

DIRECTIVE 61.4

TRAFFIC ANCILLARY SERVICES

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Rescinds: (Issue 01/14/2022)	CALEA Standards
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This directive consists of the following sections:

61.4.1 Motorist Assistance

61.4.2 Hazardous Roadway Conditions

61.4.3 Towing

61.4.4 Traffic Safety Materials

ADDENDUM A. Unclaimed and Abandoned Junk Motor Vehicles Process

ADDENDUM B. Wrecker and Towing Rules and Regulations

POLICY AND PROCEDURE:

Personnel of the Miami Township Police Department will provide traffic ancillary services, where necessary, to ensure the safe and efficient movement of vehicles and pedestrians in Miami Township. Such duties will be carried out in a courteous and consistent manner to foster a positive public attitude and acceptance of such directions and control.

61.4.1 Motorist Assistance

General Assistance

Miami Township personnel shall provide general assistance to highway users by providing information or directions, providing mechanical and towing assistance, protection to stranded persons and emergency assistance. Personnel shall also provide any other assistance as warranted and needed for the safety of highway users.

Mechanical and Towing Assistance

Officers may transport persons from disabled vehicles to the nearest convenient location where they may obtain assistance. Officers should be certain that appropriate assistance is accessible at the location.

Officers may utilize police vehicles equipped with safety push bars to move vehicles off the traveled portion of the roadway. The operator shall sign a release prior to the officer moving the vehicle.

Officers may, upon the request of the stranded operator, contact a mechanical/tow service to assist the operator in removing the vehicle. The officer should within reason honor the specific request for a particular service unless such response time from the service requested is unreasonable. The officer should utilize a rotation towing service should expedient removal of the vehicle be needed.

Should the operator of the disabled vehicle be unavailable or refuse to have the vehicle removed from the traveled portion of the roadway, the officer shall have the vehicle towed in accordance with department towing policy.

Protection to Stranded Persons

Officers may transport stranded motorists to the nearest convenient location where they will be safe and can obtain assistance. Officers should be aware that the place to which the stranded motorist is transported will provide the safety and services needed.

Stranded motorists should not be abandoned when exposed to a hazardous situation. Consideration should be given to traffic hazards, location, time of day, weather conditions and priority calls for service. This does not preclude placing devices to warn oncoming traffic and clearing the scene if conditions are such that this can be done safely. Officers should periodically check to ensure the condition does not deteriorate.

Emergency Assistance

Officers will render all practical assistance to users of the roadway who are involved in emergency situations.

Upon discovery of a medical emergency, the officer will immediately request an Emergency Medical Services unit to respond to the location. The officer will inform the CDPSS of the type of emergency, condition of the person needing treatment and any other pertinent information. The officer will render what emergency medical aid they are trained and able to perform.

Upon discovery of a vehicle fire, the officer will immediately request the Fire Department to respond to the location. The officer will inform the CDPSS of all pertinent information regarding the vehicle fire, including any known hazards in or about the vehicle. The officer will render what fire suppression activities they are trained and able to perform.

61.4.2 Hazardous Roadway Conditions

Hazardous highway and/or environment conditions are defined as:

- Defects in the roadway itself: Holes, ruts or dangerous shoulders.
- Lack of, or defects in, highway safety features: Center and roadway striping, reflectors or improper, damaged, destroyed or visually obstructed traffic control and information signs.
- Lack of traffic control and information signs: Curve and hill warnings, stop and yield signs, street and highway identification, or improper, damaged, destroyed or visually obstructed control or information signs.
- Lack of mechanical traffic control devices or improperly located or malfunctioning traffic control devices.
- Lack of roadway lighting systems or defective lighting systems.
- Natural or man caused obstructions: Fallen trees, rocks, litter, debris, vehicle parts, broken water mains and downed wires.
- Ice or heavy snow accumulations on roadway surfaces.
- Fire and its attendant smoke in areas adjacent to the highway.
- Vehicles parked or abandoned on or near the highway.

The term roadside hazard will refer to all physical features of the roadside environment which are such that a vehicle leaving the road surface for any reason, even momentarily, can impact with them resulting in unnecessary injury to people or property. Roadside hazards included in the definition are:

- Rigid, non-yielding support for traffic control devices and lights or the non-performance of safety installations, i.e. breakaway sign supports that fail to function properly.
- Improperly engineered guardrails.
- Unshielded bridge railings that may not be able to retain an impacting vehicle and redirect it parallel to the roadway, thereby minimizing damage to the vehicle and danger to traffic below the bridge.
- Bridge abutments and other hazardous fixed objects built off the roadway and into which the vehicle might crash with high injury probability.
- Utility poles, trees, ditches, inappropriately steep banks, culverts, rock formations and other fixed objects and features of the roadside environment into which a vehicle might crash instead of being able to come to a stop in a clear distance.

