

BEDFORD PARK POLICE DEPARTMENT

6701 SOUTH ARCHER ROAD
BEDFORD PARK, ILLINOIS 60501
PHONE 708-458-3388 FAX 708-563-4525
<https://www.bedfordparkpd.com/>



Chapter 24

Vehicle Towing and Relocation Services

10-24-1 DEFINITIONS

As used in this chapter, the following words and phrases shall have the following meanings:

BEDFORD PARK TOW FEE RATE SCHEDULE: The most current annual tow rate fees, as adopted by the Village Board of Trustees, as amended from time to time.

EXTENDED SERVICE: Any tow which required the operator to perform services beyond those required in a "normal tow." For the purpose of this definition a "normal tow" is a tow where the vehicle's wheels are on the ground and the vehicle may be readily towed.

HEAVY DUTY: Involving vehicles forty thousand (40,000) GVWR or heavier.

ILLINOIS VEHICLE CODE: 625 Illinois Compiled Statutes 5/1-100 et seq., as amended from time to time.

LIGHT DUTY: Involving vehicles up to, but not including, twelve thousand (12,000) GVWR.

MEDIUM DUTY: Involving vehicles from twelve thousand (12,000) up to, but not including, forty thousand (40,000) GVWR.

POLICE DEPARTMENT: The Village of Bedford Park Police Department.

TOW LIST: The most current list maintained by the Bedford Park Police Department containing the names of those Tow Operators approved by the Chief of Police to respond to requests made by the Bedford Park Police Department for the towing of vehicles which are disabled where the person in charge of the vehicle has no preference for any particular tow service or is unable to make such a decision. The list shall also be utilized: a) to tow village owned vehicles in need of service to a location designated by the police department; and b) to tow vehicles impounded by the Police Department.

TOW OPERATOR: A person or firm engaged in the business of, or offering the services of, vehicle towing whereby motor vehicles are or may be towed or otherwise removed from one place to another by use of a tow truck, and which person or firm is listed on the tow list.

UPRIGHTING: Bringing a vehicle that is either overturned or on its side to the upright position in tow.

WINCHING: Bringing a vehicle that is completely off of the road surface back onto the road surface.

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10-24-2 APPLICATION FOR TOW LIST:

Any person/business desiring to perform police towing work at the request of the Police Department, shall submit an "application for police towing license" to the Police Department. Application forms may be obtained from the Police Department. The tow license application period shall be from October 1st to October 31st of each odd numbered year, with the licenses issued for a two-year period from January 1 to December 31. Each applicant must have a completed and correct application, along with all supporting and required documents, returned to the Police Department by 3:00 p.m. October 31, or the next business day where October 31 falls on a weekend or holiday. No additional applications or application documents shall be accepted after the close of the application period. Applicants submitting incomplete applications or applications submitted without all supporting or required documents shall be considered a nonqualified applicant by the Chief of Police. The Chief of Police shall issue police towing licenses to those applicants that meet the qualifications of said licenses as set forth in this Article. The police towing licenses shall be for a period of two (2) years. There will be a maximum of five (5) police tow licenses issued for the tow list.

This section does not prohibit the Police Department from adding additional tow licenses at any time should the need arise. In that event, the newly approved tow operator would have to reapply for inclusion on the next tow list during the next subsequent odd numbered year pursuant to this section.

10-24-3 INVESTIGATION AND APPROVAL:

After receiving a completed application from a person desiring to provide towing services, the Police Department will conduct an investigation to determine the truth and accuracy of the information contained in the application. Towing equipment may be subject to inspection by the Police Department initially prior to application approval as well as any other time as deemed necessary. Upon completion of the investigation, the Tow Operator will either be placed on the tow list or notified in writing that the application has not been approved.

