

**CHARLES COUNTY SHERIFF'S  
OFFICE**

**Authorized Tow Service  
Program**

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Rules and Policies

January 1, 2026

**CHARLES COUNTY SHERIFF'S OFFICE**  
**Authorized Tow Service Program**

**TITLE 1**  
**DEFINITIONS; GENERAL PROVISIONS**

§ 1-101. In general

In general – In this document the following words have the meanings indicated, unless the context requires otherwise.

§ 1-102. Appeal

Appeal means a process to have a decision reviewed.

§ 1-103. ATSP

ATSP means the Authorized Tow Service Program operated by the Charles County Sheriff's Office (CCSO).

§ 1-104. Calendar day

Calendar day- means every day shown on the calendar, after midnight constitutes another day. A calendar day begins at 0001 hours and concludes at 2400 hours.

§1-105. Customer

The owner or operator of the towed vehicle or insurance company acting on behalf of the owner.

§1-106. Dismissal

Means the Service Provider's privileges to tow for the ATSP have been terminated preventing them from participating in the ATSP for the remainder of that calendar year and up to indefinite removal from the ATSP.

§ 1-107. Facilities inspection

Facilities Inspection means to examine a towing facility and physical property to determine its accuracy, quality, or condition.

§ 1-108. Insurance

Insurance is a contract between an individual/business and the insurance company that protects against financial loss in the event of an accident, theft or other qualifying incident.

§ 1-109. Permit

Refers to a permit issued pursuant to Charles County Code §287, Article V Towing Regulations.

§ 1-110. Tow

Police Tow means any tow which is requested by any employee of the CCSO in performance of their duty. This tow may be at the request of the vehicle owner or a police officer for vehicles which are stolen, involved in a crash, abandoned or for any other reason.

§ 1-111. Primary geographical tow service area

A geographical area set by the Tow Coordinator in which a tow company is primarily responsible.

§ 1-112. Secondary geographical tow service area

A geographical area set by the Tow Coordinator which is outside their primary geographical tow service area. This is an area which is usually adjacent to the primary geographical tow service area of a service provider, where their service may be requested.

§1-113. Service Provider

The tow company providing a tow service, includes the owner, operators, employees, and any agent of the tow company.

§ 1-114. Suspension

Means the Service Provider's privileges to tow for the ATSP have been suspended preventing them from participating in this program.

§ 1-115. Tow Coordinator

The Tow Coordinator is a member of the CCSO Traffic Operations Unit who administers the Charles County Tow Permit Program as well as the ATSP. The Tow Coordinator is directly supervised by the Traffic Operations Supervisor. For the purposes of this definition, Tow Coordinator or his designee is synonymous.

§ 1-116. Tow service

Tow service means the operation of relocating, removing or towing vehicles for a fee.

§ 1-117. Tow truck

Tow Truck means a vehicle that has a Class E (truck) registration designed to lift, pull, or carry a vehicle by hoist or mechanical apparatus, has a manufacturer's Gross Vehicle Weight of 10,000 pounds or more. Tow truck includes rollbacks.

§ 1-118. Towing

Towing means the moving, relocating or removing a vehicle by a towing service.

§ 1-119. Recovery

Means winching, hoisting, up-righting, removing, or otherwise relocating a vehicle when the vehicle is found in a location, state, or position in which it cannot be removed from the location, state, or position using only the vehicle's own power, even if it were in complete operating condition.

§ 1-120. Traffic Operations Supervisor

Traffic Operations Supervisor is a sworn officer of the rank of sergeant who oversees the CCSO Traffic Operations Unit, which includes the Charles County Tow Permit Program as well as the ATSP. For the purposes of this definition, Traffic Operations Supervisor or his designee is synonymous.

§ 1-121. Vehicle Storage Facility

Vehicle Storage Facility - means a facility where impounded, damaged or disabled vehicles are stored at any time for compensation.

§ 1-122. Violation

Violation is a breach of any rules or policies of this agreement.

