



## Managing Obstructive Vehicles Efficiently (MOVE) Heavy Towing Program Procedures

### Mission of MOVE

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The Mission of the **MOVE** program is to sustain a region-wide incident management program to facilitate the safest and most efficient large scale incident clearance, lessening the impact on emergency responders and the motoring public. Performance of the **MOVE** program will be published on a regular basis to relay the effectiveness of safer and more expedient removal of **MOVE** incidents.

Approximately 25% of total delay experienced by motorist is caused by traffic incidents such as crashes, stalled vehicles, roadway debris, and spilled cargo. In NC, 18% of all freeway fatalities are secondary crashes. Americans spend 3.7 billion hours and 2.3 billion gallons of fuel each year in traffic jams, and the average hourly cost of unexpected delay for Commercial Motor Vehicles in NC is \$145.

When a major incident occurs, **MOVE** can be activated upon concurrence of the responding law enforcement agency and the NCDOT.

**MOVE** activation can be utilized during one of two possible scenarios:

1. An incident occurs that does not seem to present any special challenges and therefore a Towing and Recovery Company (Tower) is called from law enforcement's rotation list. Once on scene, it becomes apparent that the site conditions are more challenging or require equipment and/or skills that the on-scene tower does not have.
2. Upon arrival, it is obvious to both law enforcement and the NCDOT representative that the incident is severe enough to justify **MOVE** activation. These scenarios will typically involve the need for heavy towing and recovery of large vehicles that have overturned or present other unique challenges.

### Overview

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The **MOVE** program procedures include the purpose and responsibilities for:

- **MOVE** Towing Review Board (MTRB)
- NCDOT **Incident Management Assistance Patrol (IMAP)** or other Incident Management representative
- NCDOT **Statewide Transportation Operations Center (STOC)** and/or **Regional Transportation Management Center (TMC)**
- **Law Enforcement**
- **Towing and Recovery Company (Tower)**

**Procedures** for a Towing and Recovery Company (Tower) to become part of the **MOVE** program include:

1. An **application** for approval
2. A signed **cooperative agreement** with NCDOT
3. Minimum **qualification** requirements
4. **Oversight** by a **MOVE** Towing Review Board (MTRB)





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**MOVE** zones will exist in areas where there is currently an IMAP Program and on select portions of I-95. The Regions listed in **Table 1** will be covered by the **MOVE** program and divided into zones based on congestion and crash data as well as tower coverage determined by those approved for the program. The **MOVE** program is expected to expand in the future. As the program expands, this information will be updated accordingly.

MOVE REGION	ESTIMATED MILEAGE
Triangle	108
Triad	281
Metrolina	237
Mountains	140
I-95	180

**Table 1**

At least one Tower will be assigned responsibility for each zone and respond to all **MOVE** activations within their zone. If more than one Tower is identified in single zone, a rotation response will be established. Towers from neighboring zones may be considered for response outside of their assigned zone if NCDOT determines the need. Reasonable allowances will be made on a case by case basis by the NCDOT for initial response time performance measure requirements for Towers from secondary zones.

### **Purpose and Responsibilities of MOVE Partners**

The **MOVE** program procedures include the purpose and responsibilities for the **MOVE** MTRB, IMAP, TMC/STOC, Law Enforcement and Tower.

#### **❖ MOVE Towing Review Board (MTRB)**

##### **Purpose**

The purpose of the MTRB is to ensure the integrity, focus and effectiveness of the **MOVE** program is being upheld by all partners involved in the **MOVE** program. **MOVE** MTRB meetings will be scheduled once per quarter.

The **MOVE** MTRB members will include at least one representative from:

- **Statewide Traffic Incident Management Coordinator** (chairperson)
- **State Highway Patrol** (SHP) representing all SHP troops
- **NCDOT Personnel**
- **Local Police Department** (PD) representing all local PDs
- **Trucking Industry**
- **Approved MOVE Tower** representing all **MOVE** towing companies\*

*\* As a member of the **MOVE** program, a representative from each Tower is required to serve on the board MTRB at some point during their tenure. After all approved Towers have served on the MTRB, rotation will restart. If an employee of one Tower leaves and begins working with another Tower*