10-24-4 INSURANCE:

The Tow Operator must keep on file, with the Police Department, a current Certificate of Insurance with liability coverage in at least the minimum amount required by 625 ILCS 5/12-606 and 625 ILCS 5/4-203, naming the Village of Bedford Park, its officials, agents, and employees as additional insured. Each tow operator is responsible for keeping their insurance up to date and supplying a copy of that insurance to the Village prior to its expiration. Failure to meet this requirement will result in immediate suspension or removal of the Tow Operator from the tow list.

- A. A comprehensive automobile liability insurance with a minimum combined single limit coverage of \$1,000,000;
- B. A commercial general liability insurance with limits of not less than \$1,000,000 per occurrence, \$100,000 minimum garage keepers' legal liability insurance, and \$100,000 minimum on-hook coverage or cargo insurance;
- C. A worker's compensation policy covering the Tow Operator's tow truck drivers and employees of the towing operation; and
- D. All insurance policies shall be endorsed to require thirty (30) days' notice of cancellation, in writing, to

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the Police Department. Operator agrees to furnish current Certificates of Insurance to the Police Department annually. Unless otherwise agreed to in writing by the Police Department, coverage shall be acquired from carriers with a Best Rating of "A" or better. Failure to provide continued proof of insurance, upon the Police Department's written notice delivered to the Tow Operator, shall result in the suspension from the tow list until verification of insurance is provided to the Police Department.

10-24-5 DUTIES AND REQUIREMENTS OF TOW OPERATORS ON TOW LIST:

- A. The Tow Operator is responsible for providing a secured lot where towed vehicles are stored, with an office at that location that is staffed during reasonable business hours. The storage lot shall be located within five (5) miles of the Village limits.
- B. All tow operators and drivers of tow trucks shall comply with the provisions set forth in 625 ILCS 5/12-606 as amended, and remove or cause to be removed all glass and debris deposited upon any street or highway by the disabled vehicle being serviced and/or removed, and shall, in addition, spread dirt or sand or oil absorbent upon that portion of any street or highway where oil or grease has been deposited by the disabled vehicle being serviced and/or removed.
- C. All tow trucks shall have displayed on each side thereof, a sign with letters not less than 2 inches in height, contrasting in color to that of the background, stating the full legal name, complete address (including street address and city), and telephone number of the owner or operator thereof. This information shall be permanently affixed to the sides of the tow truck.
- D. All tow trucks must be equipped with warning lights as allowed by State law and all other equipment required by State law including, without limitation, one or more brooms and shovels, oil-dry chemical, one or more trash cans at least eighteen inches (18") in height, and one fire extinguisher of a dry chemical or carbon dioxide type with an aggregate rating of at least 4 B:C and bearing the approval of a laboratory qualified by the division of fire prevention for this purpose; and have working two-way communication equipment on the same commercial frequency as the base station located at the point where calls are received. All tow trucks must carry dollies at all times and must be equipped to safely transport motorcycles.
- E. All towing equipment must display a current and valid Illinois license plate in accordance with 625 ILCS 3/5-413, 625 ILCS 3/5-414, 3/5-701, and 5/5-202.
- F. The Tow Operator must possess a valid certification from the Illinois commerce commission. No Tow Operator will be added to the tow list until a copy of this certification is delivered to the Police Department.
- G. Each Tow Operator will provide service twenty-four (24) hours per day, 7 days a week, 365 days a year.

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There must be an attendant on-duty or answering service available at all times for the purpose of receiving calls, and there must be a person on-call at all times for the purpose of releasing stored vehicles or for receiving vehicles.