## **TITLE 2 RULES AND POLICIES**

§ 2-101. Intent

- (a) It is the policy of the Charles County Sheriff's Office to utilize the services of any service provider located within Charles County, Maryland which requests to participate in the ATSP, given said service provider is in good standing with CCSO and meets the requirements of this document.
- (b) The maximum number of participants in the ATSP will be determined by the Sheriff and will be managed by the Tow Coordinator. The Sheriff or his designee reserves the right to adjust this number based on the needs of the community and CCSO. When vacancies occur, a process determined by the Sheriff will be used to select the next service provider that will be afforded the opportunity to participate in the ATSP.
- (c) Any service provider participating in the ATSP will adhere to the rules and policies set forth within this document.
- (d) The CCSO may increase all authorized tow fees under the ATSP yearly by approximately 3%, rounded to the nearest dollar, beginning on January 1. The new Fee Schedule will be published and sent to each provider no later than December 1<sup>st</sup> of each year and become effective on January 1<sup>st</sup> each following year. The Sheriff may, based on inflation, industry standards or other circumstances increase the amount of the tow fees beyond 3% as he deems necessary.
- (e) Any service provider acting under this agreement and towing a vehicle under the ATSP for the CCSO and held for storage as evidence or pending forfeiture by the CCSO shall submit invoice for payment to the Commander, Property Management Section, within 30 calendar days of towing the vehicle. Failure to submit an invoice for payment within 30 days will result in the forfeiture of payment due by the CCSO to the service provider.

§ 2-102. Application and Renewal

- (a) A service provider applying to participate in the ATSP is required to submit an Application for Authorized Tow Service Program, form #395. If there are no current vacancies (see §2-101) (b)) in the program, service providers will be placed on a waiting list.
- (b) If a service provider leaves the program or is removed from the program, they will need to reapply and begin the process over, unless it has been determined that they will no longer be eligible to participation in the ATSP. Once a vacancy becomes available, the next service provider selected will be inspected as outlined in this program. If a service provider meets the requirements outlined, they will be added to the ATSP.
- (c) Each service provider will be inspected in accordance with section §3-101(c) (9) of this program.
- (d) By December 1<sup>st</sup> of each year a service provider in good standing who is currently participating in the ATSP will be provided the ATSP Rules and Polices form #397 and the

Authorized Tow Fee Schedule form #397A for the upcoming calendar year. The provider must sign and return the Application Renewal form #395R to the Tow Coordinator by no later than December 15<sup>th</sup> to remain a service provider under the ATSP. Failure of a service provider to return a completed Application Renewal form #395R by December 15<sup>th</sup> will result in your separation from the ATSP, effective midnight, December 31<sup>st</sup>.

#### § 2-103. Control and Operation

- (a) The CCSO ATSP is controlled and operated by the Sheriff, Charles County, MD through the establishment of:
  - (1) Rules and Policies (CCSO Form 397) and;
  - (2) ATSP Schedule of Fees for Services (Form 397A).
- (b) Participation in this program by a service provider is strictly on a voluntary basis.
- (c) Service providers requesting to terminate their ATSP agreement shall do so in writing at least 10 business days prior absent exigent circumstances.
- (d) Any service provider who is utilized by the CCSO under this voluntary program must abide by the Rules and Policies (Form 397) and the Authorized Tow Service Program Schedule of Fees for Services (Form 397A) as established by the Sheriff of Charles County.
- (e) Each service provider will designate one (1) point of contact who will be responsible for all communication related to the service provider and the administration of the ATSP.
- (f) These requirements apply when a member of CCSO makes a request on the behalf of the agency, another law enforcement agency, or a citizen.
- (g) Participation in this program is open to all tow service providers in Charles County, Maryland without regard to race, sex, creed, religion, sexual orientation or political affiliation or any other protected category under State or Federal law.

