

Town of Brunswick, Maine

Item 4

Back up
materials



Town of Brunswick, Maine

INCORPORATED 1739

Police Department



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MEMORANDUM

TO: Fran Smith

FROM: Commander Todd Ridlon

DATE: 13 January 2026

SUBJECT: New Towing Policy Memo

In June of 2025, Commander Ridlon replaced Paul Hansen, and as a part of his new duties a review of our policies was performed, and it was discovered that our towing policy had not been updated since 2008. A collaborative review with the Clerk's Office was carried out where updates and some changes were made to the towing policy and guidelines.

- Amended language to clean up the policy
- Towing companies' proximity to the police department was changed to be at the discretion of the chief of police.
- Insurance liability requirements were raised to match the current costs associated with this profession
- Application fees were raised from \$30 to \$50
- Allowable rates the tow companies can charge were also increased to accommodate the increase in the cost of living

January 7, 1986
Amended March 21, 1988
Amended April 21, 1992
Amended November 7, 1994
Amended August 21, 1995
Amended July 21, 1997
Amended January 16, 2001
Amended July 7, 2008
Amended December 8, 2025

Town of Brunswick Towing Policy and Guidelines

POLICY STATEMENT:

During the course of performing law enforcement functions, there will be situations which require the removal of motor vehicles from both public and private ways. This policy is designed to establish parameters for quick and efficient removal of vehicles under those circumstances. In those situations, in which the vehicle involved has potential evidence value, it is also necessary to develop guidelines to preserve such evidence for future court functions.

It is the policy of the Town of Brunswick that all police-ordered removal of vehicles be carried out at the expense of the driver or owner of said vehicle. Designation of a towing company will be made by police in accordance with the following included regulations with one exception; the owner or driver, if available, may request a particular towing operator, provided that towing firm so designated is able to respond in a timely fashion and would not represent interference in legitimate police functions. In any event, the final decision will always rest with the investigating officer on scene.

On those occasions when selection of the towing service is made by the town, it is the intent of these regulations that the town will utilize the services of towing companies and operators who:

- 1) Are prompt, reliable, and capable of moving cars safely.
- 2) Have the capability of storing vehicles in a location which is reasonably safe from pilferage and further damage.
- 3) Agrees to a standard schedule of fees for his services.

To carry out the intent of this policy, the town will rotate towing work among qualified companies on a weekly basis. It is the intent of this policy to treat qualified towing companies fairly in the distribution of police-ordered towing calls. In order to become qualified, towing companies and operators must comply with the following standards: (Amended 01/16/01, 07/07/08)

PERMIT REQUIRED:

Prior to responding to police-ordered towing calls, the owner and/or operator of a towing company shall first have obtained a permit from the Town Clerk's office, with the approval of the chief of police or designee as outlined in the policy.

TOWING COMPANY PERMIT:

The Town Clerk shall issue a towing company permit to the owner or operator of a towing company that qualifies for the Town of Brunswick's towing rotation upon the payment of a permit fee of one hundred and fifty dollars (\$150.00) per year, provided the towing company complies with the further conditions of this article. All permits issued under this article shall continue in force until December 31st of each year, unless suspended or revoked. Renewal applications must be returned to the Town Clerk's office no later than December 31st of each year. Applications received after December 31st will accrue a late fee of thirty dollars (\$30.00). The late fee will double to sixty dollars (\$60.00) after thirty (30) days.

Applications to operate a towing company for the purpose of police-ordered towing shall, among other things, set forth:

- (1) Name, address, date of birth of the towing company owner(s) and operators, and company name – d/b/a.
- (2) The number of wreckers or flatbed wreckers actually owned, and the number of wreckers or flatbed trucks actually operated in the town by the applicant or company on the date of application.
- (3) The make, type, year of manufacture and vehicle identification number of each wrecker or flatbed truck operated by the applicant.
- (4) The name and address of each person holding an ownership interest in the towing company and the percentage ownership interest held by each such person.
- (5) Evidence that each person holding an ownership interest and the manager is a person of reputable character as confirmed through a police records check. A criminal records check result, which would exclude a person from receiving a permit to operate a towing company, includes but is not limited to:
 - (a) Any felony conviction within the five (5) years immediately preceding the person's application for a permit;
 - (b) A misdemeanor conviction for a crime of dishonesty (theft, forgery, etc.) within the five (5) years immediately preceding the person's application for a permit; or
 - (c) Any misdemeanor or felony conviction which has resulted in the person being classified as a Ten-Year Registrant or Lifetime Registrant, by 34 M.R.S.A. § 11203 (as it may be amended) and requires registration under the Maine Sex Offender Registry.