- H. The Tow Operator will be required to sign an indemnification agreement, acceptable in form and substance by the Village attorney, to indemnify, save and hold the Village harmless from any liability for injuries or damages to any person or property by vehicles being towed or stored. No Tow Operator will be added to the tow list until a signed original or copy of the indemnity agreement is delivered to the Police Department.
- I. Tow Operators will permit vehicle owners to remove personal property from vehicles stored at their facility during business hours at no charge unless the Police Department has requested that no person(s) be allowed to access a particular vehicle.
- J. The Tow Operator shall immediately notify the Police Department of any operational changes, e.g., changes in storage location, new tow truck drivers, new equipment.
- K. Tow Operator acknowledges that the Village is subject to FOIA, 5 ILCS 140 *et seq.* Tow Operators agree to maintain, without charge to the Village, all records and documents related to Tow Operations in compliance with FOIA. In addition, Tow Operator shall produce records which are responsive to a request received by the Village under FOIA so that the Village may provide records to those requesting them within the time frames required. If additional time is necessary to compile records in response to a request, then Tow Operator shall so notify the Village and if possible, the Village shall request an extension so as to comply with the Act. In the event that the Village is found to have not complied with FOIA due to Tow Operator's failure to produce documents or otherwise appropriately respond to a request under FOIA, then Tow Operator shall indemnify and hold the Village harmless, and pay all amounts determined to be due including but not limited to fines, costs, attorneys' fees and penalties. The Village agrees to provide advice and guidance to Tow Operator regarding the extent of Tow Operator's obligations under FOIA.

10-24-6 COLLECTION OF COSTS; VILLAGE PAYMENTS; INSPECTION OF RECORDS:

Except as otherwise provided in this section, collection of towing and storage charges from the owner or driver of the towed vehicle will be the sole responsibility of the Tow Operator or his employee. The Village will only be responsible for paying towing fees to a Towing Operator listed on the tow list where the vehicle in question is: a) village owned, or b) is a lawfully seized vehicle, after forfeiture has been approved by a court, pursuant to the provision of the Illinois vehicle code, or c) an abandoned vehicle that remains unclaimed and may be disposed of as junk, pursuant to the provisions of the Illinois vehicle code. In no event will the Village be responsible for any storage costs for any vehicle that it has requested to be towed.

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All Tow Operators on the tow list must maintain complete records and a system of releasing vehicles that assures vehicles are released only to the proper owner, or authorized person. All records involving towing from the tow list will be open to the Police Department for inspection during normal business hours or at such time that there is an existing dispute concerning the amount or validity of any towing or storage charges.

10-24-7 OPERATION OF TOW LIST:

The Police Department will contact Tow Operators for service from the tow list on a strict rotating basis. In no event will the Police Department call any towing service not on the tow list, except in circumstances where all Tow Operators are unavailable. It is specifically permitted for the police department to call a Tow Operator out of sequence in a life-threatening emergency where there is an urgent need for services of a Tow Operator located in the near proximity of the event requiring service or where the estimated response time makes it more practical to do so.

10-24-8 SUSPENSION OR REMOVAL FROM TOW LIST:

- A. Power of Chief of Police: The Chief of Police may suspend or remove any Tow Operator from the tow list when he finds one or more of the following:
1. Placement on the list was secured by fraud or concealment of a material fact, that if known would have caused disapproval of the application; or
 2. The Tow Operator has violated any of the provisions of this chapter; or
 3. The service provided by the Tow Operator has been substantially inadequate, because of one or more of the following reasons:
 - a) Failing to be available for or not accepting calls,
 - b) Slow response time,
 - c) Excessive damage claims,
 - d) Repeated complaints from citizens or any other credible source,
 - e) Inadequate or substandard towing equipment, or
 - f) Failing to notify the Police Department of operational changes.

The Chief of Police will provide written notice to the Tow Operator of a suspension or removal from the tow list. The notice will specify the reason for the suspension or removal and, in the event of a suspension, the actions required by the Tow Operator for reinstatement on the tow list.

- B. Immediate Suspension or Removal: If the Chief of Police determines that a Tow Operator presents an immediate threat to the health, safety or welfare of the village, or if the Tow Operator has not provided proof of valid and current insurance in the amounts required by this chapter, the Chief of Police may, in his sole and absolute discretion, and without prior notice, suspend or remove the Tow Operator from the tow list.

