



CITY OF PHILADELPHIA

PHILADELPHIA ROTATIONAL TOW SYSTEM

FREQUENTLY ASKED QUESTIONS FOR THE TOWING INDUSTRY

Q: What is the rotational tow program?

A: The rotational tow program, in effect for more than a decade, dispatches participating towing companies on a revolving basis to the scenes of accidents and disabled vehicles. The system is intended to ensure a timely response, reduce wreck chasing, allow many towing companies to participate, and protect consumers and vehicle owners from predatory behavior.

Q: Which tows fall within the scope of the rotational tow program?

A: According to Chapter 9-605(4) of The Philadelphia Code, a towing company must be dispatched through the rotational tow system when a vehicle is in an accident where police have been dispatched. Towing parked vehicles from private property or driveways, or disabled vehicles from legal parking spaces, does not fall within the scope of the rotational tow program. It is illegal for a towing company to respond to the scene of an accident in the City of Philadelphia where police have been dispatched unless that towing company was dispatched through the rotational tow system.

Q: How do I apply to participate in the rotational tow program?

A: An eligible towing company can apply to participate in the rotational tow program at any time by completing an application and meeting the criteria as set forth in Chapter 9-605 of The Philadelphia Code and the rotational tow program regulations. These criteria include, but are not limited to:

- Pay a \$150 annual application fee.
- Furnish valid licenses for the towing company and for each tow truck to be used in the rotational tow program.
- Agree to abide by the rules and regulations, including the price limitations, of the rotational tow program.
- Agree to accept all forms of valid payment, including credit cards.
- Must have at least one flat-bed truck suitable for removing accident vehicles.
- Certify that each tow truck has the required equipment listed in Chapter 9-605(2)(j) of The Philadelphia Code, including:
 - Smart phone with access to the internet and a data plan

- 5 lb hammer
- Haz mat guide
- Green safety vest
- Gloves
- 6 road flares (36 min)
- Spill containment system
- Air caddy (Class A tow trucks only)
- Oil dry (80 lb bag)
- Rock salt/deicer (winter only)
- Tire chocks
- Pen and paper
- Emergency phone numbers
- Photo ID
- 6 bungee cords
- Conventional wrecker dolly wheels
- Choose which of the six geographic zones the towing company would like to participate in. Towing companies may participate in up to four zones, however the zones must be geographically adjacent and the towing company must be able to respond to the scene of a dispatch in any of the selected zones within 20 minutes.
- Maintain a primary place of business located within the City of Philadelphia.
- Provide a tax clearance certificate attesting to compliance with City of Philadelphia taxes.
- Must be able to make vehicles towed through the rotational system available for inspection by the vehicle's registered owner or insurance carrier, without fee, at any time during normal business hours on the same day of request.
- Must own, or lease from a towing company that is approved to participate in the rotational tow system, a vehicle storage facility located within the City of Philadelphia that is secured on a 24-hour basis.
- Agree to the terms and conditions of any towing management vendor under contract with the City to manage the dispatch functions and other administrative responsibilities for the rotational tow program.

A full list of rules that participating towers must abide by is included in the rotational tow program regulations.

Q: What fees may I charge customers?

A: In order to participate in the rotational tow program, towing companies must adhere to a strictly defined fee schedule as set forth in Chapter 9-605(4)(h) of The Philadelphia Code and the regulations governing the rotational tow program. Customers may only be charged for towing and storage fees as set forth in the Code and the regulations – towers may not charge any additional fees for any additional services.

The maximum towing fees permitted are as follows:

Vehicle Weight	Maximum Total Towing Fee Permitted to be Charged	Enforcement Agency Fee	Towing Management Vendor Fee	Maximum Amount to be Retained by Towing Company
Under 11,000 lbs	\$215	\$15	\$22	\$178
11,000 – 17,000 lbs	\$290	\$15	\$22	\$253
Over 17,000 lbs	\$400	\$15	\$22	\$363

Note that both the Enforcement Agency Fee and the Towing Management Vendor fee are to be paid by the towing company. They may not be charged to the customer in addition to the maximum total towing fee.