The following procedures will be followed in identifying, reporting and correcting hazardous roadway, roadside or environmental conditions.

When a hazard is identified and in the officer's opinion such hazard requires immediate correction (a fallen tree or electrical wire across or on any part of the traveled portion of a roadway) they will immediately inform the CDPSS and request the assistance or special equipment required to correct the situation. The officer will protect the scene and bystanders, direct traffic, or take any other action deemed necessary to correct the situation.

When a hazard is detected that represents a potential crash situation but the threat of such

is not imminent, as in the case of a discarded muffler, the officer will cause notification to be made to the proper authority to have the situation corrected. If the officer can correct the situation i.e. discard/remove the muffler, they will take appropriate action to do so.

When the hazard is due to snow, ice, etc. on the roadway the shift supervisor shall be notified, and they will contact the township service department supervisor or notify the CDPSS if the county or state needs to respond.

When there is a hazard or a potential hazard that requires corrective action or inspection that is not immediate, is needed by the township service department or the state or county road maintenance departments, the officer shall prepare an incident report. The incident report shall describe in detail the hazard or potential hazard to be inspected, the exact location of the problem and how notification to the appropriate agency was taken.

61.4.3 Towing

Abandoned Vehicles

Definitions

Abandoned vehicle means any motor vehicle that has been:

- Left on private residential or private agricultural property for at least four hours without the permission of the person having the right to the possession of the property. ORC 4513.60.
- Left at a repair garage or place of storage for any period than agreed upon. ORC 4513.60.
- Left on a public street or other property open to the public for purposes of vehicular travel, or upon or within the right-of-way of any road or highway for forty-eight hours or longer without notification to the police of an acceptable reason for leaving the motor vehicle in such place. ORC 4513.61.

Abandoned junk motor vehicle means any motor vehicle meeting all the following requirements ORC 4513.63:

- Left on private property for more than forty-eight hours without the permission of the person having the right to the possession of the property, on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right-of-way of any road or highway, for forty-eight hours or longer.
- Three years old, or older.
- Extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor, or transmission.
- Apparently inoperable.
- Having a fair market value of \$1,500.00 dollars or less.

Motor Vehicle Salvage Dealer means any person who engages in business primarily for selling salvage motor vehicle parts and secondarily for selling at retail salvage motor vehicles or manufacturing or selling a product of gradable scrap metal. ORC 4738.01.

Private Residential Property means private property on which is located one or more structures that are used as a home, residence or sleeping place by one or more persons, if no more than three separate households are maintained in the structure or structures.

Public Property means any public street or right-of-way.

Abandoned Vehicle Procedures

Whenever a police officer is notified of or observes an abandoned motor vehicle or abandoned junk motor vehicle as defined in this directive on public property, the officer shall first determine if the vehicle may be wanted or stolen. If not wanted or stolen than determine the ownership of the vehicle and make reasonable effort to contact the owner of the vehicle.

If the officer determines that the vehicle is a safety hazard or is restricting access to private property, the officer shall make a reasonable attempt to contact the owner and have the vehicle removed immediately.

- If the officer is unable to obtain the immediate removal of the vehicle by the owner, the officer will have the vehicle towed with a holder placed on the vehicle.

If the officer determines that the vehicle is not a safety hazard and is not restricting access to private property, the officer shall make a reasonable attempt to contact the owner and have the vehicle removed immediately.

- Upon contacting the owner of the abandoned motor vehicle, the officer shall notify the owner of the abandoned motor vehicle to have the vehicle removed within twenty-four hours. The officer shall also notify the owner that the vehicle may be towed and impounded if it is not removed within the specified time period. The officer shall complete a Miami Township Police Department 72-hour notice and attach same to the motor vehicle noting the contact on the form. The officer shall complete an incident report.
- If no contact is made and the vehicle is on public property, the officer shall complete a Miami Township Police Department 72-hour notice and attach same to the motor vehicle. The officer shall complete an incident report. When left for more than forty-eight hours and no notification has been made to a law enforcement agency the officer will follow the listed procedure. Should the owner contact the agency within 48 hours and make an agreeable arrangement for removal, the vehicle may not be towed. Such arrangement shall be noted on a report supplement.
 - Have the vehicle towed into storage by a rotation tow service.
 - Complete Towed Vehicle Report form, attaching the Miami Township Police Department 72-Hour Notice from the vehicle being towed, to the tow record. Complete incident report and forward the report and towed vehicle report to the records section.