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*while serving on the MTRB, that person will continue to serve on the MTRB for the remainder of the year and the new Tower will forfeit their turn in the rotation. If an employee of a Tower leaves the industry, the Tower must recommend a replacement to fulfill the remainder of the year commitment. At the end of a Tower's one year service, the MTRB will take succession recommendations from the exiting member and decide on the next year's Tower representative.*

### Responsibilities

#### Chairperson:

1. Summon Towing and Recovery Companies to the quarterly MTRB meeting when they have been reported for failure to meet specified requirements on a specific incident(s) during the previous quarter
2. Facilitate MTRB meetings
3. Write MTRB meeting minutes
4. Communicate quarterly reports of **MOVE** activations and performance to MTRB members and approved **MOVE** Towing and Recovery Companies
5. Own and manage **MOVE** activation documentation
6. Update the **MOVE** program when necessary
7. Maintain equipment, qualification, performance measures, and training records

#### Remaining Partners:

1. Review and investigate all complaints received and determine if action is necessary. All complaints must be filed with Statewide TIM Coordinator.
2. Remove Towers from the **MOVE** program when warranted. The MTRB cannot approve Towers for the **MOVE** program.

### ❖ **NCDOT Representative (IMAP and other Incident Management Personnel)**

#### Purpose

The involvement of an NCDOT representative in the **MOVE** program ensures NCDOT knowledge of towing and recovery methods and incident command systems as well as providing concurrence to law enforcement for activation of the **MOVE** program. NCDOT will also capture and disseminate **MOVE** program information to ensure safe and expedient removal of incidents.

#### Responsibilities

1. Communicate with law enforcement and assist in the determination of whether the incident requires **MOVE** activation.
2. Once **MOVE** is activated, contact the Regional TMC/STOC and relay:
  - Location of incident (route, direction, location on roadway)
  - Position of vehicle(s) (which lane, overturned, jackknifed, etc.)
  - Cargo of the commercial motor vehicle (CMV) or other vehicle involved in the incident
  - Weight of the CMV or other vehicle involved in the incident
  - Any other information needed to safely expedite incident clearance





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3. After contacting TMC/STOC with the pertinent information, continue to maintain traffic control and coordinate the detour route with other responders.
4. Manage and coordinate the entire scene by providing up to date information (Arrival, Notice to Proceed, Departure, incident progress, etc.) to the TMC/STOC until it is resolved.
5. Coordinate with other agencies and private contractors (i.e. power line/phone companies, NCDOT maintenance, etc.) if necessary.
6. Once the **MOVE** Tower has successfully cleared the incident, call the TMC/STOC and inform them that traffic has been restored to its normal traffic pattern.

#### ❖ Law Enforcement

##### **Purpose**

The involvement of Law Enforcement in the **MOVE** program provides an on-scene law enforcement representative knowledgeable of towing and recovery methods and incident command systems that can work with NCDOT to concur with activation of the **MOVE** program. Law enforcement will also relay MOVE program information to ensure safe and expedient removal of incidents.

##### **Responsibilities**

1. Communicate with IMAP/NCDOT Responder and assist in the determination of whether the incident requires **MOVE** activation.
2. Give **Notice to Proceed** to the **MOVE** Tower.
3. Continue to coordinate with NCDOT personnel on-scene.
4. Provide the law enforcement incident report number to NCDOT when requested.

#### ❖ TMC/STOC (Traffic Management Center/Statewide Traffic Operations Center)

##### **Purpose**

The involvement of the Regional TMC/STOC in the **MOVE** program provides a remote NCDOT representative knowledgeable of towing and recovery methods and incident command systems that can work with Law Enforcement to concur with activation of the **MOVE** program. The TMC/STOC will also provide traffic management to ensure safe and expedient removal of the incident and assist in the communication and documentation of **MOVE** program activities.

##### **Responsibilities**

1. Receive calls concerning **MOVE** activations from Law Enforcement or NCDOT.
2. **Contact a MOVE Tower** in the appropriate zone for **MOVE** activation.
3. Respond with **traffic management** to inform motorists of the incident scene to ensure safe and expedient clearance of the incident.
4. **Communicate** with NCDOT IMAP or Incident Management Responders on-scene.
5. **Document** the time that each stage of the incident (Arrival, Notice to Proceed, Departure, incident progress, etc.) occurs until it is resolved. Request the law enforcement incident report number from IMAP.