The companies who held slots for the previous licensing period will be allowed to continue on the new year's rotation if application is made by December 31st, have met all requirements, and whose license has not been

suspended or revoked. New companies that apply will be placed on the waiting list until there are additional slots available. Companies choosing to make applications for the towing rotation list may do so at any time during the year. Effective October 1, 2008, if any two or more qualified towing companies share common ownership, such companies shall hold no more than one rotation slot on the town's Qualified Towing Company List. For purposes of this policy, towing companies shall be considered to share common ownership if thirty percent (30%) or more of the ownership of the companies is held by the same person or entity. Ownership by a person's spouse shall be considered ownership by the person for purposes of this policy. (Amended 07/07/08, 12/08/2025)

QUALIFIED TOWING COMPANIES:

Qualified companies must be located within an acceptable response time that has been approved by the police chief or their designee; and abide by all standards of these regulations. The police chief, or their designee, shall maintain a list of qualified towing companies. Should a qualified towing company voluntarily or involuntarily be removed from the list, the chief of police, after consultation with police staff and with notification to the remaining qualified companies, shall determine and publish a new rotation list of qualified companies. Replacements or additions to the "Qualified Towing Company List" shall be accomplished by adding companies determined to be qualified by the police administration, provided that the maximum number of companies on the town's Qualified Towing Company List shall not exceed five (5) qualified companies at any one time. (Amended 04/21/92, 07/21/97, 01/16/01, 07/07/08, 12/08/2025)

INSURANCE:

Each licensed towing company must carry insurance with the following minimum requirements:

- Auto Liability \$1,000,000
- General Liability \$1,000,000
- Worker's Compensation statutory requirements.
- The Town of Brunswick and the Brunswick Police Department must be named an additional insured.

The town shall be provided a Certificate of Insurance or other proof of insurance acceptable to the town, with the insurance to remain in effect at all times while the towing company is on the town's Qualified Towing Company List. (Amended 01/16/01, 07/07/08, 12/08/2025)

APPLICATION FOR OPERATOR'S PERMIT:

The Town Clerk shall issue an operator's permit to the operator of a wrecker or flatbed truck of an approved company that qualifies for the Town of Brunswick's Qualified Towing Company List upon the payment of a permit fee of fifty dollars (\$50.00) per year, provided that the operator complies with the further conditions of this article. All permits issued under this article shall continue in force until the first day of the following July, unless suspended or revoked.

Town Clerk to Furnish Identification Card: Upon the issuance of a permit to any operator of a wrecker or flatbed truck, the town clerk shall deliver to the permit holder an identification card bearing a recent photograph of the permit holder, the company', and the permit holder's name. The

identification card shall be available for inspection at any time the operator is operating equipment for the purpose of the Town of Brunswick's Qualified Towing Company List.

Applications for a permit to operate a wrecker, for police-ordered towing, shall be made on forms provided by the town, approved by the chief of police and shall, among other things, set forth:

- (1) The name, address and date of birth of the applicant.
- (2) A photocopy of valid operator's license in a class authorized to operate.
- (3) Evidence that the operator is a person of reputable character as confirmed through a police records check. A background check and past business check accompanied by a criminal records check results which would exclude a person from receiving a permit to operate a wrecker or flatbed truck includes, but is not limited to:
 - (a) Any felony conviction within the five (5) years immediately preceding the person's application for a permit;
 - (b) A misdemeanor conviction for a crime of dishonesty (theft, forgery, etc.) within the five (5) years immediately preceding the person's application for a permit; or
 - (c) Any misdemeanor or felony conviction which has resulted in the person being classified as a Ten-Year Registrant or Lifetime Registrant, by 34 M.R.S.A. § 11203 (as it may be amended) and requires registration under the Maine Sex Offender Registry.
 - (d) Any reports of poor, questionable or unreliable business practices as reported by other law enforcement or town government agencies that have previously worked with the applicant.