A designated supervisor/designee will act as a liaison for the tow/storage companies. The officer/designee shall confirm that the tow or storage company has completed all the items listed below. Upon confirmation of the required items, the officer will complete and issue BMV 4202, Unclaimed Motor Vehicle Affidavit. The documents required are:

- A photograph of the vehicle;
- Bureau of Motor Vehicles form BMV 1149;
- Copy of registered letter sent to the owner of the vehicle;
- Any other documents which pertain to the processing of the motor vehicle.

Whenever a police officer is notified of or observes an abandoned motor vehicle as defined in this directive on private property, the officer shall determine if the vehicle may be wanted or stolen. If not wanted or stolen, then notify the owner or person in charge of the property to contact the tow company of their choosing and remove the vehicle if they wish.

Vehicles from Public and Private Property

Officers of the Miami Township Police Department may tow/impound any motor vehicle that is:

- Illegally Parked – Refer to Directive 61.1.12
- Abandoned Motor Vehicle or Abandoned Junk Motor Vehicles – Refer to Above
- Stolen, Recovered or Wanted Vehicle to be held as, or processed for, evidence.
 - If the vehicle is to be held for evidence or is to be processed for evidence, the vehicle shall be towed to the Miami Township Police Department and submitted into evidence pursuant to department property and evidence control directive 84.1. The vehicle shall be released to the owner or removed to the towing company's storage facility as soon as it is no longer needed as evidence or upon completion of processing for evidence. It shall be the responsibility of the investigating officer to arrange for the removal the vehicle.
 - If the vehicle is not needed for evidence the vehicle shall be towed to the towing company storage facility.
 - If the vehicle is being held at the request of another agency, the officer shall have the request confirmed by contact with the agency obtaining the name and position of the person contacted. The officer should attempt to have the vehicle released directly to the agency requesting the hold on the vehicle. If the requesting agency cannot respond to take control of the vehicle, the officer shall determine if the vehicle is to be held for evidence or processing and if so, have the vehicle towed to a location designated by the agency requesting the vehicle. If the vehicle is not to be held for evidence or processing, the vehicle should be towed by a rotation tow service to their storage facility and the requesting agency notified of the location of the vehicle.
- Involved in a traffic crash.
 - The officer investigating a traffic crash shall have any vehicle removed to

a rotation towing services storage facility, if the operator or person having legal right of possession is unable to provide for the vehicle's removal. Under no circumstances shall an officer allow a disabled vehicle to remain on public property or on private property without the consent of a person authorized to give consent.

- Being operated by a person who has no legal right to operate a motor vehicle and or when the operator has been physically arrested.
 - If the operator of a motor vehicle has been arrested pursuant to any of the following: OVI, Driving Under Suspension (except unclassified misdemeanor DUS) or Wrongful Entrustment, the officer will tow the vehicle.
 - If operator is arrested for an unclassified misdemeanor DUS, officer may attempt to contact the registered owner/valid driver. Within a reasonable amount of time, registered owner/valid driver can respond to take possession of the vehicle. Should registered owner/valid driver be unable to respond in a reasonable time, officer will tow the vehicle.
 - The officer impounding the vehicle shall complete Bureau of Motor Vehicles form BMV 2255, seizing the operators license of the arrested person and attaching same to the ALS form. If the license is to be submitted to the court, the Officer shall attach the license to the citation.
 - The officer shall note in the miscellaneous field on the Towed Vehicle Report form that the vehicle has been seized and the vehicle is subject to immobilization under ORC 4503.233 and/or forfeiture under ORC 4510.41.
 - If the license plates are seized, the officer shall place the license plates in BMV envelope 3613 and submit the envelope with the paperwork necessary for court presentation of the case.
 - If the motor vehicle is subject to forfeiture under 4510.41 the vehicle shall be towed to Sora's Towing storage facility.
- Because of exigent circumstances and/or in the interest of public safety, because of natural or man-made disaster or other necessary circumstance.
 - Vehicles towed under exigent circumstances shall be towed only with the permission of the shift supervisor. The vehicles shall then be removed by the means determined by the supervisor.

Officers of the Miami Township Police Department will only utilize towing services that have been authorized by the Chief of Police unless otherwise approved by the shift supervisor. The shift supervisor may authorize an officer to utilize a towing service not listed on the department's rotation towing list if the use of such towing service is necessary for expedient execution of law enforcement services.