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### ❖ Towing Company

#### **Purpose**

The purpose of the Tower is to safely and expediently clear the incident for **MOVE** activations according to the requirements of the **MOVE** program. The Tower will also provide documentation necessary for a successful **MOVE** program.

#### **Responsibilities**

1. When TMC/STOC calls to initiate a **MOVE** activation in your zone, **provide the name and phone number of the supervisor on duty** for documentation.
2. **Provide appropriate personnel** according to **MOVE** requirements to safely and expediently clear the roadway in accordance with **MOVE** qualifications.
3. **Record times for Roadway Clearance Performance Measures** by capturing digital images of the beginning, middle and end of incident by utilizing a digital camera that can time and date stamp each image and be prepared to provide the information to MTRB if requested. Maintain the images on file for at least one year.
4. **Complete the MOVE Notice to Proceed Form** found in *Appendix A* and maintain for your records and be prepared to provide information to MTRB if requested. Ensure that Arrival, Notice to Proceed, and Departure times are documented.

### **Procedures for Approval of MOVE Tower**

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**Procedures** for a Tower to become part of the **MOVE** program include an application for approval, signed cooperative agreement with NCDOT, qualification requirements, and MRTB oversight.

#### **Application Process**

To be considered for participation in the **MOVE** Program, a Towing and Recovery Company must complete and submit a **MOVE** application found in *Appendix B*. If the application is approved, it will remain active unless revoked by the **MOVE** Towing Review Board (MTRB) described later in this document.

The **MOVE** program will accept applications on a yearly cycle. Once a cycle begins, no new towing and recovery companies will be added to the list until the end of the current cycle. Towers may submit applications at any time during the year for consideration and approval for the upcoming cycle. In the event NCDOT expands into areas without Tower coverage, applications for that specific zone will be accepted. Email completed applications to [MOVE@ncdot.gov](mailto:MOVE@ncdot.gov) by **December 17, 2012**. Or send application to address below.

North Carolina Department of Transportation  
c/o **MOVE** Heavy Towing Program  
1533 Mail Service Center  
Raleigh, N.C. 27699-1533

Applications must be postmarked by **December 17, 2012**.





## Managing Obstructive Vehicles Efficiently (MOVE) Heavy Towing Program Procedures

### Cooperative Agreement

The Cooperative Agreement establishes criteria for the participation in the **MOVE** program and can be found in *Appendix C*. Each Tower will be required to enter into this agreement with NCDOT before being allowed to participate in the **MOVE** program. The Cooperative Agreement will be signed by the owner(s) of the company. The NCDOT Secretary of Transportation or his/her designee will sign on behalf of the NCDOT.

### Tower Qualification Requirements

#### ❖ **Special Equipment**

In order to participate in the **MOVE** Program, the Tower must have the following required special equipment available for use at all times:

1. Hydraulic Rotator (**40** Ton minimum)
2. Two additional **30** Ton Hydraulic Wrecker Units
3. Landoll or Hydraulic Tilt Trailer with Tractor
4. Support Unit with Equipment
5. Trailer Dolly
6. Wheel loader, Backhoe or Skid Steer
7. Digital Camera

Failure to maintain minimum equipment requirements will result in the Tower appearing before the **MOVE** MTRB. Failure to meet the equipment requirements and provide sufficient justification of why the equipment requirements were not met may result in removal from the **MOVE** program.

#### ❖ **Certified Personnel**

In order to participate in the **MOVE** program, the Tower must have the required skills to clear large scale incidents and meet the following minimum criteria:

Note: The Tower is required to meet all Federal laws and North Carolina Statutes.

1. **Owner/Operations Manager** with a minimum of **five (5)** years of experience with the clearance of large scale incidents. Employees working for the Owner/Operations Manager are not required to have a minimum number of years' experience.
2. **All** response personnel trained on current towing methods for all vehicles including large scale vehicles. Proof of training must be submitted on the **MOVE** application.
3. A minimum of **a five (5)** person response team for roadway clearance. All 5 team members are not required to respond to an incident at one time.
4. **Liability Insurance Policy** maintained at the industry standard of a minimum **\$1 million** while participating in the **MOVE** program.
5. **All** response team and management personnel attend NCDOT provided Incident Management Training on an annual basis. The Statewide TIM Coordinator will conduct training in each region. All Towers will be trained by February of each year.