(Amended 07/07/08, 12/08/2025)

INDEMNIFICATION:

The towing company and operator shall, by signing this guideline, agree to defend, indemnify, and hold harmless the Town of Brunswick and its employees, officials, and agents from and against all claims, charges, losses and expenses including attorney's fees arising out of or resulting from the performance of services under these guidelines by the towing company or operator. (Amended 01/16/01, 07/07/08)

EQUIPMENT:

Service wreckers will be equipped with a qualified 4-ton boom and winch or hydraulic wheel lift style wrecker equivalent to a 4-ton boom wrecker. Towing companies on the rotation must be equipped with all equipment necessary to safely and effectively tow vehicles. All equipment must be in good working order. Wreckers must meet state inspection standards, and provide proof at the time of application. All vehicles responding to police ordered towing must have met inspection standards and hold a valid towing company permit issued by the town under this policy. Exception may be granted for unforeseen emergencies. (Amended 04/21/92, 01/16/01, 07/07/08, 12/08/2025)

IDENTIFICATION:

A wrecker or flatbed truck authorized by the town to participate in the Town of Brunswick's towing rotation shall be conspicuously marked, in letters not less than two and one-half (2 ½) inches in height, with the company name, trade name, or with a design or monogram containing the owner's name or trade name. The design or monogram must be at least eight (8) inches in diameter.

STORAGE REQUIREMENTS:

Vehicles impounded for evidence purposes will be stored at the impound area or other location designated by the police chief. Vehicles removed for snow removal or reasons other than impoundment will be stored in locations protected from further damage and pilferage. For snow removal, the operator must have access to a storage area for at least 10 vehicles. Said storage area shall meet zoning requirements and be within A reasonable distance approved by the police chief or their designee. (Amended 04/21/92, 07/21/97, 01/16/01, 07/07/08, 12/08/2025)

TWENTY-FOUR HOUR SERVICE:

During their period of availability, the towing company must agree to have at least one qualified wrecker ready and available for prompt response at all times to police calls. If the on-duty wrecker has not arrived on scene in a timely manner, the communications officer may contact the next wrecker service in rotation for response. (Amended 01/16/01, 07/07/08)

PROTECTION OF EVIDENCE:

Towing operators must take all reasonable precautions required by the police to avoid damage to any evidence. Towing operators shall not, by state law, assist any vehicle involved in an accident before notifying the police.

RELEASE OF VEHICLE:

No vehicle impounded by the police will be released without authorization from the police.

UNCLAIMED VEHICLE:

Towing companies shall contact all vehicle owners, or other responsible parties, who have not claimed a vehicle within 48 hours of towing. This contact is for the expressed purpose of obtaining a name and address of the contacted party, and to explain the fee structure of the wrecker company for the disposition of said vehicle. The police department will assist the wrecker companies who are unable to make effective contact toward this end. It is also suggested that wrecker companies keep a log of whom and when these parties are contacted for future reference in the event a dispute arises over towing and/or storage. (Added 11/07/94)

VEHICLE RELEASE FEE:

Vehicle release fees shall not exceed \$50.00 for requested releases during non-business hours. (Added 04/21/92, Amended 12/08/2025)

Business Hours are defined as: Business Hours shall be defined as being 8:00 a.m. to 5:00 p.m., Monday through Saturday. (Added 04/21/92)

CONDITION OF THE ROADWAY:

The operator will be responsible for removing all broken glass and other debris from the roadway resulting from an accident. Normal cleanup procedures are considered part of the wrecker operator's duties and are not chargeable to the involved parties. (Amended 01/16/01)

RATES:

