

Borough of Matawan
201 Broad Street, Matawan, New Jersey 07747



Karen Wynne, RMC
Municipal Clerk
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**Towing and Storage Contractors
License Application**

- I. Business Name _____
- II. Business Address: _____
- III. Business Phone # _____ Business Email: _____
- IV. Business Hours _____
- V. Tow Vehicles to be used
(Required to have one professionally constructed wrecker and one flatbed)
1. _____
2. _____
3. _____
- VI. Address of Storage Facility (if different from business address)

- VII. Insurance Information (Please attach Certificate of Insurance for both business and vehicles)
- VIII. Rate Schedule
- | | |
|-------------------------|----------|
| Regular Towing Service: | \$ _____ |
| Storage: | \$ _____ |

By signing below, the applicant attests to all information supplied being true to the best of his/her knowledge. Furthermore, the applicant states that he/she has sufficient personnel and equipment to provide twenty-four (24) hour towing service and to respond to Police calls in accordance with the requirements of Matawan Borough Ordinance 01-03, 09-14 (Licensing Regulations and Use of Towing and Storage Contractors).

Signature and Date

Fees: Application - \$50.00 Date Paid _____ Check#/Cash _____
Received By: _____

License - \$100.00 Date Paid _____ Check#/Cash _____
Received By: _____



MATAWAN POLICE DEPARTMENT



150 Main Street Matawan, NJ 07747
Dispatch (732) 566-1010 Non Emergency (732) 290-2020
Fax (732) 566-4038

AUTHORIZATION FOR RELEASE OF INFORMATION

I authorize the release of any and all information from any agency to the Matawan Police Department for the purpose of obtaining a:

_____ License Permit
Type of permit / license

Date

Signature of Applicant

POLICE RECORD CHECK

Name of Applicant _____

Address _____
Street City

County State Zip Code

Male Female S.S.# _____ - _____ - _____ D.O.B. _____

-----OFFICIAL USE ONLY-----

Date _____

To: _____ Police Department

The above named person resides in your community and applied for a license / permit in the Borough of Matawan. Please advise if said person has a criminal record. A self-addressed envelope is enclosed for your convenience.

Chief Thomas J. Falco, Jr.
Matawan Police Department



APPLICANT INSTRUCTIONS

NJSP Form 212A

Log on to: <https://www.njportal.com/njsp/criminalrecords/>
and click on the ON LINE FORM 212A, a highlighted block located on
the lower left side of page.

Matawan Police Department ORI # **NJ0132900**

Follow the prompts for demographic and payment information.

Upon completion of the form you will receive an email Confirmation &
Receipt that will include a confirmation number.

Your request will be forwarded to the Matawan Police Department.

For more information click on the HELP TAB, located on the top right
side of the page.

4-12 TOWING AND VEHICLE STORAGE CONTRACTORS.

4-12.1 Purpose.

In accordance with N.J.S.A. 40:48-2.49, the purpose of this section is to provide for the licensing, use and regulation of towing and storage contractors providing service for the Borough of Matawan. The Mayor and Council wish to enhance and protect the safety and welfare of the general public by: (1) requiring certain qualifications to be met for a Borough towing and storage license; (2) instituting safer and more efficient procedures for the removal of disabled vehicles; and (3) the establishment of a schedule of fees to be charged for services rendered in accordance with fair standardized schedules. (Ord. No. 01-03 § 10-5.1)

4-12.2 Definitions.

As used in this chapter:

Basic Towing Service shall mean the removal and transportation of an automobile from a highway, street or other public or private road, or a parking area, or from a storage facility, and other services normally incident thereto but does include recovery of an automobile from a position beyond the right-of-way or berm, or from being impaled upon any other object within the right-of-way or berm.

Impound shall mean any vehicle authorized by law to be seized, towed and held in the custody of a storage yard approved by the Police Department.

Recovery shall mean recovery is when the tow operator applies knowledge in a skillful manner to preserve the condition of a motor vehicle, while moving the damaged vehicle to a towable position. Recovery can be achieved by several actions which may include but are not limited to winch use and rigging.

Towing and Storage Contractor shall mean a person or entity engaged in the business of providing towing and storage services within the Borough.

Tow List shall mean a list of towing and storage contractors maintained by the Police Department containing the names and addresses of towing and storage contractors who will be called on a rotating basis when the Police Department determines the assistance of such services are required within the Borough.

Wrecker shall mean a vehicle driven by mechanical power and employed for the purpose of towing, transporting, conveying and removing vehicles which are unable to be operated under their own power.
(Ord. No. 01-03 § 10-5.2)

4-12.3 Establishment and Operation of Tow List.

