



# California Highway Patrol

## MONTEREY COUNTY FREEWAY SERVICE PATROL MANUAL



*An Internationally Accredited Agency*

**Revised 01/2013**

*All previous revisions are obsolete*



## **FOREWORD**

The purpose of this Freeway Service Patrol Standard Operating Procedures (SOP) Manual is to consolidate the Operator's Manual and all subsequent updates to provide a comprehensive manual. It is intended to provide Freeway Service Patrol (FSP) operators in the Monterey Area a better understanding of the rules, policies and regulations of the FSP program. Not all situations arising in the FSP program will be covered in this manual; therefore, good judgment should always prevail.

The California Highway Patrol's (CHP) primary role in the FSP program is to oversee training and operations. CHP officers assigned to the FSP unit are directly responsible for the field supervision of FSP operators. The officers' duties include: conducting background checks of prospective FSP operators, providing initial and refresher training, carrying out random and planned tow inspections, conducting ride-along, evaluating the operators and investigating complaints. Additionally, the CHP is responsible for dispatching FSP trucks from the CHP Monterey Communications Center (MCC). Caltrans' primary responsibility is for state allocation invoicing and monitoring freeways to ensure FSP resources are deployed in an efficient manner. Caltrans is also responsible for conducting special studies in support of local FSP programs. The Traffic Agency for Monterey County (TAMC) is responsible for contracting with tow service providers and with other consultants and contractors that may be necessary for the successful implementation of the project. They are also responsible for generating local matching funds, preparing annual program budgets, and coordinating service expansions and changes with partner agencies.

This document is referred to in the contract signed by tow contractors to provide FSP service. As such, it is a part of the contract, and it is the contractors' (and their FSP operators) responsibility to see that these procedures are followed.

This document refers to supervisors and FSP supervisors. For the purpose of enforcement of FSP policies, these terms are synonymous and shall mean an officer or sergeant with the California Highway Patrol who is assigned to the FSP program.

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# CHAPTER 1

## OVERVIEW OF FREEWAY SERVICE PATROL PROGRAM

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### **1. WHY A FREEWAY SERVICE PATROL PROGRAM?**

- A. Studies have shown that over 50 percent of traffic congestion is a result of accidents and stalls. Quickly clearing such incidents cuts down on traffic congestion. Prompt clearing of the roadway reduces accidents caused by people trying to avoid the original traffic congestion; and accidents caused by those slowing to observe the accident scene. The key to maintaining maximum capacity on the highway is rapidly clearing incidents by getting vehicles and obstructions off the highway as quickly as possible thereby getting closed lanes open for traffic to flow.
- B. The purpose of the Freeway Service Patrol is to provide congestion relief, improve safety and air quality, and reduce fuel consumption by rapidly clearing incidents.

### **2. SCOPE OF PROGRAM**

- A. The Freeway Service Patrol (FSP) is a joint project of the Transportation Agency for Monterey County (TAMC), the California Department of Transportation (Caltrans), and the California Highway Patrol (CHP).
- B. Private tow truck companies are under contract to TAMC to provide continuous patrol service during morning and evening commute hours on designated portions of Monterey County's most congested roadways. Additional services are provided in construction areas.
- C. FSP drivers provide on-the-spot help to motorists free of any charges or tips. Drivers may jump start cars, provide a gallon of gas, refill radiators, tape hoses or provide other quick fixes to put the motorist back on the road.
- D. If a tow operator is unable to get a vehicle running within 10 minutes, he/she should tow the vehicle to a designated drop location where additional assistance can be requested.
- E. An FSP applicant must demonstrate proficiency (Proficiency Testing) in the use of FSP equipment (tow truck, dolly, etc.), prior to being approved to attend the 24-hour certification class. The potential driver shall ride-along with an experienced FSP driver for an entire morning and evening shift prior to class. FSP operators are required to perform services described within this SOP, in a safe and efficient manner. Those operators found to demonstrate deficient towing and driving skills during the proficiency testing or during any subsequent period shall be removed from the program by the CHP, acting on behalf of the FSP partners, until their proficiency is satisfactory.