[Vehicle Towing Records](#)

Any motor vehicle towed by an officer shall have a Towed Vehicle Report form completed and submitted with the officer's daily paperwork to records. A complete

inventory of the contents of the vehicle shall be made.

- The purpose of the inventory is to make a record of the vehicle owner/operator's property so that it may be safeguarded from theft and that officers are not accused of taking property from the vehicle.
- The inventory shall include all compartments of the vehicle, and any containers found therein. Any closed container shall be opened to determine its contents.
- If any of the following items are found inside the vehicle, the items shall be removed from the vehicle by the officer and given to the vehicle operator, or if the vehicle operator is not available it will be placed into the Miami Township Police Department Property and Evidence system for safekeeping.
 - Any cash or monetary instrument with a value of \$25.00 or more.
 - Any jewelry or like item which appears to have a value of \$25.00 or more.
 - Any small electronic device with an apparent value of \$250.00 or more.
 - Any credit cards or debit cards.
 - Personal documents such as birth certificates, passports, social security cards and other similar documents with a high trafficking value.
 - Any other property found in the vehicle that the officer determines would be better protected by removing it and giving it to the vehicle operator, or if the vehicle operator is not available, it will be placed into the Miami Township Police Department Property and Evidence system for safekeeping.

Release of Towed Vehicle Procedures

- Towed Vehicle with No Holder
 - The titled owner of the motor vehicle must present proof of ownership (title or memorandum of title) and a picture identification to the tow company to obtain release of the vehicle.
- Towed Vehicle with Holder Placed Pursuant to a Violation of Law or Department Purposes

Release of vehicles with a holder shall be obtained from the Miami Township Police Department records office. Should the records office be closed, an officer shall release a vehicle at any time in accordance with the provisions of this policy.

- The titled owner of the motor vehicle must present proof of ownership (title or memorandum of title), picture identification and documentation from the court or authorization from the arresting officer ordering release of the vehicle, to obtain release of the vehicle.
- The employee releasing the vehicle shall:

- Review the court paperwork for completeness.
- Photocopy the proof of ownership and the picture identification. The documents shall be attached to the original towed vehicle report form.
- Complete the vehicle release section at the bottom of the towed vehicle report form.
- Copy the completed towed vehicle form, providing the copy to the person obtaining the release of the vehicle.
- Documents shall be attached to the original towed vehicle report form.
- Complete the vehicle release section at the bottom of the towed vehicle report form.

Release of vehicle to a person not the titled owner. A person who has legal right of possession of the vehicle but who is not the titled owner of the vehicle may obtain release of a towed vehicle by presenting:

- Notarized letter from the titled owner granting permission to that person to obtain possession of the motor vehicle.
- The person must present the title or memorandum title and picture identification.
- These required documents may be faxed to the department.

The employee releasing the vehicle shall:

- Verify that the vehicle has been authorized for release by the arresting officer on the towed vehicle report form.
- Photocopy the title or memorandum title, picture identification and notarized authorization letter and attach to original towed vehicle report form.
- Complete the vehicle release section at the bottom of the towed vehicle report form.
- Copy the complete towed vehicle report form, providing the copy to the person obtaining the release.
- Should the vehicle be a leased vehicle, the person requesting and authorized to obtain the vehicle shall in addition to any items required for the release of the vehicle:
 - Have the leasing company fax a copy of the title to the department.
 - Have the leasing company fax on the company's letterhead, a notarized letter authorizing the department to release the car. Included in the letter must be the name of the person the vehicle is to be released to along with the person's social security number and/or date of birth.

61.4.4 Traffic Safety Materials

The Patrol Division Supervisor or his/her designee is responsible for maintaining educational material on traffic safety.

Traffic safety educational material will be made available to the public at all appropriate programs or activities sponsored or attended by officers of the Miami Township Police Department. Traffic safety material shall also be maintained in the lobby display rack.

ADDENDUM A. Unclaimed and Abandoned Junk Motor Vehicles Process

Setting Up a Salvage Account

For an agency to assist a tow company with an unclaimed/abandoned junk vehicle affidavit, they must have a Salvage (SLV) Account with the Bureau of Motor Vehicles (BMV). Should the agency not have an SLV Account, they can apply for one via written request. The request needs to be on agency letterhead and include: the agency name, address, phone number, email address and their intention to open a SLV Account. The request may be faxed to: (614) 995-7946, Attention: BMV Record Accounts Unit – Salvage Account OR emailed to BMVRecords@dps.ohio.gov. Once the BMV receives the written request, the BMV Record Accounts Unit will provide an Agreement and a Records Request form (BMV 1173) which must be completed by the police department. When documents are complete, they can be mailed to Ohio Bureau of Motor Vehicles, Attention: BMV Record Accounts Unit – Salvage Account, P.O. Box 16520, Columbus, OH 43216-6652. Upon receipt, the BMV Record Accounts Unit will review all documents. If all documents are in order, the BMV Record Accounts Unit will finalize the creation of the SLV Account and contact the signing authority with the agency SLV account number.