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Failure to maintain the minimum personnel requirements will result in the Tower having to appear before the **MOVE** MTRB. Failure to meet the personnel requirements and to provide sufficient justification of why the personnel requirements were not met may result in removal from the **MOVE** program.

### ❖ Performance Measures

In order to participate in the **MOVE** Program, the Tower must meet or exceed specified performance measures:

1. **Arrive on scene within 60 minutes of a request for service** by the NCDOT.
2. **Clear the roadway of the incident within 120 minutes** from the **Notice to Proceed** from law enforcement or NCDOT. **Roadway** clearance time is based on when travel lanes are confirmed clear. **Incident** clearance time is based on when all first responders have left the scene. **Towers are measured on Roadway clearance only.**
3. **Record times for Roadway Clearance Performance Measures** by capturing digital images of the beginning, middle and end of incident by utilizing a digital camera that can time and date stamp each image and maintain the images on file for at least one year.
4. **Serve on the MOVE MRTB** for one year at some point during the company's tenure.
5. At least one representative **attends all Incident Management Team meetings** held by NCDOT in their assigned zone and **all After Action Review (AAR)** meetings for incidents for which they responded.

Failure to meet all of the minimum performance measures will result in the Tower having to appear before the **MOVE** MTRB. Failure to meet the specified performance measures and to provide sufficient justification of why the performance measures were not met may result in removal from the **MOVE** program.

### Summary

The **MOVE** Heavy Towing Program was created by the NCDOT in conjunction with the Towing and Recovery Companies of North Carolina. Upon successful execution, the North Carolina **MOVE** program will be one of the safest and most effective programs of its kind in the country. The **MOVE** program will ensure the safety of first responders and the motoring public by quickly clearing the roadway of **MOVE** incidents. Towing and Recovery Companies participating in the **MOVE** program will be regarded as a specialized group of qualified, trained, accountable, and effective towing professionals and serve as exemplary models for other States. NCDOT is proud to partner with Towing and Recovery Companies, Law Enforcement, and the Trucking Industry to provide this program to the citizens of North Carolina.

If there are questions, comments, concerns or other inquiries related to the **MOVE** program, please submit them to [MOVE@ncdot.gov](mailto:MOVE@ncdot.gov).







# Managing Obstructive Vehicles Effectively (MOVE) Heavy Towing Program Procedures

## APPENDIX A

### MOVE NOTICE TO PROCEED FORM







## MOVE NOTICE TO PROCEED

### Directions for Towing and Recovery Operator:

- Obtain the names of the **NCDOT Employee** on site and the **Law Enforcement Officer** investigating the incident.
- List the **location, date,** and **time** of *Arrival, Note to Proceed,* and *Departure.*
- Maintain this form in your records. In the case of a review of the incident, this form will be used to confirm that all parties involved concurred with current laws and regulations.

**Quick Clear G.S. 20-161 section (f):** *Any investigating law enforcement officer, with the concurrence of DOT, may immediately remove or have removed from the State Highway System any wrecked, abandoned, disabled, unattended, burned... vehicle, cargo or personal property interfering with the regular flow of traffic or which otherwise constitutes a hazard, without liability for property removal.*

LOCATION	DATE	TIME
City: _____  Highway: _____  Nearest Exit: _____	Month/Day/Year  ___/___/___	Arrival ____:____  Notice to Proceed ____:____  Departure ____:____

PERSONNEL	NAME
Tower	
Operator	
NCDOT Employee	
Law Enforcement	



**NCDOT Mission:** *Connecting people and places safely and efficiently with accountability and environmental sensitivity to enhance the economy, health, and well-being of North Carolina.*



# Managing Obstructive Vehicles Effectively (MOVE) Heavy Towing Program Procedures

## APPENDIX B

### MOVE APPLICATION





## MOVE HEAVY TOWING PROGRAM APPLICATION

Participation in the Managing Obstructive Vehicles Efficiently (**MOVE**) Heavy Towing Program means that a Tower has met all of the minimum prerequisites as outlined in the signed Cooperative Agreement and has the necessary equipment, personnel and experience required to participate in the **MOVE** Heavy Towing Program and therefore respond to qualifying large-scale incidents on the interstate.