#### § 2-104. Administration

- (a) The Tow Coordinator will administer the ATSP on behalf of the Sheriff and will serve as the CCSO point of contact for all service providers.
- (b) Administration of the program will include the processing of program applications and verification of required program documentation, the maintenance of program files and records, the conducting of inspections of facilities and equipment, and the handling of complaints by and against any provider participating in the ATSP.
- (c) The Tow Coordinator shall be under the immediate supervision of the Traffic Operations Supervisor.
- (d) All correspondence related to the administration of the ATSP will be in the form of written communication (electronic mail or paper copy).
  - (1) Paper documents will be delivered in person or via the United States Postal Service using certified mail delivery.
  - (2) Electronic Mail will be sent to the Tow Coordinator using the email - [towing@ccso.us](mailto:towing@ccso.us)

#### § 2-105. Authority

- (a) The Traffic Operations Supervisor shall, upon the affirmation of the Commander, Field Operations Section, have the authority to suspend a tow service from participation in this program until it complies with the Rules and Policies (Form 397) and Authorized Tow Service Program Schedule of Fees for Services (Form 397A).

- (b) The Traffic Operations Supervisor may utilize any member of the Traffic Operations Unit of the Charles County Sheriff's Office to assist with this program on his behalf.
- (c) The Sheriff or his designee reserves the right to remove a service provider from the ATSP at any time. Service provider(s) are held bound to avoid excessive, unwarranted, or unjustified behavior that would reflect poorly on themselves, the Office of the Sheriff, or the Charles County Government.

### **TITLE 3**

#### **REQUIREMENTS FOR FACILITIES, DOCUMENTS, EQUIPMENT, AND INSPECTIONS**

##### § 3-101. Vehicle storage facilities

- (a) Any service provider participating in the ATSP must maintain a vehicle storage facility located within their assigned service area as determined by the Charles County Sheriff's Office.
- (b) Any application for participation in the ATSP will require a facility inspection.
  - (1) The inspecting officer shall approve a location only if the minimum requirements are satisfied.
  - (2) The storage facility must remain locked/secured at all times when the authorized employees are not present.
  - (3) The facility is subject to inspection at any time by the Tow Coordinator or his designee.
- (c) The storage facility, at minimum, must have the following characteristics:
  - (1) The storage facility must be located within the geographical boundaries of Charles County, Maryland.
  - (2) Exterior Storage:
    - (i) A six foot (6') or greater fence surrounding the entire storage lot with a controlled access entrance or gate equipped with a locking mechanism.
      - 1. The fenced area must contain sufficient space to accommodate twenty (20) or more passenger vehicles for storage.
      - 2. The fence construction shall be sufficient to reasonably repel entrance at any point aside from the controlled access point or gate.
  - (3) Interior Storage:
    - (i) A completely enclosed building with sufficient space to accommodate twenty (20) or more passenger vehicles for storage.
    - (ii) Interior storage facilities must have deadbolt style locking devices on all doors leading to the exterior of the facility.
  - (4) Interior and/or exterior storage facility used by a member of the ATSP that is shared with another business or service provider must still adhere to the storage requirements outlined in this document.
  - (5) It is the responsibility of the service provider to ensure the storage lot remains locked/secured at all times when not present.

- (6) The storage facility shall have sufficient artificial lighting which illuminates the entire storage area during periods of darkness (if exterior storage) or illuminates the entire interior storage facility when activated (if interior storage).
- (7) Anti-theft/Security Devices: The storage facility shall employ an anti-theft device, which affects the entire storage facility.
  - (i) Exterior fenced storage facilities, in addition to the required six foot (6') or greater fence, shall utilize one, or a combination of, the following:
    - (1) Barbed wire
    - (2) Concertina wire
    - (3) Video surveillance cameras with media storage devices capable of 15-day archiving
    - (4) A monitored security system to satisfy this requirement.
    - (5) Other security measures will be considered upon inspection.
- (8) Interior storage facilities shall maintain an interior monitored security system and/or interior video surveillance cameras with media storage devices capable of 15 days of storage.
- (9) Signage:
  - (i) Service provider(s) participating in the ATSP must have signage clearly identifying their business or storage facility in a manner which would allow a reasonable person to view the information while retrieving a vehicle from the service provider and/or storage facility. The signage, at a minimum, must clearly display the service provider's (company) name, address and phone number.
  - (ii) The service provider must display the CCSO Authorized Tow Fee Schedule (CCSO Form 397A) in a manner that would allow a reasonable person to view the information while retrieving a vehicle from the service provider and/or storage facility.
- (10) The CCSO shall not be liable for any theft, vandalism or damage caused to vehicles stored or towed at the request of the CCSO. Further, the CCSO shall not indemnify any participant in this program for said damages.
- (11) During the initial application process an inspection is completed at the service provider's facility. If the service provider meets the requirements, they will be accepted into the ATSP.
  - (i) If a service provider does not meet the necessary requirements on the initial inspection, they will be given the opportunity to be reinspected. The service provider will notify the Tow Coordinator as soon as the violation is reconciled, but within (45) days of the initial inspection, so a follow up (second) inspection can be completed. Failure of the service provider to follow up, or the service provider still does not meet the necessary requirements on the follow up (second) inspection they become ineligible for the program for the duration of the calendar year. The service provider may reapply for consideration but not sooner than, December 1 of that year.
- (12) In cases where a service provider becomes ineligible, the next service provider selected will be inspected as outlined in this program.