10-24-9 SERVICES

The following services must be provided by every Tow Operator on the tow list:

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- A. General Towing (Hook or Flatbed) for:
 - 1. Light duty vehicle tow
 - 2. Medium duty vehicle tow
 - 3. Heavy duty vehicle tow
 - 4. Medium duty extended service tow
 - 5. Heavy duty extended service tow
- B. Service calls (Lockouts, vehicle starting, tire changing, etc.)
- C. Winching/ up righting vehicles
- D. Storage of all towed vehicles
- E. Clean up and removal of debris at tow scenes

10-24-10 SOLICITATION OF BUSINESS:

No Tow Operator may respond to the scene of an accident or emergency for the purpose of towing vehicles unless called there by the Police Department or persons involved in the accident or emergency. Tow Operators responding to an accident or emergency at the request of a person other than a police officer, must record the name and address of the person and make such information available to the police department upon request.

This section is intended only to prohibit the soliciting of business at the scene of accidents and emergencies, and will not be construed to prohibit any Tow Operator from contracting with any person.

10-24-11 TOW TRUCK OPERATION:

- A. Every Tow Operator or driver of a tow truck will remove or cause to be removed all glass and debris deposited on any street or highway by the disabled vehicle being serviced, and will, in addition, spread dirt, sand or an oil-absorbent compound upon that portion of any street or highway where oil or grease has been deposited by the disabled vehicle being serviced. No fees for this service will be charged unless the spill requires special handling for removal.
- B. No Tow Operator or driver of a tow truck will respond to a call for service while under the influence of intoxicants and all Tow Operators or drivers of a tow truck will respond to calls for service in a safe manner while observing all rules of the road.
- C. Towed vehicles will be taken to the location designated by the vehicle owner, driver or agent, should the person not wish to store the vehicle at the Tow Operator's facility; provided, however, that vehicles towed upon the direction of the police department will be towed to such a place as designated by the police officer in charge at the scene.
- D. When a Tow Operator tows a vehicle pursuant to a Police impoundment, the vehicle shall not be released until approval to do so is received from the Police Department. The Police Department reserves the right to determine the process of approval. If this process changes, the Police Department will notify the Tow Operator of the change prior to implementation.
- E. Once notified of a tow, the Tow Operator will provide the Police Department an approximate time it will take to arrive at the scene of a tow. If a Tow Operator is unable to respond to a tow request within thirty (30) minutes, the Tow Operator or his/her employee will advise the Police Department that he/she is

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not available. The Tow Operator will be marked unavailable. The police dispatcher will then call the next Tow Operator on the list.

- F. Disposition of unclaimed vehicles shall be made pursuant to Illinois Vehicle Code 625 ILCS 5/4-201 through 625 ILCS 5/4-214 and the Tow Operator shall maintain all appropriate records as required by these statutes. The Tow Operator shall provide the Police Department with a written inventory and statutes report of all police-related towed vehicles still in the custody of the Tow Operator at the end of each month or before the tenth day of the following month. Also, the Tow Operator shall provide the Police Department with a written list of any vehicles which currently are on a "hold" status by the Police Department within the first 10 days of every month.

10-24-12 STORAGE FACILITY:

Each Tow Operator will maintain a secure storage facility where all towed vehicles can be safely stored. A storage lot must be enclosed by a fence not less than six feet (6') in height and have a locked gate and a storage building must be fully enclosed and secured. All storage facilities must meet all zoning and fire ordinances and restrictions. When instructed by the police department that a vehicle in storage must be secured from tampering, the operator must store the vehicle so that it is not accessible to any person except upon specific approval from the Police Department. A clearance of twenty-four inches (24") must be maintained around all vehicles towed at the request of the Police Department.

10-24-13 TOW OPERATOR PERSONNEL QUALIFICATIONS:

A Tow Operator may not be placed or remain on the towing list if the owner(s) or person(s) operating a vehicle for such company has been convicted in the last five (5) years under the laws of the state of Illinois or any other state of an offense involving one or more of the following:

1. Bodily injury or attempt to inflict bodily injury to another person;
2. Theft of property or attempted theft of property; or
3. Sexual assault or attempted sexual assault.