To participate in the **MOVE** Heavy Towing Program, the Tower must:

- Own and maintain all required equipment
- In the heavy duty towing and recovery business for a minimum of Five (5) years prior to applying
- Meet all Training and Certification requirements
- Have the ability to meet response and clearance time requirements
- Completely fill out the attached **MOVE** application
- Agree to the terms and conditions included in the **MOVE** Cooperative Agreement
- Attend all Incident Management Team meetings in their area and all After Action Review meetings in which they were involved in the incident being addressed
- Attend NCDOT provided Incident Management Training on an annual basis

The application process for participation in **MOVE** includes the following steps:

- NCDOT reviews applications for completeness
- Applications are qualified based on **MOVE** specifications
- NCDOT conducts on-site inspections of equipment, facility, and staff to ensure compliance
- Open enrollment for **MOVE** is every year and the enrollment period lasts for thirty (30) days

**ALL Applications are due by December 17, 2012.**

Completed applications can be emailed to [MOVE@ncdot.gov](mailto:MOVE@ncdot.gov) by **December 17, 2012** or

Mail a completed application to:

North Carolina Department of Transportation  
c/o **MOVE** Heavy Towing Program  
1533 Mail Service Center  
Raleigh, N.C. 27699-1533

Applications must be postmarked by **December 17, 2012.**

Participation in the **MOVE** Heavy Towing Program is voluntary and at the discretion of NCDOT. Only approved **MOVE** companies will be called for **MOVE** incidents.

For complete information on **MOVE** terms, requirements and maintenance please refer to the **MOVE** Cooperative Agreement.



Please print or type and include additional sheets if necessary.

Application Date: \_\_\_\_\_

**Company Information**

<b>Company Name</b>		<b>Fax Number</b>	
<b>Business Address</b>		<b>24 Hour Phone Number</b>	
<b>Company Start Date</b>		<b>Email</b>	
<b>Business Phone</b>		<b>Address Where Equipment is Located</b>	

<b>Days and hours of operation for tow yard office</b>		<b>How long has your Company been in operations at this location? If less than 5 years, please provide previous address.</b>	
<b>Size of secure storage yard</b>		<b>Closest access point and entrance ramp to the Interstate from tow yard</b>	
<b>Is yard fenced?</b>		<b>List route from tow yard to Interstate (attach map if preferred)</b>	
<b>Describe security measures</b>		<b>Distance from tow yard to access point (miles and tenths)</b>	
<b>Estimated travel time to access point between 5:30 am and 7:00 pm Monday-Friday</b>		<b>Estimated travel time to access point all other times</b>	



List any multi-agency training sessions or drills with local Fire-Rescue, EMS, Haz-Mat, Public Safety or DOT agencies you have hosted or participated:

Exercise	Date and Location



**Recovery Wreckers and Equipment Inspection Form**

List all recovery trucks that will be used to qualify for **MOVE**. Fill out information for each vehicle. Inspector will use this form as a checklist during the equipment inspection.

<b>Equipment</b>	<b>Make, Model and Year</b>	<b>Serial/VIN#</b>	<b>Inspector's Initials</b>
<b>Rotator (40 Ton Minimum)</b>			
<b>Two 30 Ton Wrecker Units</b>			
<b>Landoll or Hydraulic Tilt Trailer with Tractor</b>			
<b>Support Unit with Equipment</b>			
<b>Wheel Loader</b>			
<b>Trailer Dollies</b>			



Equipment	Make, Model and Year	Serial/VIN#	Inspector's Initials
Digital Camera			

**Inspector's Comments:**

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**Liability Insurance**

Participation in the **MOVE** Heavy Towing Program requires the Tower retain a minimum of \$1 million Liability Insurance Policy. Please list your information below.

<b>Insurance Company</b>	
<b>Insurance Company's Contact Information</b>	
<b>Date of Policy</b>	
<b>Policy Number</b>	
<b>Amount of Policy</b>	

**Insurance Confirmed by NCDOT**

<b>Date</b>	
<b>Signature</b>	





**Contract Equipment and Service Provider Information**

List your sub-let service providers

<b>Contract Equipment</b>	<b>Contract Company Name, Address, and Phone Number</b>	<b>Contract Location (where equipment is deployed from)</b>
<b>A disposal company that delivers to the incident</b>		
<b>A vacuum or suction service</b>		
<b>A trucking or transport company</b>		
<b>A construction crane rental company with 50 ton and larger mobile cranes</b>		
<b>A contractor or equipment rental company that delivers heavy duty, rubber tired, articulated front end loader</b>		