The maximum storage fees permitted are as follows:

Vehicle Weight	Storage Fee (per 24 hour day)
Under 11,000 lbs	\$25
11,000 – 17,000 lbs	\$40
Over 17,000 lbs	\$75

Storage fees shall be accrued for each 24-hour day. When a vehicle is stored for less than 24 hours on any day, storage fees shall be in the same proportion as the fractional part of the day the vehicle is stored.

Q: What is AutoReturn? Why did the City contract with them?

A: AutoReturn is a third-party towing management vendor under contract with the City to manage the rotational tow system. The City contracted with AutoReturn to manage the administrative aspects of the rotational tow system, including the acceptance of applications, management of the lists, dispatching functions, payment processing, and complaint intake. AutoReturn dispatches towing companies through a software platform that is available at no charge to participating towing companies and will send a dispatch communication directly to the smart phone of tow operators who are signed up in the program. AutoReturn will also manage the remittance of the \$15 enforcement fee between the towing companies and the City. AutoReturn is *not* a towing company.

Q: How are the towing calls dispatched?

A: When a police response is requested to the scene of an accident or disabled vehicle, Police Radio will submit a tow request through the AutoReturn system. AutoReturn will then send a

dispatch directly to the smart phone(s) of a driver of the towing company next up on the rotational list to respond. There are six rotational lists corresponding to each of the Philadelphia Police Divisions. AutoReturn will dispatch towing companies in sequential order on the list – not based on proximity to the response location.

Q: Is there a cost to participate in the rotational tow program?

A: Towing companies must pay a \$150 annual fee to the City at the time they apply to participate in the rotational tow program, per Chapter 9-605(4)(b)(.5) of The Philadelphia Code. Additionally, towing companies must pay a \$22 service fee to AutoReturn for every tow they complete that was dispatched through the AutoReturn system, and must remit \$15 from every collected towing fee back to the City.

Q: Is AutoReturn going to cost my towing company more money?

A: No. Towing companies must pay a \$22 service fee to AutoReturn for every tow they complete that was dispatched through the AutoReturn system. However, the City has also increased the schedule of maximum permitted fees for the rotational tow program to ensure that this fee does not negatively impact the towing companies that participate in the program.

Q: Is any special equipment needed to participate in AutoReturn's dispatching system?

A: In order to receive dispatches through the AutoReturn system, individual tow operators simply need a smart phone with access to the internet that will support AutoReturn's app. The app is free. No other special equipment is needed.

Q: My towing company has multiple tow trucks. How will the AutoReturn dispatching function work?

A: Each towing company can create a user profile in the AutoReturn system for its company. As part of that profile, the towing company can register the smart phones of each individual tow operator they employ. This permits the AutoReturn dispatch communication to be received by any one of the towing company's drivers who are on duty and actively logged into the system. The towing company has full control over which of its employees are registered in the system to receive the dispatch communication. However, no tow operator may respond to a rotational tow dispatch unless they are a) in direct possession of the dispatch communication on their smart phone and b) are employed by the towing company that received the dispatch.

Q: Can I opt out of the AutoReturn system?

A: The City contracted with AutoReturn to manage and administer the rotational tow system on the City's behalf. Although participating in the rotational tow program is optional for towing companies, companies that do apply to participate in the program will be required to use the AutoReturn system in order to receive dispatch communications.

Q: Is the \$15 fee paid to the City a new fee?

A: No. Section 9-605(4)(i) of The Philadelphia Code has required that a \$15 fee be paid to the City on every tow provided under the rotational towing system since the rotational tow system was first created. This \$15 fee is built into the fee schedule that towing companies may charge vehicle owners. Towing companies can make this payment to the City through the AutoReturn system.

Q: What happens if my towing company is dispatched but a tow is not completed?

A: Occasionally, towing companies respond to accident scenes that do not require a tow. If a towing company responded to a tow request but did not tow a vehicle away from the scene, the towing company will maintain its position on the rotational list and will not owe the \$22 service fee to AutoReturn or the \$15 fee to the City. A towing company owes the \$22 service fee to AutoReturn and moves to the bottom of the dispatch list only once a tow is completed, and the \$15 fee to the City is owed only after the towing fee is paid by the vehicle owner or his designee.

Q: What do our tow operators need to do once they respond to the scene of an accident?