§ 3-102. Service provider facility/premises requirements.

- (a) The service provider/owner/operator of the facility and/or the premises must obtain, and maintain, all proper occupancy permits as required by the Charles County Government.

§ 3-103. Documents

- (a) In general;
  - (1) Service providers in the ATSP must present all documentation required by this agreement upon application to the program, annual renewal, and/or upon demand of any CCSO employee. Documents may be original or a photocopy which accurately, as determined by the Tow Coordinator or his designee, represents the original document.
  - (2) Failure or refusal to provide the documents required, or misrepresentation of any documents will result in the denial of an application and/or renewal and may prevent participation in the ATSP indefinitely.
- (b) Documents for initial application:
  - (1) Valid Charles County Permit to conduct towing in Charles County.
  - (2) A valid document must be provided for any property, building, storage lot or physical structure owned, leased, or used by the service provider showing an agreement for the service provider to use said property for their business. In cases where the service provider is the owner, proof of ownership is required.
- (c) Required documentation:
  - (1) A services provider shall have immediately available, accurate and complete records, at the location where vehicles are stored to include:
    - (i) The name and address of the individual who requested storage of each vehicle;
    - (ii) The date that each vehicle was brought into the vehicle storage facility;
    - (iii) The year, make, model, and if available, license plate and the vehicle identification number of each vehicle;
    - (iv) All CCSO Vehicle Release Forms (CCSO Form 68A); and
    - (v) A document, electronic or physical, indicating the date and manner of disposition of each vehicle.
  - (2) Period to be maintained – Records under subsection (c) of this section shall be kept for at least 1 year after the date of the transaction to which the record applies.
  - (3) A service provider may satisfy the record requirement if the required record is a computerized record that is immediately accessible at the vehicle storage facility.
- (d) Any change or modification made to information outlined in § 3-103(b) shall be reported to the Tow Coordinator in writing within five (5) business days. Failure to submit the required documentation will result in the service provider being suspended from the ATSP.
  - (i) The service provider will be reinstated to the ATSP when the required documents are received and/or any discrepancies are rectified.
  - (ii) If the situation is not rectified within 30 days of the change or modification, the service provider may be removed from the ATSP but can reapply for the next calendar year.

- (e) Service providers will be provided with a copy of the Rules and Policies (Form 397) annually. Service providers agree to comply with the Rules and Policies as a condition of participation in the Program.

§ 3-104. Insurance requirements

- (a) Insurance shall meet the required minimums as required by Charles County Towing Regulations. Per Chapter 287-26 of the Charles County Code, the Charles County Sheriff's Office must be listed as certificate holder and additional insured.

§ 3-105. Inspections

- (a) By participating in the ATSP, the service provider consents to the entry upon the tow service's property for conducting inspections by CCSO personnel, at any time during normal business hours. The scope of entry by the CCSO, and the consent expressed in this document, is limited to activity directly connected to the ATSP.
- (b) The Tow Coordinator shall conduct at minimum two (2) inspections a year of all service provider's facilities. In addition, the Tow Coordinator may conduct unannounced inspections as deemed necessary to ensure compliance with the rules and regulations of the ATSP. The service provider, and if applicable, the point of contact will be informed of the results of the inspection. This information will be documented on the inspection report by the Tow Coordinator.
- (c) The Tow Coordinator may demand customer invoices or records connected to any tow. Notice of this requirement will be given to the affected service provider as soon as practical; however, any document may be demanded during an inspection, without notice, during the service provider's normal business hours.
- (d) A service provider's tow truck and equipment shall be inspected by Tow Coordinator at least annually. If a level (1) one DOT inspection has been completed within the last (3) three months, the Tow Coordinator may use this inspection towards the annual inspection.
- (e) As with any commercial vehicle, tow trucks may be randomly selected for inspections at any time.