**Staff Information**

List all owners, supervisors and operators:

*Note: The Tower is responsible for performing their own nationwide criminal records checks to ensure that each employee who provides services under the contract meet all of the Federal laws and North Carolina Statutes.*

**Employee 1**

<b>Employee Name</b>	
<b>Position</b>	
<b>Towing Experience</b>	
<b>Training and Certifications</b>	

**Employee 2**

<b>Employee Name</b>	
<b>Position</b>	
<b>Towing Experience</b>	
<b>Training and Certifications</b>	

**Employee 3**

<b>Employee Name</b>	
<b>Position</b>	
<b>Towing Experience</b>	
<b>Training and Certifications</b>	

**Employee 4**

<b>Employee Name</b>	
<b>Position</b>	
<b>Towing Experience</b>	
<b>Training and Certifications</b>	

**Employee 5**

<b>Employee Name</b>	
<b>Position</b>	
<b>Towing Experience</b>	
<b>Training and Certifications</b>	



**Employee 6**

<b>Employee Name</b>	
<b>Position</b>	
<b>Towing Experience</b>	
<b>Training and Certifications</b>	

**Employee 7**

<b>Employee Name</b>	
<b>Position</b>	
<b>Towing Experience</b>	
<b>Training and Certifications</b>	

**Employee 8**

<b>Employee Name</b>	
<b>Position</b>	
<b>Towing Experience</b>	
<b>Training and Certifications</b>	

**Employee 9**

<b>Employee Name</b>	
<b>Position</b>	
<b>Towing Experience</b>	
<b>Training and Certifications</b>	

**Employee 10**

<b>Employee Name</b>	
<b>Position</b>	
<b>Towing Experience</b>	
<b>Training and Certifications</b>	





# Managing Obstructive Vehicles Effectively (MOVE) Heavy Towing Program Procedures

## APPENDIX C

### COOPERATIVE AGREEMENT



## COOPERATIVE AGREEMENT

Between the  
**North Carolina Department of Transportation and XXX Towing Company**  
For Participation in the  
**Managing Obstructive Vehicles Efficiently (MOVE)**  
**Heavy Towing Program**

This COOPERATIVE AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the North Carolina Department of Transportation, hereinafter referred to as NCDOT and XXX Tower, hereinafter referred to as "TOWER", is to establish criteria for the participation in the Managing Obstructive Vehicles Efficiently (MOVE) Program, by TOWING and RECOVERY.

**WHEREAS**, in an effort to minimize the potential personal injury and/or economic loss associated with disruptions to the regular flow of traffic, the North Carolina Legislature passed General Statute 20-161 authorizing the immediate removal of vehicles and/or property which interfere with the regular flow of traffic or otherwise constitute a hazard on the State highway system; and

**WHEREAS**, the NCDOT and TOWER recognize that the task of effectively and efficiently managing the removal of large scale vehicles from the roadway requires special equipment and skills, and

**WHEREAS**, in order to participate in the **MOVE** Program, a Tower must meet certain minimum criteria,

**NOW, THEREFORE**, the NCDOT and TOWER each agree to the following described guidelines of specific authority and obligations in order to participate in the **MOVE** Program:

**I. General Directive:**

Whenever a state highway is closed or partially blocked by a wrecked, abandoned, disabled, unattended, burned, or partially dismantled vehicle, cargo, or other personal property, the priority shall be to clear the road and reopen the roadway as soon as possible. It is understood that damage to vehicles, cargo or other personal property may occur as a result of clearing the road on an urgent basis. Nonetheless, while reasonable attempts to avoid such damage should be taken, the highest priority is public safety. Additionally, while consideration for the vehicles, cargo or other personal property and /or owner's preference for utilization of a Towing and Recovery service and related service providers and for the integrity of the vehicle (power unit, trailer), cargo and personal property are not to be ignored in every circumstance, public safety and convenience of the motoring public shall be paramount. Consistent with this public safety and motoring public priority, TOWING and RECOVERY shall follow the procedures included herein:

**II. MOVE Program Required Special Equipment**

In order to participate in the **MOVE** Program, TOWER must have the following required special equipment available for use at all times:

1. Rotator (**40** Ton minimum)



2. Two additional **30** Ton Wrecker Units (Hydraulic)
3. Landoll or Hydraulic Tilt Trailer with Tractor
4. Support Unit with Equipment
5. Trailer Dollies
6. Wheel loader, Backhoe or Skid Steer
7. Digital Camera

NCDOT shall field verify that TOWER has the minimum required special equipment available to participate in the **MOVE** Program upon program application. If TOWER fails to have available or maintain the minimum special equipment required, NCDOT may not allow TOWER to participate in the **MOVE** Program. NCDOT will notify TOWER in writing if they have been removed from the **MOVE** Program as described in Section X.