Authorized Agency Employee Access

Once an agency SLV Account is created, each authorized agency employee requesting access must complete an Unclaimed and Abandoned Junk Motor Vehicle Affidavit Online Access Request form (BMV 3350). Once the BMV 3350 is completed and approved, authorized employees may access the Salvage Affidavit system. The BMV 3350 can be faxed to (614) 995-7946, Attention: BMV Record Accounts Unit – Salvage Account OR emailed to BMVRecords@dps.ohio.gov.

Creating Identity Manager Account

Identity Manager is a one-time mandatory registration which allows a centralized login for all the ODPS applications. Completing the Identity Manager set up does not give system access to an individual user. Additional steps will follow the Identity Manager set-up in order for an individual to obtain access to an ODPS system. Click on the below link to start your Identity Manager set-up <https://services.dps.ohio.gov/IdentityManager/Login>. Click on register and follow the prompts to create an account. Once approved, access Identity Manager to process Unclaimed and Abandoned Junk Motor Vehicle affidavit.

Tow Rules and Regulations

When a vehicle, towed by a police department (tow sheet required), is left unclaimed for ten (10) days, the tow company must notify the agency to start the unclaimed and abandoned junk motor vehicle affidavit process. The Miami Township Police Department will assist the tow company, primarily for vehicles towed by this agency, if tow company provides the agency with a police tow sheet, tow company paperwork/bill, pictures of vehicle (all four (4) sides, and a picture of the vehicle VIN number. Should it be decided and assistance granted for a vehicle towed by another department, the tow company will need to provide paperwork (on department letterhead), from said department, acknowledging the vehicle does not have a holder or hold any evidentiary value.

The agency's SLV Account employee will check the vehicle through LEADS confirming if stolen, make and model of it. With all pertinent information, the agency's SLV Account employee will login into the agency SLV Account to generate an unclaimed and abandoned junk motor vehicle affidavit.

Confirmation of Ownership or Lien Holder

Once in your BMV Record Account (SLV Account), click on "order a record" for an unclaimed and abandoned junk motor vehicle affidavit. The system will navigate to the request screen. Complete your information (some fields may be prepopulated, and the asterisk fields are required), vehicle owner information, vehicle information, ORC (requires a response), and NCIC information (requires a response). Once all fields are complete, click "submit". The system will generate an Unclaimed and Abandoned Junk Motor Vehicle Affidavit which will show ownership, lien holder (if applicable) and title number.

Completion of Unclaimed and Abandoned Junk Motor Vehicle Affidavit

With the Unclaimed and Abandoned Junk Motor Vehicle affidavit (BMV 4204-E), the tow company will send the registered owner/owners (and lien holder, if applicable) a certified letter requesting the vehicle be retrieved and payment made for services. The tow company must provide the registered owner and/or lien holder ten (10) days to respond and make arrangements to retrieve and pay for any incurred costs associated with the vehicle or they will forfeit it. Once the tow company receives the certified receipt indicating delivery and/or non-delivery, the ten (10) day arrangement period has passed, and no one has indicated they would pick up and pay for the vehicle, they (tow company) will give the agency's SLV Account employee a copy of the letter and certified receipt. The agency's SLV Account employee will complete the remainder of the BMV 4204-E by having it notarized and make a copy of the notarized BMV 4204-E and all relevant paperwork for agency files. The tow company will get the original notarized BMV 4204-E so they can take it to the BMV.

ADDENDUM B. Wrecker and Towing Rules and Regulations

The Miami Township Police Department (MTPD) Chief will be responsible for the establishment and maintenance of an MTPD Wrecker System. The purpose of the System is to provide for the prompt and efficient removal of damaged vehicles from Township roads when the owner of the damaged vehicle does not request a specific towing company to remove the vehicle. A secondary purpose of the system is to provide fair and equal treatment to those companies that are qualified to participate in the MTPD Wrecker System, and request to be part of the System. Those towing companies which are qualified to participate in the MTPD Wrecker system in accordance with the MTPD Wrecker and Towing Rules and Regulations may apply to the Police Chief for inclusion in the system.

