



Vehicles for Hire

# TEXAS CITY POLICE DEPARTMENT

## CITY OF TEXAS CITY WRECKER APPLICATION FORM

### Application Process

TO OBTAIN A PERMIT FOR ANY WRECKER, A TOWING COMPANY SHALL FILE A WRITTEN APPLICATION WITH THE DEPARTMENT. THE APPLICATION SHALL CONTAIN THE FOLLOWING:

Year and make of the wrecker(s) to which the Permit will apply:

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Vehicle Identification Number(s) VIN of the wrecker(s) and copy of State of Texas Certificate of Title:

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Current Texas License Plate Number for the wrecker:

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Full business name, address and telephone number for the true wrecker title owner. A "dba" or assumed name must be accompanied by the name of the underlying business entity:

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Full business name, address and telephone number for the towing company (if different from title owner). A "dba" or assumed name must be accompanied by the name of the underlying business entity:

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The Texas Operator's License Number of owner and every driver (name & number):

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The name of the insurance company, the policy number and the insurance agent's name and telephone number:

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### Vehicles for Hire

A list of the vehicle storage facilities the towing company uses and that are listed for that are listed for the wrecker, and which shall be located within the city limits of Texas City:

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The applicant's original signature: \_\_\_\_\_

The Cab Card issued by the state. Full business name on the Cab Card must match the full business name on application; and

Tax ID number for the towing company (for business identification purposes only):

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Working telephone number listed under towing company with contact information of said towing company in the city:

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Wrecker must be owned or leased by the towing company. If the wrecker is leased, a copy of the lease agreement must be provided. The lease agreement must cover the full period of the permit. Leased wreckers may only be used by the towing company making application for that wrecker. The same wrecker may not be used by another towing company on rotation.

Must have a minimum of 4,000 square feet of storage area.

#### **THE WRITTEN APPLICATION FORM SHALL BE ACCOMPANIED BY:**

- Copy of "Vehicle Registration Listing" and "cab card" issued by the Texas Department of Transportation (TXDOT). Business name on Cab Card must be the same name as on the application.
- Copy of towing company DBA, partnership agreement, or Articles of Incorporation, if applicable.
- Copy of Texas Tow Act Permit (IM) Incident Management Towing Permit: This permit is required for non-consent tow initiated by a peace officer.
- Receipt from the Galveston County Tax Office showing current registration, or if the Wrecker is registered outside of Galveston County, the current registration from the county where the wrecker is located.
- Proof of passage of designation inspection.
- Copy of the towing company's most recent Wrecker invoice.
- Current original business card for the towing company which shall include the full business name, business telephone number and all addresses and telephone numbers of storage lots used by the towing company.

## Vehicles for Hire

Original "**CERTIFICATE OF INSURANCE**" for the Wrecker being permitted and the additional insured named as follows:

City of Texas City  
1801 9<sup>th</sup> Avenue North  
Texas City, TX 77590

The application must be submitted to the Department by hand delivery or by delivery through the United States Postal Service or by any private courier service. No application or supporting documentation may be submitted by facsimile or electronic mail.

Yearly renewal package fee of \$450.00 to cover all expenses such as two identifications, backgrounds checks, two wrecker inspections, paper work, and verification of documents.

Additional drivers shall be required to pay a \$25.00 administration fee for background and driver's licenses' verifications.

An applicant for a Wrecker Permit shall submit the application and fee to the Department.

A copy of the Vehicle Storage Facility permit issued by the State.

### **ISSUANCE**

If the Department determines that the applicant has satisfied all requirements under this ordinance, it may issue a permit.

## Vehicles for Hire

### EXPIRATION OF PERMIT

All wrecker permits expire annually at midnight on December 31, regardless of the issue date. To renew a permit, the applicant shall file a renewal application.

### PERMIT RENEWAL

Wreckers permit applications shall be submitted from October 1 through December 1 for the next calendar year.

A towing company that fails to renew the permit before it expires shall be removed from the Non-Consent Town master list.

Operating a wrecker with an expired permit constitutes a violation of this ordinance.

Permits are granted to the original applicant only, and are non-transferable. Sale of a business requires the new business to apply for a new permit.

Permits are not assignable or transferable except that a permit may be transferred to a replacement truck if:

- The replacement truck belongs to the same towing company and the original truck will no longer be used by the towing company on rotation;
- The towing company obtains the Department's written permission;
- The replacement truck passes inspection; and
- Proof of insurance is submitted to the department;

Failure to follow these procedures is a violation of this Ordinance.

### Insurance Requirements:

An applicant shall procure, and keep in full force and effect, a policy of liability and property damage insurance. At the time of initial registration, and upon renewal, the registrant shall file, or cause to be filed, a certificate of insurance with the Department. The certificate shall clarify the type and amount of insurance coverage and provides for thirty (30) calendar days notice to the Department of cancellation of, or material change in the policy. The certificate shall name the City of Texas City as an additional insured.

Prior to the issuance of any Wrecker Permit, the applicant shall file with the Department, or cause to be filed, proof of motor vehicle liability insurance coverage issued by an insurance company listed as an authorized auto liability lines carrier on the Texas Department of Insurance list of authorized insurance companies. Each policy shall be issued by a casualty insurance company authorized to do business in this state and that complies with all applicable rules and regulations of the State Board of Insurance. Proof of insurance shall be carried in the Wrecker at all times.