### III. **MOVE Program Certified Personnel**

In order to participate in the **MOVE** Program, TOWER's personnel must have the required skills for managing the removal of large scale vehicles and meet the following minimum criteria:

1. A minimum of **5** years of experience with large scale vehicles in the towing industry (Owner and Operations Manager)
2. **All** response personnel are trained on current towing methods for all vehicles including large scale vehicles
3. A minimum **5** person response team for services
4. Provide and maintain a minimum **\$1 million** Liability Insurance Policy while participating in the **MOVE** Program
5. All response team and management personnel attend NCDOT approved Incident Management Training on an annual basis

NCDOT shall field verify that TOWER's personnel have the minimum experience, training and insurance to participate in the **MOVE** Program upon program application. If TOWER fails to maintain the minimum requirements, NCDOT may not allow TOWER to participate in the **MOVE** Program. NCDOT will notify TOWER in writing if they have been removed from the **MOVE** Program as described in Section X.

### IV. **MOVE Program Performance Measures**

In order to participate in the **MOVE** Program, TOWER must meet or exceed the following performance measures.

1. The Tower's response team is required to be on scene within **60** minutes of a **Request for Service** by the NCDOT.
2. The Tower's response team is required to clear the road within **120** minutes from the **Notice to Proceed. Roadway** clearance time is based on when travel lanes are confirmed clear. **Incident** clearance time is based on when all first responders have left the scene. **Towers are measured on Roadway clearance only.**
3. The Tower's response team is required to record times for **Roadway Clearance Measures** by capturing digital images of the beginning, middle and end of incident by utilizing a digital camera that can time and date stamp each image.
4. The Tower will be required to serve on the **MOVE Towing Review Board** during enrollment in this program. The Tower representative on the Board will rotate on an annual basis.



5. The Tower is required to attend all **Incident Management Team** meetings in their assigned area and all **After Action Review (AAR)** meetings.

**V. MOVE Program Response Procedures**

**I. Managing Obstructive Vehicles Efficiently (MOVE) Enacted**

Once the decision has been made by the on-scene law enforcement investigator in conjunction with the NCDOT representative to activate **MOVE** and issue a Request for Service, the State Traffic Operations Center (STOC) or the Transportation Management Center (TMC) will be notified. Once notified, the STOC/TMC will contact Tower to initiate the Request for Service and begin tracking procedures for the response and clearance times.

**II. MOVE Notice to Proceed Form**

Tower must complete and fill out the **MOVE Notice to Proceed Form** before leaving the scene of the incident.

**III. MOVE Program Inspections**

All equipment utilized by Tower must be current in regards to all required state and federal inspections and certifications required to operate in North Carolina. In addition, Tower must have a **MOVE Program Equipment Inspection Form** completed by NCDOT authorized personnel verifying that they have met the minimum equipment criteria.

**VI. MOVE Program Payment for Services**

As described in G.S. 20-161(G), the vehicle owner shall be liable for any costs incurred in the removal, storage, and subsequent disposition of a vehicle, cargo, or other personal property under the authority of the **MOVE** Program. As such, NCDOT, the North Carolina State Highway Patrol, local Law Enforcement nor any response agency will be responsible for any payment for any services rendered under the MOVE Program.

**VII. MOVE Program Liability**

As described in G.S. 20-161(f), "No state or local law enforcement officer, Department of Transportation employee, or person or firm contracting or assisting in the removal or disposition of any such vehicle, cargo, or other personal property shall be held criminally or civilly liable for any damage or economic injury related to carrying out or enforcing the provisions of this section."