§ 3-106. Equipment

- (a) Any service provider participating in the ATSP must possess a minimum of two (2) serviceable tow trucks capable of towing and recovery services. Each tow truck must be properly equipped with devices required to tow, recover, and transport the effected vehicle. This includes the following:
  - (1) (1) one set of operational tow dollies per tow truck, (not required for flatbed tow trucks);
  - (2) (1) one shovel;
  - (3) (1) one push broom;
  - (4) A container, bucket or barrel for the temporary storage and removal of debris;
  - (5) (2) two thirty-pound (30 lb.) bags, or equivalent, of oil/fluid absorbent; commercially available kitty litter is acceptable;
  - (6) chains;
  - (7) tow hooks;

- (8) tow cables;
  - (9) any other industry-standard equipment.
- (b) Tow truck operators, and crewmembers, will comply with all Federal Department of Transportation and Maryland Department of Transportation requirements regarding safety equipment and attire while outside of the tow truck, including, but not limited to:
- (1) reflective attire;
  - (2) closed toe footwear; and
  - (3) gloves.

## TITLE 4 RULES AND POLICIES FOR OPERATION

### § 4-101. Rules of operation

- (a) The purpose of the ATSP is to provide safe, consistent, and timely service to the citizens of Charles County at the request of the CCSO. Service providers in the ATSP must be available when requested and respond promptly to accomplish this goal. Delays in service must be infrequent.
- (b) Service providers in the ATSP must be able to effectively communicate with customers, members of the CCSO, and other law enforcement agencies.
- (c) Primary and secondary geographical tow service areas are assigned at the sole discretion of the Tow Coordinator.
- (d) Generally, service providers operating under the ATSP must be responsive to requests from CCSO at all times.
  - (1) Response time (primary geographical area):
    - (a) Normal business hours: Monday through Friday (excluding Federal Holidays), providers must respond to the location provided within thirty (30) minutes of the request.
      - (i) If a provider is unable to respond to the call for service within (30) minutes, they shall notify the requesting CCSO employee. If the CCSO employee requests the service provider continue to the scene, despite the stated delay, the service provider shall estimate their arrival time to the CCSO employee.
      - (ii) Reoccurring issues related to availability will be documented by the Tow Coordinator and will be considered a violation.
    - (b) Outside of normal business hours (primary geographical area): Outside of normal business hours, including weekends and Federal Holidays, providers must respond to the location provided within forty-five (45) minutes of the request.
      - (i) If a provider is unable to respond to a call for service within forty-five (45) minutes, they shall notify the requesting CCSO employee. If the CCSO employee requests the service provider continue to the scene, despite a stated delay, the service provider shall estimate their arrival time to the CCSO employee.
      - (ii) Reoccurring issues related to availability will be documented by the Tow Coordinator and will be considered a violation.
  - (2) Failure to respond in a timely manner will result in another service provider being requested and the cancelation of the initial request.

(3) Should a service provider anticipate a period of unavailability (e.g., vacation or out of service equipment or unavailable drivers) they must notify the Tow Coordinator in writing prior to the anticipated unavailability.

(4) Service provider equipment or personnel are not permitted to respond to a CCSO scene/event unless requested to do so by CCSO personnel.

#### § 4-102. Release of vehicle and property

(a) Service providers must be available to release, from their storage facility:

(1) vehicles,

(2) property contained in the vehicles, including but not limited to:

(i) packages or personal items,

(ii) tools,

(iii) registration plates, etc.

(b) Service providers must be available at their storage facility during normal business hours:

(1) Monday through Friday within thirty (30) minutes of notification from the vehicle owner.

