

1 S.155

2 Introduced by Senator Rodgers

3 Referred to Committee on

4 Date:

5 Subject: Highways; Department of Public Safety

6 Statement of purpose of bill as introduced: This bill proposes to require each
7 station of the Department of Public Safety to maintain a written “wrecker
8 rotation list,” require Department personnel to attempt to contact the next
9 wrecker in order on the applicable rotation list unless otherwise authorized to
10 deviate from the regular rotation, and record information related to wrecker
11 contacts in a centralized database.

12 An act relating to wrecker rotation lists

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 20 V.S.A. § 1818 is added to read:

15 § 1818. WRECKER ROTATION LISTS

16 (a) Background. Enforcement officers call in wrecker services for
17 assistance in quickly and safely removing potential hazards from the highway,
18 restoring the normal flow of traffic, and transporting vehicles seized for
19 investigative purposes. Nothing in this section shall be construed to interfere

1 with the right, when applicable, of an owner or operator to call the wrecker of
2 his or her choice pursuant to 23 V.S.A. § 1102.

3 (b) Wrecker rotation lists; use; exceptions.

4 (1) Each Department station shall maintain a written “wrecker rotation
5 list” to ensure that calls are equitably distributed among qualified wreckers
6 within the station’s geographic area of responsibility. In adding qualified
7 wreckers to the list and removing wreckers from the list, the Department shall
8 adhere to a standard process contained in a written policy. If necessary to
9 promote the purposes stated in subsection (a) of this section, a station
10 commander may:

11 (A) restrict or group wreckers to specific areas of coverage within the
12 station’s geographic area of responsibility; and

13 (B) maintain a separate “specialized rotation list” for wreckers
14 capable of handling specialized towing and removal jobs.

15 (2) Department personnel shall:

16 (A) attempt to contact the next wrecker in order on the applicable
17 rotation list unless authorized to deviate from the regular rotation under
18 subdivision (3) of this subsection; and

19 (B) record in a centralized database:

20 (i) the names of the officer calling in for the wrecker and of the
21 wrecker called;

1 (ii) the date and time the wrecker is called;

2 (iii) if a specialized rotation list is used, the reason for use of that
3 list; and

4 (iv) if a wrecker is called out of order of the rotation list under the
5 authority of subdivision (3) of this section, the reason for deviating from the
6 rotation.

7 (3) Department personnel may contact a wrecker out of order of a
8 rotation list:

9 (A) when acting on behalf of a vehicle owner or operator entitled to
10 call the wrecker of his or her choice under 23 V.S.A. § 1102; or

11 (B) under extraordinary circumstances, such as when the wrecker
12 next on the list is not capable of performing the job or the enforcement
13 officer's safety or the safety of the public would be imperiled by a delay in the
14 wrecker's commencing the towing or removal job.

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on July 1, 2018.