	NO	DESCRIBE		
TOOLPAY MARKS	YES	NO	OTHER		
BROKEN WINDOW(S)	YES	NO			

ANY OTHER INFORMATION ABOUT THE VEHICLE THAT SHOULD BE NOTED (BE SPECIFIC):

ALL AREAS MUST BE COMPLETED BY THE IMPOUNDING OFFICER INCLUDING THE INVENTORY SEARCH OF THE VEHICLE.
AREAS MARKED ON THE VEHICLE MUST BE COMPLETED BY THE VEHICLE IMPOUND LOT.

TOW TICKETS

- The city lot receives the white, pink, and yellow copy of the tow ticket if the driver is arrested, the vehicle is abandoned or towed due to a traffic violation.
- The white copy is given to the driver if the vehicle is involved in a accident.
- The pink copy is given to the wrecker driver.
- The yellow copy goes with the report.
- The hard copy stays with the officer.

WRECKER CLASSIFICATIONS

Class "A" - passenger cars, pickup trucks, small trailers of other vehicles that have a gross vehicle weight of zero (0) to five thousand(5,000) pounds. There are two types of Class "A" Wreckers:

1. Rollbacks
2. Sling trucks.

The cost for a Class "A" tow is **$125.00.**

Sling tow trucks may tow the same as a rollback.

Class "B" - medium-size trucks, trailers, or other vehicles having a gross weight of five thousand-one to eleven thousand (11,000) pounds. There are 2 types of Class "B" Wreckers

1. Rollbacks
2. Sling trucks

The cost for a class "B" tow is **$200.00**/hour or any portion thereof and $200.00 per hour for any additional hour thereafter.

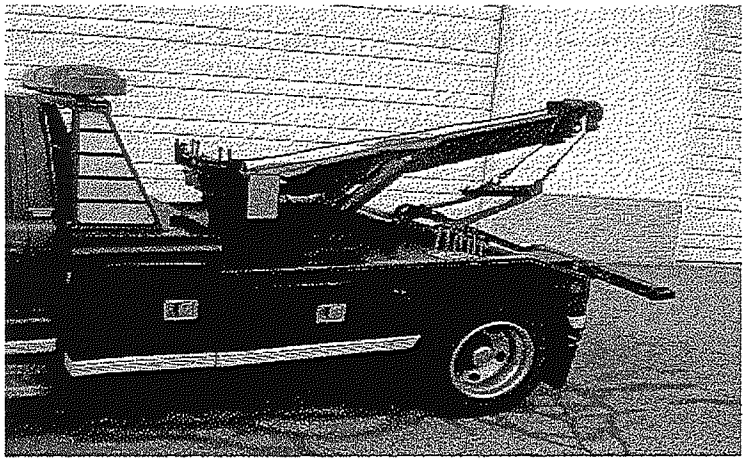
Other Charges:_ $45.00/hour for any additional man; to start at the time the wrecker arrives on the scene where the vehicle is located and to end at the time the wrecker and the towed vehicle arrives at the final destination.

Class "C" - large trucks, road tractors and trailers or other vehicles having a gross vehicle weight in excess of eleven thousand (11, 000) pounds.

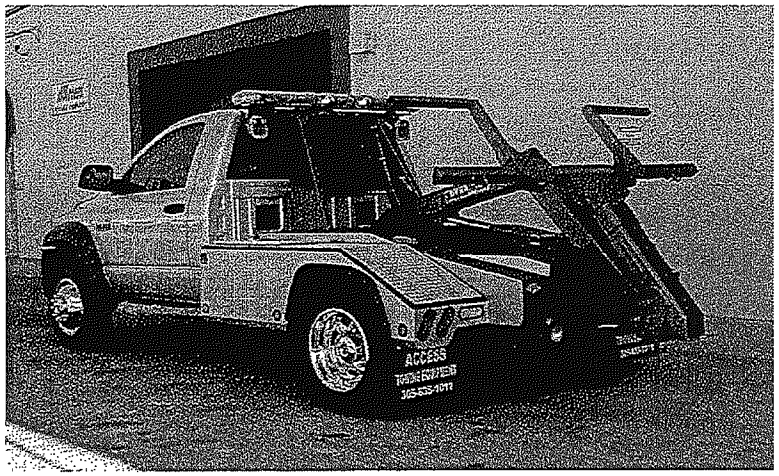
The cost for a class "C" tow is **$350.00/**hour or any portion thereof and $350.00 per hour for any additional hours.

Other Charges: $75.00/hour for any additional man, to start at the time the wrecker arrives on the scene where the vehicle is located and to end at the time the wrecker and the towed vehicle arrives at the final destination.

TOW TRUCKS



Wheel Lift



Wheel Lift

Rollback

HEARINGS AND VIOLATIONS

Section 41-50 (a) - "The Director of Police or his authorized designee may suspend or remove from the Emergency Call List or revoke or suspend the permit of any wrecker Operator for any of the following reasons":

(1) fraudulently obtaining a permit;
(2) making scene calls without police permission;
(3) usage of short wave or police radio to obtain accident information;
(4) paying any person involved in an accident for information identifying location of the accident;
(5) violation of the fee schedule;
(6) failure to comply with vehicle owner/operator requests relative to destination;
(7) towing vehicles of an owner who has violated city or state laws without explicit police instruction;
(8) disregarding the instructions of police or an authorized agent during transportation;
(9) waiting to obtain a tow by standing or parking away from the tow company premises;
(10) blocking traffic without police permission;
(11) permitted loitering near the wrecker;
(13) failure to comply with any local, state or federal rules and regulations of the Director of Police which reflect unfavorably on the fitness of the driver helper, or employee t o be employed in the operation of a wrecker service.

HEARINGS AND VIOLATIONS CONT'D

- Section 41-51 Suspension or Revocation; Appeals
  - (a) Ten day (10) suspension from emergency rotation call list without a hearing and placement back on the list subject to the violations being corrected;
  - (b) Greater than ten day (10) suspension requires that the wrecker company receives written notification of the alleged violations and an administrative hearing is scheduled by the Police Director or his/her designee where the wrecker company is allowed to answer the charges. Suspension from the police wrecker list is not subject to appeal.
  - (c) "Suspension from the wrecker list shall not exceed thirty (30) days for a violation or violations heard at any one hearing. Placement back on the list is subject to the violations being corrected;
  - (d) The Director of Police Services or his/her designee "shall have the power to suspend or remove the wrecker operator from the poice rotation list or to suspend or revoke the license of the wrecker operation" where charges could result in greater than a thirty (30) day suspension.
  - (e) The wrecker company may appeal a suspension for greater than 30 days or revocation by filing a petition for review of the action within ten (10) days of that decision.'
  - (f) "Any wrecker operator whose license has been revoked shall not be eligible for a license for a period of one (1) year from the date of revocation."