The wrecker companies that are participating in the MTPD Wrecker System at the time of the adoption of these Rules and Regulations will continue to be registered Township wreckers and may participate in the rotation of wrecker dispatch calls. Additional wrecker companies may be added to the register and rotation by the Police Chief provided the following circumstances are found to exist by police personnel:

Every person, firm, or corporation registered with the Miami Township Police Department, as part of the MTPD Wrecker System will be governed by the following Rules and Regulations.

1. Every person, firm, or corporation registered as a Wrecker or Towing Operator under the Township Wrecker System will submit to the Miami Township Police Chief an application. The application will contain name and home address of the registered wrecker owner(s) and the business name, location and telephone numbers where the wrecker(s) will be maintained, along with a description of the type of equipment and type of service the wrecker is equipped to render. The size and character of the storage facilities to be provided by said wrecker for the storage of vehicles which come into his possession by virtue of his towing operation will also be provided.
 - a. The registered wrecker owner(s), upon request, will submit to the Miami Township Police Chief the name, address and date of birth of all persons employed in the towing and storage operation.
 - b. Written notice to the Miami Township Police Chief must be made of any material change in the above information or in the equipment employed.
 - c. All registered wreckers must provide service 24-hours a day, seven (7) days a week, and will maintain not more than one (1) business telephone number for daytime operation; nor more than one (1) telephone number for night or other availability on file with the Clermont County Communication Center (CCCC). At no time will more than two (2) numbers be called to dispatch an MTPD rotation wrecker. The above-mentioned telephone numbers may be changed through the notification of the Miami Township Police Chief. It is recommended that one telephone number be available for all hours, if possible, as this minimizes time required in dispatching a wrecker.

- d. Each wrecker service on the rotation list shall be operated by a separate owner. Owner(s) may possess more than one (1) wrecker service, but only one (1) service per owner will be permitted on the rotation list.
2. Every registered wrecker owner shall provide the MTPD with a current certificate of insurance stating the amounts of coverage on the equipment, premises and any other form of liability which could arise in this type of operation.
 - a. MTPD will be advised by the registered wrecker owner of any change or termination of said coverage, with notice to be made ten (10) days prior to the effective date.
3. No person, firm, or corporation (or their agents or employees) under registration with the Township Wrecker system, shall respond to the scene of an accident unless dispatched, as herein provided, or engaged by a third person having a direct interest in the vehicle or vehicles involved.
4. When no wrecker is specified, as per wrecker requested procedures, registered MTPD rotation wreckers will be employed to remove vehicles involved in accidents under the rotation system.
5. For the purpose of this regulation, the removal of any vehicle on the traveled portion or berm of a highway, capable of being removed by a single crane tow, shall be considered a straight tow job.
6. The rates for towing passenger cars and light trucks will be established from time to time by resolution of the Board of Trustees of Miami Township.
 - a. Additional mileage charges permitted will only be allowed on any extra distance the tow must travel, as compared to the distance to your own lot. If it is no farther from the accident scene to your own lot, no additional charge may be made. The actual additional miles traveled in one (1) direction shall determine the permissible additional mileage charge. All such tows must be made by the most direct and best legal route.
 - b. No charge may be made for preparing the vehicle to tow such as:
 - i. Securing steering wheel.
 - ii. Removing drive shaft.
 - iii. Changing wheels or tires – under tow.
 - iv. Separating vehicles.
 - v. Loading or tying on parts.
 - vi. Pulling vehicles from poles or obstructions.
 - vii. Any other work required that is not specifically mentioned in the regulations.
 - c. No charge will be made for removing debris from the road which shall be the obligation of the wrecker operator.
 - d. No charge will be made for delays created by awaiting arrival or action of utility companies where retrieval and removal are delayed by lines down, etc.
7. All charges in excess of the rates prescribed by the resolution of the Board of Trustees of Miami Township will be reported to the Miami Township Police Chief stating in detail all charges and reasons for same. The above information shall be submitted in writing. Overcharges or unjustified extra charges will be