Maximum fees for town-ordered towing, with minimal waiting period, shall conform to the following schedule:

\$120.00- **Daytime** (Amended 04/21/92, 01/16/01, 07/07/08, 12/08/2025)
\$ 145.00- **Nighttime** (Amended 04/21/92, 01/16/01, 07/07/08, 12/08/2025)

Inside storage charges shall not exceed \$100.00 per day, and outside storage charges shall not exceed \$50.00 per day. (Amended 11/07/94, 01/16/01, 07/07/08, 12/08/2025)

Daytime and nighttime shall be defined as follows:

Daytime - 7:00 a.m. to 7:00 p.m. (Amended 04/21/92)
Nighttime - 7:00 p.m. to 7:00 a.m. (Amended 04/21/92)

Day is defined as: A day is considered to be a 24-hour period from the time of tow.
(Added 04/21/92)

Charges will be based on the time call is initiated, as recorded by the police communications officer.

Towed vehicles may not normally be retrieved between 1 AM and 7AM (although if a hold has not been placed on the car by the police department and the towing company chooses to release the vehicle during these hours, a release fee may be charged). If the vehicle is retrieved by 11AM of the first day that it is in storage, a day's storage fee will not apply. The storage charge will apply to any vehicle held past 11 AM. Extra charges may be assessed for services which require dollies, winching, long waiting periods, or other unforeseen services depending on the situation. Any additional charges, above standard fees, shall be listed and specified on bills. (Amended 07/07/08)

MINIMAL CALL OUT:

In the event that a towing company has been requested for service and upon arrival the situation has changed, and services are no longer required, the owner or driver must pay the wrecker the amount of one-half (1/2) of the towing charge. If the wrecker has hooked onto the vehicle, then the vehicle's driver or owner must pay a

full-service wrecker fee as authorized by the Brunswick Police Department's policy. (Amended 08/21/95, 07/07/08)

ROTATION:

Weekly rotations shall be divided among the number of qualified towing companies listed on the town's Qualified Towing Company List. Rotations will commence on Wednesday at 7:00 a.m., and end the following Wednesday at 6:59 a.m. Newly qualified companies, if slots on the rotation are available, will be placed at the bottom of the existing rotation list. (Amended 07/07/08, 12/08/2025)

ADDITIONAL SERVICE:

In the event a situation is beyond the capability of the towing operator or towing company of any given rotation, the police will attempt to obtain additional assistance from among the other qualified companies. If special equipment is needed that none of the on-call services possess, then assistance can be obtained from any wrecker service that does possess the equipment needed. (Amended 01/16/01, 07/07/08, 12/08/2025)

PROFESSIONAL CONDUCT:

Towing companies and their employees shall conduct themselves in a professional manner in order to avoid conflict and maintain the image and integrity of law enforcement. (Amended 07/07/08)

SUSPENSION – TERMINATION:

A towing company and/or operator may be suspended or terminated by the chief of police or their designee, at any time if it is not in compliance with the standards of these regulations. If a company or operator is suspended, the suspension shall be for a minimum of one of their rotations. During a company suspension, the rotation shall go to the next company on rotation. If terminated, to become re-qualified the towing company and/ or operator must correct any discrepancies at which time they may reapply and, if approved, will be scheduled into the rotation in the same manner as a newly qualified company and/or operator. (Amended 07/07/08, 12/08/2025)

GRIEVANCE:

In the event a complaint arises due to services, additional charges, or violations of these guidelines, the chief of police or, in their absence, the acting chief shall investigate the matter and initiate a final resolution. The final resolution alternatives available to the chief of police, or their designee, shall include any one or more of the following:

- Administrative warning;
- Suspension from the rotation list; or
- Termination from the wrecker list permanently.

In the event formal disciplinary action is taken against a wrecker company or operator, said company or operator shall have a right to an administrative review by the town manager's office by filing a written request

within ten (10) days of notice of said action. The town manager's decision in such matters shall represent final resolution. (Amended 11/07/94, 07/07/08, 12/08/2025)

Company Name:	Owner / Operator:	Phone Number(s):

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