A: Tow operators must show police officers and vehicle owners the AutoReturn dispatch communication on their smart phone *prior* to hooking any vehicle, in order to verify the legitimacy of the tow and to avoid any disputes with any other tow operators that may have improperly responded to the scene. Only a properly dispatched tow operator may hook or tow a vehicle from the scene.

Tow operators must provide vehicle owners with a copy of the Consumer Bill of Rights that explains the maximum fee schedule and other provisions of the rotational tow program.

Tow operators must explain to vehicle owner/operators that their vehicle can be towed anywhere in the City at the choosing of the vehicle owner/operator.

Tow operators must perform a reasonable amount of clean-up at the scene, such as the removal of significant pieces of debris resulting from the accident.

Q: What if there are multiple vehicles in need of a tow at the accident scene?

A: The towing company that is properly dispatched to the scene may tow multiple vehicles from the scene if it can dispatch the necessary equipment within the required time frame. If the towing company does not have enough trucks available to tow every vehicle from the scene, nor has any specialty equipment needed, dispatch will call the next towing company on the list to find a towing company that can provide the remaining equipment necessary. A towing company's inability to provide all needed trucks or specialty equipment will not constitute a "pass" of its turn in the rotational system, as long as at least one truck of the type needed to perform some portion of the job is provided.

Q: What if my tow trucks cannot respond to the dispatch?

A: If a towing company does not want to accept the job for any reason (e.g. there is no tow operator available, or it cannot meet the required 20-minute response time), the towing company can "pass" on its turn. The towing company will then return to the end of that specific rotational list. A towing company is permitted three such "passes" of its turn in a one-year period. Additional passes within a one-year period shall constitute a violation of the requirements of the rotational system.

Q: Are there rules about where I can tow a vehicle?

A: Yes. A towing company dispatched through the rotational system must tow the vehicle to a location of the vehicle owner/operator's choosing, as long as that location is within the City of Philadelphia. If the vehicle owner/operator is incapacitated, Police will instruct the tow operator as to where the vehicle should be towed, or allow the towing company to take temporary possession of the vehicle at a secure storage facility located within the City.

Q: Is participating in the rotational tow program mandatory?

A: Towing companies choose to participate in the rotational tow program and may apply to participate, or request removal from the program, at any time. Participation in the program is optional. However, no towing company may lawfully tow a vehicle from, or respond to, the scene of an accident where police have been dispatched, or tow a disabled vehicle that is either impeding traffic or is on the shoulder of a limited access highway, unless the tower was dispatched through the rotational tow program.

Q: What if my towing company responds to an accident scene before anyone else?

A: Only towing companies that were dispatched through the rotational system may respond to or tow a vehicle from an accident scene where police have been dispatched. It is illegal for tow operators to respond to or tow from an accident without being dispatched through the rotational system. Towing companies that violate this provision and "wreck chase" or otherwise solicit towing business in violation of the Code provisions or regulations of the rotational tow system can face penalties that include fines, license suspensions, and impoundment of the tow

truck. Towing companies should report instances of wreck chasing or violations of the rules of the rotational tow program to Police and to AutoReturn.

Q: What if another towing company arrives at the scene before mine?

A: The properly dispatched towing company should display the AutoReturn dispatch communication to the Police responder who arrives on the scene to verify which towing company was properly dispatched. Towing companies should also report instances of wreck chasing or violations of the rules of the rotational tow program to Police and to AutoReturn.

Q: What other rules do towing companies need to follow in order to participate in the rotational tow program?

A: Towing companies must respond to dispatches on a 24-hour basis and must arrive at the requested location within 20 minutes of dispatch.

Towing companies may not subcontract the tow job to a different company – only an employee of the specific towing company that was dispatched through the rotational system may respond to the scene.

Towing companies must release a vehicle on the same day that the vehicle owner/operator requests it, provided that all applicable fees are paid in full.

Towing companies must make towed vehicles available for inspection by the vehicle owner/operator or representative, without charge, during normal business hours on the same day that the request is made.

No towing company may subsequently tow or relocate a vehicle from the initially designated location to a different location without written authorization from the vehicle owner/operator.

Towing companies must accept credit cards for payment of towing and storage fees, and must provide itemized invoices prior to accepting payment.

Q: What if I have questions?

A: Questions from the towing community can be answered by contacting AutoReturn at www.autoreturn.com, calling 415-575-2359, or by visiting www.phila.gov/towing.