(2) Saturdays within sixty (60) minutes of notification from vehicle owner;

(3) Service providers are exempt from releasing vehicles on Sundays and federal holidays.

(c) Service providers will not require payment of services before releasing personal property.

(d) The service provider must possess a minimum of one (1) device capable of processing payments via two (2) or more major credit cards.

(e) Service providers are prohibited from charging any additional fees, other than outlined on the Authorized Tow Fee Schedule, form #397A, associated with a vehicle towed in connection with and/or while operating under the ATSP without the written approval of the Tow Coordinator. The service provider must reimburse the owner/agent for the amount exceeding the guidelines within 5 business days. Violations of this section will result in immediate suspension or dismissal from the ATSP.

(f) In instances where it has been determined that a service provider inadvertently overcharged an owner/agent for a tow/storage, the service provider must reimburse the owner/agent for the amount exceeding the guidelines within 5 business days. Depending on the circumstances, instances such as this may be investigated by the Tow Coordinator and could result in suspension or dismissal from the ATSP.

#### § 4-103. Compliance with laws required.

(a) All Authorized Tow Services will be conducted in compliance with all Federal, State and Local laws as well as this document.

(b) Service providers will also comply with any additions, deletions, or modifications to these rules, policies, and Schedule of Fees as may be issued by the Sheriff of Charles County.

#### § 4-104. Sale of authorized tow service status

(a) The authorization provided by this agreement is not transferable to any person or service provider.

§ 4-105. Authorized tow service relocation.

- (a) Service providers are required to notify the Tow Coordinator prior to relocating their physical place of business. Service providers who relocate without proper notification and required site inspection will be suspended.
  - (1) In the event an authorized tow service provider relocates to another geographical authorized tow service area, the Tow Coordinator will assess the need for service providers in that area. This may result in the service provider being placed on the wait list until additional service providers are needed.

§ 4-106. Changes within service providers.

- (a) Service providers must immediately notify the Tow Coordinator, in writing, of any changes in their business operations, which involve their towing services. This includes:
  - (1) The sale of any tow equipment;
  - (2) Unserviceable or out-of-service tow equipment;
  - (3) Newly purchased tow trucks;
    - (i) Shall not be utilized by the service provider on ATSP related calls until the new truck and its equipment have been inspected and authorized by the Tow Coordinator.
  - (4) Removal or adding of a tow truck operator.
    - (i) Must provide a certified copy of the new operator's driver's driving record.
    - (ii) CCSO will provide approval of additional operator(s) within five (5) business days of receiving the required documents.

§ 4-107. Gifts or favors.

- (a) In accordance with Md. Gen. Prov. § 5-505 an official or employee may not knowingly accept a gift, directly or indirectly, from an entity that the official or employee knows or has reason to know does or seeks to do any business of any kind, regardless of amount, with the official's or employee's governmental unit or engages in an activity that is regulated or controlled by the official's or employee's governmental unit.
- (b) The promise of, or giving of any special favor or gift by any service provider, or service provider employee or owner of a service provider to any officer or employee of the Charles County Sheriff's Office or the Communications Center of Charles County shall be immediately suspended from the ATSP pending an investigation by the Tow Coordinator.

§ 4-108. Tow truck operators.

- (a) All tow operators must:
  - (1) hold a valid Drivers' License for the class of vehicle operated;
  - (2) comply with all DOT driver regulations; and
  - (3) carry a valid medical card.

§4-109. Requests for service

- (a) It is the responsibility of the service provider to provide the proper equipment, in proper working order, to handle the requested service in accordance with these Rules and Policies.
- (b) It is the service providers responsibility to provide:
  - (1) trained operators, or
  - (2) on-scene supervision in the event of an untrained operator.
- (c) Failure to do so may result in dismissal from the scene by the senior Sheriff's Officer on the scene, who will submit a written report of the facts to the Tow Coordinator.