The Chief of Police or his/her designee shall establish a list of towing and storage contractors designated to provide towing and storage services required by the Police Department. Any towing and storage contractors licensed pursuant to this section shall be included on the list. Those on the list shall be called on a rotating basis to provide the required towing and storage services. The Chief of Police or his/her designee shall establish such other procedures for the operation of the tow list, he/she shall deem appropriate.

Nothing contained herein shall prevent the Chief of Police or his/her designee from requesting additional towing services from others, if, in the judgment of such person, the size, nature or scope of the accident or disablement conditions or the performance of the called towing service requires that assistance be rendered. (Ord. No. 01-03 § 10-5.3)

4-12.4 Application and Fee.

All towing and storage contractors desiring to be on the tow call list shall file a license application with the Police Department on a form approved by the Chief of Police, together with an application fee of fifty (\$50.00) dollars. The application shall state the following information:

a. The location, description and availability of the tow vehicle operated by the applicant. The vehicle description shall include the year, make, model, type and vehicle identification number;

b. The actual rates to be charged for towing and storage services, which rates shall be available for public inspection. Any changes to rates set forth on the application shall be filed with the Chief of Police;

c. The location the applicant has available for properly accommodating and protecting disabled motor vehicles; and

d. A statement that the applicant has sufficient personnel and equipment to provide twenty-four (24) hour towing service and to respond to Police calls in accordance with the requirements of this section. By filing such application, the applicant shall have been deemed to have agreed to the conditions outlined on the application, including compliance with all the provisions of this section.

(Ord. No. 01-03 § 10-5.4)

4-12.5 Investigation.

Within ten (10) days after the receipt of an application, the Chief of Police shall cause an investigation to be made of the applicant and its business operations. (Ord. No. 01-03 § 10-5.5)

4-12.6 Standards and Qualifications.

The following are minimum standards/qualifications required to be considered for issuance of a license:

a. The towing and storage contractor shall be owned or operated by a person, firm, partnership, association or corporation engaged in the business of operating a towing and storage service within the Borough of Matawan and/or the surrounding area in a five (5) mile radius of the Borough of Matawan.

b. The towing and storage contractor shall be prepared to promptly clear the roadway of any or all types of disabled motor vehicles. Where vehicles are too large for the service to remove from the scene, the service or the Police Department may call for the assistance of others.

c. The towing and storage contractor shall be able to report to a disabled vehicle's position no more than twenty (20) minutes from the time of notification by a Police Department dispatcher. Where the Police cannot reach the next eligible contractor on the list, or fails to arrive within the above specified time period, the contractor shall be deemed to have forfeited its position and the next succeeding contractor on the list may be called.

d. The towing and storage contractor shall have available by ownership or agreement, two (2) professionally constructed tow vehicles, one (1) of which being a "flatbed" type tow vehicle capable of removing certain types of damaged vehicles or those which by design, cannot be removed by conventional wreckers without sustaining additional damage. All towing vehicles used in performance hereunder shall meet the standards specified by the State of New Jersey Motor Vehicle Codes and this specification in all respects. Each applicant is required to list all equipment/vehicles to be used including the registered name, type and license number of each.

e. *Safety Equipment.* Each vehicle shall have beacon and warning lights, tow vehicle illumination and stop lights and a portable fire extinguisher.

f. At least one (1) of the available tow vehicles must be equipped for dolly service and winching.

g. *Clean-Up Equipment.* All tow vehicles shall carry road clean-up equipment and supplies such as brooms, rakes, trash cans and shovels and other equipment supplies as may be reasonably required by the Chief of Police or his/her designee. The towing service is responsible for the prompt and safe removal of the disabled vehicle and for the prompt and complete removal of all litter and debris resulting from the accident.

h. *Disabled Vehicle Storage.* The towing service shall operate a suitable vehicle storage area zoned for such use. The lot shall be able to store at least ten (10) full-sized vehicles. The storage yard shall be located within the Borough. If there is in excess of ten (10) vehicles to be stored, they may be stored elsewhere as long as the alternate lot complies with the specifications of the regular storage lot, and appears on the towing and storage contractor's certificate of insurance. Upon request, authorized personnel of the Police Department shall be able to have access to vehicles twenty-four (24) hours per day within the storage area.

i. *Insurance.* The towing and storage contractor shall maintain the following minimum insurance coverage in the name of the applicant:

1. Automobile liability in the amount of one million (\$1,000,000.00) dollars combined single limits;

2. Workers Compensation as required by Statute;

3. Garage Keeper's liability in the amount not less than sixty-thousand (\$60,000.00) dollars per location;

4. Garage liability in an amount not less than one million (\$1,000,000.00) dollars combined single limit; and

5. Policies in force to provide collision coverage for vehicles in tow.

Certificate of Insurance. At time of application, the towing and storage contractor shall present a certificate of insurance evidencing the above coverage by an insurance company licensed to do business in the State of New Jersey. Included on such certificate shall be a statement that the insurance company or agent will notify the Chief of Police immediately of any change, cancellation or lapse of such coverage. Such statement shall not include language absolving the company/agent from liability for failure to notify.

Indemnification. By virtue of making application to be included on the tow list, the applicant shall be deemed to agree to indemnify and hold the Borough of Matawan and its officers and employees harmless from any liability, expense or costs of suit, including reasonable attorney's fees, arising out of or resulting from any action of the applicant in performing towing and storage services in the Borough.

Notice. The applicant agrees to notify the Chief of Police immediately of any change, cancellation or lapse of insurance coverage.

j. *Prohibition of Oral Inquiry.* No towing and storage contractor included on the tow list shall make oral inquiry regarding its position on the tow list, violations by other towing and storage contractors or any other matters relating to performance under this section. All other inquiries shall be made in writing addressed to the Chief of Police.

k. *Follow-Up Report.* The towing and storage contractor shall file a report with the Police Department containing the following information:

1. Description of each vehicle towed pursuant to a request by the Police Department during the month for which the report is given;
2. Name and address of title owner of vehicle;
3. Amount charged for the tow;
4. Date vehicle was released; and
5. List of all vehicles towed pursuant to Police Department request which are unclaimed for over thirty (30) days.

Storage Provisions During Emergency Condition. During emergency situations (snow storms, etc.) the towing and storage contractor shall provide additional storage spaces as needed. The storage space does not have to be located at the primary facility. These spaces will only be used during the period of the aforesaid emergency. (Ord. No. 01-03 § 10-5.6; Ord. No. 05-04; Ord. No. 09-14; Ord. No. 11-03)

4-12.7 Standards for Approval.

The Chief of Police shall approve of an application when he/she finds that the following requirements and certificates have been provided by the applicant:

- a. That the public convenience and necessity will be served by the use of the vehicles for which application has been made;
- b. That insurance policies as required have been procured and supplied;

c. That the applicant has certified that the proposed operators are qualified to operate the tow vehicles and conduct a towing and storage service in the Borough;

d. That the applicant has certified that the requirements of this section and all other Statutes have been met and that the independent investigation by the Police Department reveals no nonconformity; and

e. That the applicant has certified that the vehicles have been properly licensed and inspected by the State of New Jersey and have the necessary stickers affixed. No vehicle shall be licensed as a tow vehicle which is using dealer's plates or which has failed State inspection.

(Ord. No. 01-03 § 10-5.7)

4-12.8 Issuance of License.

Upon approval by the Chief of Police and upon receipt of payment from the applicant of the license fee of one hundred (\$100.00) dollars, the Chief of Police shall issue a license. Each licensee shall be issued stickers or medallions, which shall be displayed by the licensee upon the licensed vehicles in a manner so as to be visible and identifiable. Additionally, towing vehicles licensed under this section are approved to display "Authorized Police Towing" lettering or decal. Licenses issued hereunder shall expire one (1) year from the date of issuance. Applications for renewal of licenses shall be made in accordance with the procedures for original issuance as set forth herein. (Ord. No. 01-03 § 10-5.8)

4-12.9 Maximum Rates.

The maximum rates fixed in Addendum, Towing Fee Schedule hereof shall apply to the towing and storage of all passenger vehicles except those exempted pursuant to N.J.S.A. 17:33B-47 et seq. and N.J.A.C. 11:3-38.1 et seq. as well as to all non-passenger vehicles not exceeding three (3) tons in weight. In the case of services rendered to other types of vehicles, or services of a nature beyond basic towing services as defined in the Addendum, Towing Fee Schedule, or services other than covered by basic rate, or services rendered in extraordinary cases involving unusual conditions, the rate to be charged shall be fair and reasonable based on the location, the length of time, the number of men and machinery involved and the difficulty of the job. (Ord. No. 01-03 § 10-5.9; Ord. No. 09-14)