- considered serious violations and will be dealt with accordingly, to include suspension or removal from this system.
8. Upon the payment of reasonable permissible charges, vehicles in your possession must be released promptly and willingly by any authorized person claiming same, unless the vehicle is otherwise controlled by an MTPD holder. Any unnecessary delays, intimidation, threats of excessive charge or any other means of denying authorized persons the prompt possession of their property will not be tolerated.
 9. The registered wrecker operator shall be responsible for all post-accident damage, missing, stolen, exchanged parts, accessories, or property damage that was caused by negligence or carelessness on the part of said wrecker operator and/or his employees or agents. Upon request from wrecker operator, officer can document any damage on report narrative or tow sheet.
 10. Towing operators are reminded that the fees established by resolution of the Board of Trustees of Miami Township are the maximum charges permitted and should not be construed as the amount that must be collected. Charges of less than the maximum rate are in order in all cases where such tows are simple and not time-consuming.
 11. The fees established by resolution of the Board of Trustees of Miami Township shall not apply when the owner or the operator of a vehicle makes a request for a specific towing operator. Requests for a specific towing operator may be relayed by police personnel.
 12. Vehicles will be towed to the location indicated by the police personnel requesting the service. If not indicated, the vehicle will be removed to the registered wrecker's storage facilities.
 - a. The wrecker service storage facility shall be of such size to allow for secure storage of all vehicles towed at the request of the MTPD. The storage area shall be secured in such a manner to maximize safety and security of stored vehicles.
 - b. The wrecker service storage facility shall be located within Clermont County and/or close proximity of Miami Township.
 - c. Wrecker service should have available a secure indoor storage facility to be used at the request of the vehicle owner, the discretion of the wrecker driver or at the discretion of the requesting Police Officer.
 - d. When an officer places a MTPD holder on such vehicles, the wrecker operator will assume custody of such vehicle if towed to his storage lot. He will not relinquish custody of said vehicle until compliance with terms of the holder has been met and release approved by the MTPD personnel.
 - e. In all cases, process for release shall include verification by a member of the towing service of ownership of vehicles, authorization by the MTPD, and payment of all charges due.
 13. Any vehicle placed in the custody of a wrecker operator by means of a MTPD holder, and/or routine rotation towing, shall remain on the storage premises, and at no time shall it be moved or disposed of in any manner, or placed into use by said wrecker operator unless authorized by MTPD or the owner, if no MTPD holder is in effect on said vehicle.

14. Any wrecker operator who disposes of a vehicle which is being held under an MTPD holder, without the authorization of the Miami Township Police Chief, will be immediately removed from the Wrecker Rotation List.
15. When requested by police personnel, wrecker operators will furnish the MTPD with motor and serial numbers moved by order of the MTPD.
16. No vehicle shall be moved from an accident scene by a registered MTPD rotation wrecker unless requested to do so through the CCCC, or by a police officer on the scene.
17. Every wrecker and wrecker operator must meet the following minimum requirements, as indicated on application:
 - a. Each wrecker and its equipment will be of sufficient capacity to safely handle any vehicles towed. The manufacturer's rated capacity of vehicles and equipment shall not be exceeded while towing vehicles.
 - b. Minimum required for wreckers are:
 - i. Regular Duty Wrecker:
 1. Minimum manufacturer rated capacity of 10,000 lbs. gross vehicle weight (GVW).
 2. Minimum capacity of single line steel cables winch lines 30,000 lbs. GVW.
 - ii. Extra Heavy-Duty Wreckers
 1. Minimum manufacturer rated capacity 30,000 lbs. GVW.
 2. Minimum capacity of single-line steel cable winch lines and boom 30,000 lbs. GVW.
 3. Minimum cable size of 5/8" or larger.
 4. Extra Heavy-Duty wreckers will be equipped with air supply to be used in towing large vehicles with air brakes.
 - c. Wreckers shall not be loaded beyond the manufacturer's rated capacity of the vehicle and equipment. Use of a wrecker beyond its safe, legal or manufacturer's capacity, will be considered grounds for revocation of towing privilege.
 - d. Lifting and towing devices shall be designed and used to permit vehicles to be handled without inflicting additional damage. Operators must be trained in the use of equipment.
 - e. Opening of locked vehicles shall be accomplished with all precaution taken to ensure minimal or no damage to vehicle.
 - f. Each wrecker shall be equipped with "Class A" turn signals meeting all legal requirements and mounted so as to be visible from the behind vehicle being towed.
 - g. Each wrecker shall be equipped with an amber warning light or warning lights, permissible under Ohio law which, when lit, are visible at a distance of 500 feet from all sides of the vehicle. No red lights shall face forward.
 - h. Each wrecker shall be equipped with brakes of sufficient capacity, and maintained in excellent condition, capable of exceeding legal requirements. Brakes shall be capable of stopping the loaded wrecker in thirty feet or less from a speed of twenty miles per hour.

