

	GENERAL ORDER OM-B-13			
	Title / Subject KSP WRECKER LOG		EFFECTIVE DATE 12/31/99	REVISION DATE 4/1/17
	REFERENCES		DISTRIBUTION All Sworn Personnel <i>REPORT:</i> <input type="checkbox"/>	

POLICY

The primary purpose of utilization of private wrecker services by Kentucky State Police is to restore the free flow of traffic through safe and quick removal of damaged or disabled vehicles from streets and highways. The agency shall utilize a wrecker log to ensure that requests for wrecker services are distributed in compliance with agency policy and in a manner that does not demonstrate partiality toward nor against a registered wrecker service. Nothing in this policy shall be construed to create, or affect, a property interest or right in either being placed on or removed from the KSP Wrecker Log nor does it guarantee that all registered wrecker services will receive a strictly equitable share of calls for service. Kentucky State Police reserves the discretion to deviate from the wrecker log under exigent circumstances.

DEFINITIONS

- A. **Traffic Incident Management (TIM):** TIM consists of a planned and coordinated multi-disciplinary process to detect, respond to, and clear traffic incidents so that traffic flow may be restored as safely and quickly as possible. Effective TIM reduces the duration and impacts of traffic incidents and improves the safety of motorists, crash victims and emergency responders.
- B. **National Traffic Incident Management Training Program:** The National Traffic Incident Management Training Program is developed by the Federal Highway Administration. It equips responders with a common set of core competencies and assists them in achieving the TIM National Unified Goal of strengthening TIM programs in the areas of: Responder safety; Safe, quick clearance; and Prompt, reliable, and interoperable communications.

REQUIREMENTS FOR PLACEMENT ON THE KSP WRECKER LOG

- A. To be eligible for placement and retention on the wrecker log, all wrecker service owners and all their drivers shall complete the National Traffic Incident Management Responder Training administered by a Federal Highway Administration trained instructor or in an online course offered on the National Highway Institute website (www.nhi.fhwa.dot.gov).

1. TIM training shall have been completed by the owner(s) and all drivers prior to initial placement on the wrecker log.
2. Owners shall ensure that newly hired drivers and any new owners attend the TIM training described above within three (3) months of their hire date.

B. The wrecker service must provide all information requested by the agency including: towing and storage rates, insurance information, proof of TIM training, names and operator's license numbers of all wrecker operators, information required to complete the KSP-25 and any other information required by policy or requested by the post commander.

1. Should any information provided on the KSP-25 change, including but not limited to the Wrecker Service Charges in Section 6, the wrecker service shall be required to complete a revised KSP-25 with the correct information and forward it to the appropriate KSP Post. Failure to maintain a current KSP-25 on file, or charging a wrecker service fee in excess of that reported, may result in the immediate and irrevocable removal of the wrecker service from the KSP Wrecker Log.
2. The wrecker service must be in compliance and remain in compliance with all state statutes and administrative regulations relating to commercial carriers.
3. The wrecker service must consent to both an initial inspection, and to subsequent unannounced annual inspections before being placed on the wrecker log.
4. If the wrecker service engages in interstate commerce, it must be in compliance and remain in compliance with the Federal Motor Carrier Safety Act and with all related administrative regulations.
5. If the wrecker service contends that it does not engage in interstate commerce, it must state this as part of the application process for inclusion on the wrecker log.
6. All wreckers on the wrecker log shall be inspected annually utilizing the KSP-25.

C. Post commanders shall have discretion as to placing and removing wrecker services on their post wrecker log, but should be prepared to show cause for failure to authorize inclusion of a wrecker service or its removal. A wrecker service may be refused placement on the agency's wrecker log, or may be removed from that list for:

1. Violation of any state or federal law related to the towing or storing of any motor vehicle;
2. Violation of any law relating to the suitability of the wrecker service being placed on or remaining on the agency wrecker log;
3. Unsatisfactory performance or failure to respond to wrecker service calls;
4. Refusal to permit agency inspection of the wrecker or to provide information required by the agency;

5. Charging a wrecker service fee in excess of that being reported on the KSP-25;
6. Failure to maintain a current, and valid, KSP-25; and/or
7. Business practices or fees that are not reasonably consistent with the practices or fees of similar wrecker service operators on the wrecker log.

D. Post commanders shall immediately remove from the log any wrecker service found to have violated the TIM training requirement for owners and/or drivers. The wrecker service shall not be eligible for reinstatement to the wrecker log for three (3) calendar years from the date of removal.

E. Post commanders shall have discretion to establish local procedures for the application of this general order. Local procedures may include, but are not limited to: maximum number of attempts to contact a wrecker service, maximum wait time for availability of a service, defining unsatisfactory performance or failure to respond to wrecker calls.

ASSIGNMENT OF CALLS FOR SERVICE ON KSP WRECKER LOG

A. Agency requests for a wrecker service to respond shall be made in consecutive order, except when:

1. The owner or permissive user of a vehicle to be towed requests a particular wrecker service to respond. These requests shall not count as a service call for purposes of the wrecker log. The requested wrecker shall be selected from the CAD Wrecker Module "Owner Request" area so that consecutive order is not affected. The name, address, and operators license number of the requesting party and whether the requesting party is the owner or permissive user of the vehicle shall be documented in the appropriate fields of the wrecker module form.; or
2. The officer requesting a wrecker service is certain that the next scheduled wrecker service on the wrecker log cannot tow the vehicle in a safe or timely manner, or store the towed vehicle and makes a request for a particular wrecker to respond. Whether a wrecker can respond in a timely fashion (i.e., within thirty minutes), depends upon the circumstances and is a discretionary determination for the officer. In such cases, the requested wrecker shall be selected from the CAD Wrecker Module "Officer Request" area and the reason for the officer's request shall be documented in the comments field on the form. Officers shall ensure that favoritism or the appearance of favoritism of individual wrecker services are avoided.

B. Agency personnel shall not recommend or solicit business for any wrecker except in conformance with agency policy. Such recommendations do not apply to circumstances where there are no reasonable options to the use of a particular business.