BOROUGH OF MATAWAN TOWING FEE SCHEDULE

Wheeled Vehicles

(A) Regular Towing Service

- 1** Within the Borough Day/Night
 - a Up to 2 Tons \$105.00
 - b 2 Tons up to 7.5 Tons \$300.00
 - c Over 7.5 Tons \$450.00
- 2** Towing Elsewhere
 - a Up to 2 Tons \$105.00 plus \$3.00 per mile
 - b 2 Tons up to 7.5 Tons \$300.00 plus \$3.00 per mile
 - c Over 7.5 Tons \$450.00 plus \$3.00 per mile

- (B) Storage
 - a Up to 2 Tons \$40.00 per day
 - b Over 7.5 Tons \$80.00 per day

- (C) Special Services
 - 1 Winching \$50.00 per 1/4 hour
 - 2 Minor Roadside (other than towing) \$50.00
 - 3 Clean Up \$45.00 + \$15.00 per bag of Speedy Dry
 - a Up Righting \$50.00 per 1/4 hour
 - b Tarping \$25.00
 - 4 Release Notice \$25.00
 - 5 Administrative Fee \$25.00

4-12.10 Additional Requirements.

In addition to the requirements set forth herein above, each licensee shall be responsible for compliance with the following additional regulations:

a. Every vehicle towed and/or stored by a towing and storage operator shall be inventoried as to the items located in the vehicle. The towing and storage operator shall be solely responsible for the care and safety of any items left in that vehicle during storage.

b. Where impounded vehicles are towed to premises controlled by the Police Department for the purpose of utilizing the vehicle and/or its contents for evidence or for other such purposes, the vehicle shall not be released unless the owner of the vehicle furnishes the police Department a receipt from the towing and storage contractor that towing service fees have been paid.

c. No person shall be responsible for a storage fee when the vehicle is removed from the operator's premises within the first twelve (12) hours of the time it was initially stored.

d. Operators shall be required to accept payment by personal check or generally accepted credit cards normally used in its business.
(Ord. No. 01-03 § 10-5.10)

4-12.11 Arrangements by Persons Responsible for Automobile.

Nothing contained in this section shall prevent a person responsible for an automobile disabled upon the public street or highways within the Borough to arrange for the prompt removal of the vehicle from the scene of an accident or disablement by wrecking or towing services of his/her own selection. The person responsible will be advised of the ability to select such towing service at the required time of removal, provided such person is present, fully conscious and capable of taking prompt action.

a. *Notice.* In the case of a disabled vehicle obstructing traffic or likely to create a traffic hazard, a Police Officer in charge shall have the right to summon a wrecker from the call list, notwithstanding the expressed desire of the owner or operator of the disabled vehicle that a specific wrecker be summoned, if in the opinion of such Officer, the wrecker requested will not be able to respond to the call in sufficient time to assure the public safety and efficient flow of traffic.
(Ord. No. 01-03 § 10-5.11)

4-12.12 Removal from Tow List.

In the event that a person or entity shall fail to perform satisfactorily, or performs in violation of this section, such persons or entity shall have its license suspended and immediately be temporarily removed from the tow list by the Chief of Police. As soon as practical after such removal, the Chief of Police shall cause written notice of such removal to the person or entity removed. The notice shall set forth the reason(s) for such removal. The person or entity removed shall be afforded reasonable opportunity for a hearing. A hearing shall be held by the Borough Administrator, and the Borough Administrator, after said hearing, shall render a written decision continuing the removal from the list, or returning the person or entity to the list either immediately, or after a specified period of time. (Ord. No. 01-03 § 10-5.12)

4-12.13 Enforcement.

The Chief of Police or member of the Police Department designated by him/her is authorized to enforce the provisions set forth in this section. In those instances where the Chief of Police or his/her designee is authorized hereunder establishes procedures or requires additional equipment or supplies, any additional requirements shall be set forth in writing, and distributed to all towing and storage contractors licensed hereunder. A copy of this section and applicable schedule of fees shall be available for public inspection during normal business hours. (Ord. No. 01-03 § 10-5.13)

Certificate of Insurance Language

The Ordinances of the Borough of Matawan require your Certificate of Insurance “Description of Operations/Locations/Vehicles/Exclusions Added by Endorsement/Special Provisions” section to read as follows:

“Indemnification. The applicant will be deemed to agree to indemnify and hold the Borough of Matawan and its officers and employees harmless from any liability, expense or costs of suit, including reasonable attorney’s fees.”

Please provide amended Certificate of Insurance for our file.

G:\MUNICIPAL CLERK\Certificate Of Insurance\Certificate Of Insurance Language.Docx