§ 4-110. Professional conduct

- (a) All personnel of a service provider will cooperate fully with all CCSO personnel while operating under the provisions of the ATSP. All service providers and their employees will conduct themselves in a polite, courteous and professional manner at all times but especially with customers and members of a law enforcement agency. Service providers actions must always reflect positively on the ATSP and CCSO.
- (b) Service provider's personnel and equipment may not leave the scene of any tow until released by the Sheriff's Office personnel in charge of the scene.
- (c) If any service provider or employee provides or attempts to provide any false information while operating within the provisions of the ATSP the employee and/or the service provider will be removed from the ATSP indefinitely.

§ 4-111. Service provider ownership.

- (a) Each service provider participating under the ATSP must have a valid permit issued in accordance with Charles County Code §287.
- (b) A service provider or service provider owner may not operate under another service provider or service provider's owner's permit while participating in the ATSP program.
- (c) The final determination of eligibility for a service provider, under this section, shall be at the discretion of the Tow Coordinator or Supervisor, Traffic Operations Unit with the affirmation of the Commander, Field Operations Section.

§ 4-112. Removal of vehicles

- (a) All vehicles removed by a service provider from any police tow shall be designated as TOWED or STORED.
  - (1) TOWED vehicles shall be released by the service provider upon payment of the tow service invoice or upon other agreement releasing ownership of the towed vehicle to the service provider.
  - (2) STORED vehicles shall only be released by the service provider upon presentation of a Charles County Sheriff's Office Vehicle Release Form (CCSO Form 68A) which has been signed by an authorized employee of the CCSO authorizing the release of the stored vehicle.
    - (i) The service provider's invoice must be paid.

- (ii) Release forms must be maintained by the service provider for a period of (1) one year from the date the vehicle was released.
- (iii) Periodic inspections will be conducted by the Tow Coordinator to ensure compliance.

§ 4-113. Criminal background requirements

- (a) A tow truck operator towing, removing or relocating a vehicle for a service provider operating under the ATPS shall not have been convicted of a Part 1 Crime:
  - (1) Homicide;
  - (2) Rape;
  - (3) Armed Robbery;
  - (4) Arson; and/or
  - (5) Carjacking
- (b) A tow truck operator towing, removing or relocating a vehicle for a service provider operating under the ATPS shall not have been convicted of the following crimes within the past five (5) years:
  - (1) Theft, or any crimes with theft as an element;
  - (2) Possession with the intent to distribute a Controlled Dangerous Substance;
  - (3) Any sexual offense;
  - (4) Bribery;
  - (5) Hate crime;
  - (6) Stalking;
  - (7) Indecent exposure; and/or
  - (8) DUI (alcohol/CDS or combination)

**TITLE 5 VIOLATIONS AND PENALTIES**

§ 5-101. Violations

- (a) All alleged violations of these Authorized Tow Services, Rules, Policies and Schedule of Fees for Services shall be investigated by the Tow Coordinator.
  - (1) The investigation will be concluded with a written record and a recommendation made to the Traffic Operations supervisor of sustained or not sustained for each violation alleged.
  - (2) The Traffic Operations Supervisor will review the investigation. The Traffic Operations Supervisor will affirm or deny the conclusion of the Tow Coordinator's findings of each violation.
- (b) Investigative Conclusion – Not Sustained Findings:
  - (1) A copy of the investigation shall be placed in the file of the tow service provider.
  - (2) Findings of Not Sustained will not result in sanctions or other punitive action.
- (c) Investigative Conclusion – Sustained Violations
  - (1) The Traffic Operations Supervisor shall determine the appropriate punitive action resulting from sustained violations of the ATSP in accordance with § 5-102 of this document.
  - (2) A written summary of the investigative findings, penalties received, and the appeal process will be provided to the service provider within 10 business days.

- (3) The service provider will date and sign the document acknowledging receipt of the document outlining the violation and the penalty. This document will be kept in the service provider's file and a copy will be provided to the service provider.