- i. Each wrecker shall meet or exceed all other legal requirements not listed in the above sections.
 - j. Each wrecker shall present a clean, well-painted appearance at all times.
 - k. Towing operators shall keep and maintain towing equipment which is adequate to perform such towing service in an efficient and workmanlike manner.
 - l. Each wrecker shall display in some manner on the exterior, and in plain view, the registered name under which the wrecker is operated on the township rotation system.
- 18. In addition to any other specifications set forth in these rules and regulations, each wrecker shall carry as standard equipment the items listed below at the time of any inspection.
 - a. MIRRORS – Should have not less than 45 square inches of area located in usable position for driver and not to impede vision to front or sides.
 - b. FIRE EXTINGUISHER – Should be at least one quarter in capacity of: carbon dioxide, dry powder, or other approved contents for all grade fires.
 - c. FLARES – At least six 30-minute flares in a protective case.
 - d. PUSH BOARD – At least twelve inches wide and the width of the equipment. Push board shall be so constructed as not to inflict any damage to vehicle being pushed.
 - e. HITCH – Type of hitch used – sturdy bumper plate, cradling and shall be constructed as so not to inflict damage to vehicle being towed.
 - f. SNATCH BLOCKS – at least one.
- 19. Wrecker operators must display a high proficiency in the operation of their tools and equipment. Vehicles shall be towed without inflicting any damage.
- 20. Each company that participates in the MTPD Wrecker System must agree to inspections, if needed, by police personnel for vehicle roadworthiness and shall further agree in writing to abide by the provisions of the Wrecker and Towing Rules and Regulations, as may be amended from time to time.
- 21. There shall be no division within the boundaries of Miami Township for dispatch of registered MTPD rotation wreckers. Registered wreckers will be responsible for accepting a dispatch anywhere within the Miami Township.
- 22. The list of available registered MTPD rotation wreckers maintained at the CCCC shall be maintained to reflect a continuing rotation, so that as a wrecker is dispatched by police personnel, that registered MTPD rotation wrecker will go to the back of the list and move forward again as future dispatched calls are made.
- 23. Wrecker operators dispatched by police personnel and then cancelled, will not be registered with a call, and the towing operator will retain the position enjoyed before dispatched, provided the CCCC is informed of the cancellation by the officer on the scene.
- 24. Wrecker call must be made by the registered wrecker accepting the call. Under no circumstances will a non-registered wrecker be permitted to tow a vehicle from a scene or incident which is under MTPD control, and/or investigation, except when requested by the vehicle owner.
- 25. If a wrecker is unable to respond immediately upon dispatch, the owner/operator will notify CCCC of his inability or refusal to respond. Another wrecker will then

- be dispatched. When a wrecker is not available for service due to equipment and/or mechanical failure, the CCCC dispatcher will be notified of the condition by the wrecker owner and/or operator and will be passed over in the regular rotation list until the wrecker company notifies the CCCC dispatcher and MTPD that it is again ready for immediate service.
26. Wrecker operators must be able to arrive at dispatched location preferably within fifteen (15) to twenty (20) minutes but not to exceed thirty (30) minutes.
 27. If the need for an additional wrecker arises for a single vehicle, such as a truck, the wrecker service on the scene may request another wrecker from its fleet to respond to the scene to assist. If none are available, a second wrecker from the rotation will be dispatched.
 28. Investigations and/or evidence indicating illegal or unbusinesslike actions by registered wrecker operators, and/or his employees, shall be ground for immediate suspension from the MTPD rotation Wrecker System, pending results of investigation and/or final disposition.
 29. Wrecker owners are responsible for any unclaimed motor vehicle left at their storage facility. However, MTPD will assist the wrecker company with the salvage/junk affidavit process.
 30. Amendments to these Rules and Regulations will be made as required. Notice of any amendments will be provided to all registered wrecker owners and shall become effective immediately upon receipt of said notification. Wrecker owners will be required to sign an amended Wrecker and Towing Rules and Regulations form.
 31. Each wrecker firm, or operator towing vehicles for the MTPD understands that being on the MTPD Wrecker System does not entitle wrecker firms or operators to any special rights or privileges and that they can be removed from the MTPD Wrecker System at any time with or without cause.
 32. All wrecker operators seeking participation in MTPD Wrecker System will be furnished with a copy of these Rules and Regulations at time of consideration. No wrecker operator will be permitted to participate in the MTPD Wrecker System until all equipment and operators are found to be in compliance with the minimum rules and regulations set forth herein.
 33. All registered MTPD rotation wreckers shall agree that, in consideration of participation on the rotation list, the company will also tow, at no cost to the Township, all passenger type vehicles that belong to the Miami Township Police Department. Towing of these vehicles will be made from point of breakdown, typically within Clermont County, to the Miami Township Police Department or other service facility designated by the MTPD. A separate rotation list for the towing of MTPD owned vehicles will not be maintained.