As such, Tower agrees to indemnify and hold harmless the NCDOT, FHWA and the State of North Carolina, to the extent allowed by law, for any and all claim for payment, damages and/or liabilities of any nature, asserted against the NCDOT in connection with this COOPERATIVE AGREEMENT. The NCDOT shall not be responsible for any damages or claims, which may be initiated by third parties.

**VIII. MOVE Program Penalty for Failure to Comply**

Failure of Tower to be on scene within 60 minutes of a Request for Service or to complete the removal and clearance of the vehicles within 120 minutes from Notice to Proceed, resulting in a failure to have all travel lanes open to traffic as described herein, will require that Tower appears before the **MOVE** Towing Review Board for review of their performance in clearing the incident. The MTRB will review each such incident on a case by case basis to determine whether





Tower will be allowed to continue to participate in the **MOVE** Program. NCDOT will notify Tower in writing if they have been removed from the MOVE Program as described in Section X.

**IX. MOVE Program Participation**

Participation in the **MOVE** Program is voluntary and at the discretion of NCDOT. Only approved Towers will participate in the **MOVE** Program.

Participation in the **MOVE** Program is approved for Towers only and any work to be performed under this COOPERATIVE AGREEMENT shall not be subcontracted without prior written approval by NCDOT.

**X. MOVE Program Duration**

Once qualified, a Tower will be allowed to participate in **MOVE** for as long as they are in good standing and meet the performance measures of **MOVE**.

**XI. MOVE Program Notifications**

NCDOT will provide all **MOVE** Program notifications in writing including but not limited to, approval to participate in the **MOVE** Program, field verifications for equipment and personnel, Notice to Proceed, removal from the **MOVE** Program, etc.

**XII. General Provisions**

1. It is the policy of the NCDOT not to enter into any agreement with parties that have been debarred by any government agency. By execution of this COOPERATIVE AGREEMENT, Tower certifies, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by a governmental department or agency.
2. Tower and its agents, including all contractors, sub-contractors, or sub-recipients, shall comply with the following federal policies: (a) Conflict of Interest; (b) Equal Employment Opportunity.
3. Tower and its agents, including all contractors, sub-contractors, or sub-recipients, shall comply with Title VI of the Civil Rights Act of 1964, (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.
4. Tower and its agents, including all contractors, sub-contractors, or sub-recipients, agree to comply with the requirements of 49 CFR Part 20, New Restrictions on Lobbying.
5. Tower and its agents, including all contractors, sub-contractors, or sub-recipients, agree to comply with 49 C.F.R. § 32.400, Drug-Free Workplace requirements under subpart B of 49 C.F.R. Part 32.
6. In no way shall it be construed or implied that by this COOPERATIVE AGREEMENT that Tower intends to abrogate its obligation and duty to comply with the regulations promulgated under federal and state law.



7. No changes in the scope of this COOPERATIVE AGREEMENT shall occur until the changes have been mutually agreed upon by both parties to this COOPERATIVE AGREEMENT, and approved in writing by NCDOT and Tower.
8. By Executive Order 24, issued by Governor Perdue, and N.C.-G.S. § 133-32, it is unlawful for any vendor or contractor ( i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).
9. This COOPERATIVE AGREEMENT contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this COOPERATIVE AGREEMENT except as expressly set forth herein.
10. The parties hereby acknowledge that the individual executing the COOPERATIVE AGREEMENT on their behalf is authorized to execute this COOPERATIVE AGREEMENT on their behalf and to bind the respective entities to the terms contained herein and that he has read this COOPERATIVE AGREEMENT, conferred with his attorney, and fully understands its contents.
11. A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of this COOPERATIVE AGREEMENT as binding as an original, and the parties agree that this COOPERATIVE AGREEMENT can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the COOPERATIVE AGREEMENT.



IN WITNESS WHEREOF, this COOPERATIVE AGREEMENT has been executed, in duplicate, the day and year heretofore set out, on the part of NCDOT and XXX Towing Company by authority duly given.

L.S. ATTEST:

XXX TOWING COMPANY

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

“N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.”

Federal Tax Identification Number

\_\_\_\_\_

Remittance Address:

XXX TOWING COMPANY

\_\_\_\_\_

N. C. DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_

(Secretary, N. C. Department of Transportation)

DATE: \_\_\_\_\_

PRESENTED TO THE BOARD OF TRANSPORTATION ITEM O: \_\_\_\_\_