#### § 5-102. Penalties

- (a) The first two (2) violations of any kind within the twelve (12) month agreement period will result in a NOTICE OF VIOLATION
- (b) The third (3<sup>rd</sup>), fourth (4<sup>th</sup>), and fifth (5<sup>th</sup>) violations of any kind within the twelve (12) month agreement period will result in **SUSPENSION** from the ATSP for the indicated length of time outlined below. Multiple violations investigated from a single incident may depending on the severity or egregiousness of the violations be treated as separate violations. This may result in a lengthier suspension based upon the totality of circumstances. All suspensions from the ATSP dictated by the Traffic Operations Supervisor will be made upon the affirmation of the Commander, Field Operations Section:
  - (1) The third (3<sup>rd</sup>) violation under this section within the twelve (12) month agreement period will result in a suspension of fourteen (14) calendar days;
  - (2) The fourth (4<sup>th</sup>) violation under this section within the twelve (12) month agreement period will result in a suspension of thirty (30) calendar days;
  - (3) The fifth (5<sup>th</sup>) violation under this section within the twelve (12) month agreement will result in a suspension of sixty (60) calendars days.
- (c) The sixth (6<sup>th</sup>) violation may result in the immediate **REMOVAL** of a service provider from the ATSP. A service provider who is removed from the program may reapply and be considered for approval for the ATSP for the next calendar year. All removals from the ATSP will be made upon the recommendation of the Supervisor, Traffic Operations and upon affirmation of the Commander, Field Operations Section.
- (d) If the owner/operator of a service provider is charged with a crime related to or involving his/her tow service, or a crime that compromises his/her integrity that service provider will be suspended from the ATSP pending the outcome of the investigation. If an employee/designee of the service provider is charged with a crime related to or involving the tow service they represent, the driver may not recover vehicles for any service provider operating under the ATSP, pending the outcome of the investigation.
- (e) Any service provider or tow truck operator found to have provided or attempted to provide false information while operating within the provisions of the ATSP will result in the service provider and/or the tow truck operator's immediate removal from the ATSP indefinitely. Tow truck operators may not recover/tow vehicles for any other service provider operating under the ATSP indefinitely.
- (f) Any service provider and/or tow truck operator who has failed to cooperate with a lawful request from a member of a law enforcement agency or conducts themselves in an unprofessional manner with citizens, customers, companies or a member of a law enforcement while operating within the provisions of the ATSP will be removed from the ATSP immediately. The service provider and/or tow truck operator is ineligible to reapply to participate in the ATSP for the remainder of the calendar year plus two calendar years depending on the violations. At the conclusion of the two years, they may reapply as outlined in §2-102(b).

## TITLE 6 APPEAL PROCESS

### § 6-101. Appeals

- (a) A service provider may appeal the decision of the Traffic Operations Supervisor to Commander of Special Operations Division.
- (b) The notice of appeal must be in writing and delivered to the tow coordinator within 10 calendar days of the final decision. Upon receipt of the notice of appeal, the coordinator shall forward a copy of all material related to the decision to the Commander of Special Operations Division through the Commander of Field Operations Section.
- (c) The Commander of Special Operations Division shall review the material provided by the tow coordinator and the information provided by the service provider in the written appeal. The Commander of Special Operations Division may meet with a representative of the service provider, but is not required to do so. After review, the Commander of Special Operations Division may affirm or modify the decision of the Traffic Operations Supervisor. The Commander will provide a written decision to the service provider, Traffic Operations Supervisor and the Commander of Field Operations Section within ten working days after receiving the notice of appeal.
- (d) If the Traffic Operations Supervisor determines that a service provider should be REMOVED from the Program, that determination will be reviewed and either approved or modified by the Commander of Field Operations. An appeal of a removal decision follows the same process described above.

### MARYLAND PUBLIC INFORMATION ACT REQUESTS

Tow provider recognizes that CCSO is subject to the Maryland Public Information Act, Title 4 of the General Provisions Act of the Annotated Code of Maryland. Tow provider agrees that it is responsible to notify CCSO if it believes any material provided by it, in whole or in part, is deemed to be confidential, proprietary information or trade secrets and provide any justification of why such materials should not be disclosed pursuant to the Maryland Public Information Act.

### AGREEMENT TERM.

This ATSP agreement will be for the calendar year 2026, beginning January 1<sup>st</sup>. The Sheriff, Charles County, Maryland, is not obligated to renew a tow service provider under the ATSP. Either party to this agreement may terminate this agreement without cause in writing at any time.