Each Tow Operator must furnish to the Police Department a complete and current list of all drivers who may respond to tow list calls. No driver will be permitted to respond to any tow list call unless his name, date of birth and driver's license number have been furnished to the Police Department at least twenty-four (24) hours in advance by the Tow Operator on forms provided by the Police Department.

Each person operating/driving for a Tow Operator must be classified for the type of towing operation he/she shall be performing and vehicles he/she shall be operating and must submit proof of classification to the Police Department.

10-24-14 VIOLATION AND PENALTY:

Any person who violates any of the provisions of this chapter will, upon conviction thereof, be fined as established by the annual fee ordinance.

10-24-15 AMENDMENT OR TERMINATION OF TOW PROCEDURE AND TOW LIST:

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The Village reserves the right to amend or terminate this chapter unilaterally at any time without any notice and without recourse. Any amendment to this chapter will apply to all current Tow Operators. The termination of this chapter will automatically terminate the most current tow list.

10-24-16 BEDFORD PARK TOW FEE RATE SCHEDULE:

No tow operator on the Police Department tow list shall impose any fee higher than the maximum fees schedule provided in this subsection for any tow performed pursuant to a Bedford Park Police tow request. The Bedford Park Tow Fee Rate Schedule shall be reviewed biennially by the Police Department. The maximum fee schedule will be contained within the Bedford Park Police Department's towing application.

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ATTACHMENT #2: SCHEDULE – BEDFORD PARK TOW FEES

<u>Light Duty Services</u>	<u>Maximum Price</u>
Regular/ Flatbed Tows- (Arrests, Accidents, Abandoned Vehicles)	\$250.00
Service Calls (Vehicle jumps, change a tire, etc.)	\$150.00
Mileage (First 10 miles Free)	\$4.00 per mile
Pull-outs	\$150.00
Extra Time Pull-outs (Every 15 minutes from time truck is on scene- 1 hour maximum)	\$25.00 / Max. \$100.00
Administrative Fee	\$25.00
If a car needs to be pulled out of a ditch/tree, etc., and then towed away, can charge tow (\$250.00) plus pull-out fee (\$150.00) = \$400 for services	\$400.00
<u>Light Duty Storage</u>	
Per Day	\$65.00 Inside/ \$55.00 outside
Release Fee (At any time after normal business hours)	\$50.00
<u>Heavy Duty/ Full Recovery Services</u>	
Medium Duty Tows (8,000 - 40,000 lbs.)	\$375.00 per hour
Medium Duty Extended Service (After 2 hours)	\$200.00 per hour
Heavy Duty Tows (40,000 lbs. and over)	\$475.00 per hour
Heavy Duty Extended Service (After 2 hours)	\$300.00 per hour
Heavy Duty Rotator Crane	\$750.00 per hour
Heavy Duty Tow Truck – Over 50,000	\$475.00 per hour
Semi- Tractor and Driver (Transload)	\$200.00 per hour
Semi- Trailer	\$225.00 Flat Rate

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Air Cushions	\$3,500.00 Flat Rate
Arrow Board	\$230.00 Flat Rate
Fifth Wheel Dolly	\$200.00 Flat Rate
Flat Top Trailer Dolly (for broken trailer)	\$405.00 Flat Rate
Fork Lift	\$275.00 Per Hour
Lowboy/ Landoll Trailer	\$200.00 Per Hour
Light Tower	\$200.00 Flat Rate
Extra personnel - (per person/ per hour)	\$100.00 Per Hour
Skid Steer/ Bobcat/ End Loader	\$300.00 per hour
<u>Heavy Duty/ Full Recovery Storage</u>	
Semi-Trucks and Trailers Storage Per Day (Up to 10 days)	\$85.00 per day
Semi-Trucks and Trailers Storage Per Day (After 10 days)	\$125.00 Per Day