The required insurance shall be in the MINIMUM AMOUNTS set forth below:

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- For damages arising out of bodily injury to or death of one person in any one collision: \$500,000.00
- For damages arising out of bodily injury to or death of two or more persons in any one collision: \$500,000.00
- For injury to or destruction of property in any one collision: \$50,000.00
- Each Wrecker shall have a cargo insurance policy of at least \$50,000.00 coverage.

The certificate of insurance shall also specifically state:

- That the policy covers the vehicle subject to the Permit;
- Identify the vehicle by year, make and vehicle identification number; and
- Indicate that the policy complies with the minimum liability limits established by these rules.

A Towing Company shall maintain insurance for each Wrecker it owns or operates which meets the requirements of all other applicable statutes in addition to meeting the insurance requirements set forth in this Ordinance. A Law Enforcement Officer may inspect the Wrecker for the insurance coverage.

A Towing Company shall not participate in any non-consent tows if it fails to provide the insurance limits.

The city shall be named as an additional insured.

### **REQUIRED IDENTIFICATION ON WRECKERS**

The owner's full legal business name or legal assumed name as specified on the "Vehicle Registration Listing" issued by TXDOT;

The city and state in which the owner's business office is located; and

The Towing Company's full business name and telephone number, including area code, shall be permanently inscribed or affixed on the doors on each side of each Permitted Wrecker in letters that are at least three (3) inches high and ½ inch wide, in contrasting colors, and clearly visibly at fifty (50) feet during normal daylight. All other required markings shall be at least two (2) inches high and ½ inch wide.

Display on each Wrecker used for non-consent tows a Permit plate issued by TXDOT pursuant to Texas Transportation Code § 502.281 and as hereafter amended or its successor statute.

Magnetic and removable signs are not permitted.

### **QUALIFICATION FOR PLACEMENT ON NON-CONSENT WRECKER ROTATION LIST**

Only those towing companies that have met the following annual requirements shall be placed on the non-consent wrecker rotation list:

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- Each wrecker service shall have a minimum of two license wreckers per wrecker company, but no more than five for the rotation list. This shall ensure the wrecker service is able to provide adequate service to the citizens it serve and the TCPD.
- Have submitted and been issued a wrecker business permit under the provisions of this article.
- Own or lease, and operate, a Vehicle Storage Facility within the city limits of Texas City, available for the storage of automobiles which may be removed as a result of the name of the wrecking company appearing on the Non-Consent Wrecker rotation list. Only one towing company per Vehicle Storage Facility shall be allowed. A Vehicle Storage Facility shall be of a size sufficient to allow for the storage of a Wrecker Company's non-consent tows, and shall contain a minimum of 4,000 square feet. Dealerships acting as towing companies shall be exempt from the requirement to provide a Vehicle Storage Facility, as provided by State Law.
- Have deposited with the City Secretary a garage keeper's legal liability policy covering fire, theft and explosion in the vehicle storage facility in the same minimum amount as is required by State Law for consent tows, and showing the city as an additional insured.
- Maintain a twenty-four (24) hour wrecker service.

### **USE OF NON-CONSENT WRECKER ROTATION LIST**

(A) Upon receiving the first communication that the owner of a vehicle involved in a collision has failed or refused to designate a wrecker company, or has specifically designated no preference, the TCPD Dispatcher receiving the communication at police headquarters shall call the first towing company on the list to tow a disabled vehicle and remove the vehicle from the public streets of the City. If a towing company does not respond to the request with its wrecker within 30 minutes (absent exigent circumstances), the next towing company on the rotation list shall be called (No Show).

(B) Each succeeding communication of the failure or refusal of the owner to designate a wrecker, or where the owner has specifically designated no preference, the next company on the list shall be called, and so on, calling each towing company on the master list in rotation and properly annotating each call on the master list.

The City reserves the right to cancel the “next-out” wrecker as warranted by the situation on the scene. If the City cancels the “next-out” for any reason other than the company’s failure to arrive within the allocated time limit, or the equipment does not meet the requirements of the situation, the company shall be placed on top of the rotation list and shall receive the subsequent “next-out” call.

### **RECORDS OF REMOVAL OF VEHICLE-REQUIRED**

Every towing company qualified for and whose name appears at its request on the wrecker rotation list shall maintain, at its storage facility location within the city, records as to all vehicles moved by it after being notified to do so by personnel of the city in accordance with the provisions of this article.

### **SAME-CONTENTS AND RETENTION PERIOD**

The records required to be kept by section 126-36 shall contain the following information:

- Make, model and serial number of the disabled automobile moved by the company;
- Location from which the disabled vehicle was removed and time of removal;
- Total amount charged for towing;
- Storage rate per day; and
- Description of all personal property within the disabled automobile at the time of its removal.
- Name of the driver or owner of the motor vehicle

These records shall be preserved by the towing company for at least three (3) months from and after the date the company came into possession of the automobile.

### **SAME-INSPECTION BY POLICE**

The records required to be kept by the provision of section 126-37 shall be made available to the members of the City Police Department by the towing company at any reasonable time.

RETURN ALL APPLICATIONS TO:

Texas City Police Department  
Attn: Corporal Terrell Rhone  
1004 9<sup>th</sup> Avenue North  
Texas City, TX 77590