F. FSP drivers also may be called upon to provide assistance in removing vehicles involved in collisions, tagging abandoned vehicles, removing debris from roadways, or assisting with other incidents as directed by the California Highway Patrol.

## CHAPTER 2

### PROFESSIONALISM

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#### **1. Demeanor/Courtesy**

- A. FSP operators are professionals who represent not only their employer, but also TAMC, Caltrans, and the CHP. An essential element of this public service is an operator's demeanor. For this reason, operators shall approach the public with courtesy, an air of professionalism, and in a business-like manner. FSP operators must exercise common sense and good judgment when performing FSP duties. Accordingly, the words "sir" and "ma'am" should be used when addressing the public. Caution must be utilized when the motorist's gender is not clearly recognized.
- B. Drivers shall conduct themselves in a professional, courteous and efficient manner at all times. This professional conduct is applicable while dealing with anyone while on FSP duty, including other tow operators. Upon contact with a motorist, the FSP operator shall explain the program and offer assistance. A motorist is not obligated to accept any assistance.

To avoid being misunderstood or misquoted, and to facilitate the timely removal of vehicles, operators should keep their conversations limited to the task of protecting motorists from identifiable hazards and quickly removing their vehicles to a safer environment. Some motorists contacted may not be in a good mood due to their situation and/or their vehicle's condition. Attempting to initiate unneeded discussion, such as religious or political conversations may further upset them. In addition, operators shall not attempt to solicit or initiate any social contacts with motorists they assist. For example, asking a motorist if he/she is married or has a significant other is inappropriate conversation. Operators shall not solicit addresses or telephone numbers for personal use. Operators shall, however, attempt to answer any questions pertaining to the program that are presented to them by the motorist.

- C. FSP operators *shall not* use offensive language, smoke, chew tobacco, eat or drink, or have toothpicks or other items in their mouths, while in contact with motorists.

When stopping to help a motorist, FSP operator shall initiate contact as soon as it is safe to do so. Motorists should never be required to monitor a tow operator sitting behind them doing something for extended periods prior to any contact.

- D. Always maintain a calm attitude. FSP operators will often be the first to encounter or respond to a traffic collision. The motorist will expect the FSP operator to initiate proper emergency and police assistance. Knowledge of proper procedures will enable FSP operators to handle a collision scene calmly and efficiently.

- E. FSP OPERATORS SHALL NOT REFER A MOTORIST TO ANY GARAGE, PRIVATE TOW SERVICE, SERVICE STATION OR MECHANIC. The referral to or recommendation of any private business may result in immediate termination of the driver from the program and may jeopardize his/her employer's contract.
- F. FSP OPERATORS SHALL NOT REFER ANY ACCIDENT VICTIM(S) TO ANY LEGAL SERVICES OR MEDICAL FACILITIES.
- G. The Freeway Service Patrol provides services to the public free of any charges or tips. The entire program is paid for by public funds and NO TIPS OR ANY OTHER GRATUITIES OF ANY KIND, WILL BE ACCEPTED. If a driver is placed in a position where the acceptance of a gratuity is unavoidable, an FSP supervisor SHALL be immediately notified and the operator shall document the incident. All gratuities shall be turned over to TAMC for distribution to charitable organizations.
- H. Advertisements or political statements, of any kind, are forbidden from being displayed on any FSP vehicle unless prior approval has been obtained from the TAMC, CHP, and Caltrans.

## **2. ABILITY TO READ AND COMMUNICATE CLEARLY ON RADIO**

In emergency situations, it is critical that FSP operators be able to clearly relay information to CHP dispatchers so that the CHP can make rapid assessments of what is needed at the scene. Whether this information is provided by voice radio or cell phone, CHP dispatchers must be able to understand the FSP operator. In addition, the operator must be able to read street signs in order to provide the CHP with accurate location and information.

- A. Due to the safety reasons listed above, persons who cannot clearly communicate with the CHP dispatch center, in the English language, shall be prohibited from working in the FSP program.
- B. Due to safety reasons listed above, persons who can not read the English language at a rate whereby they can quickly read street signs while driving a vehicle shall be prohibited from working in the FSP program.

## **3. UNIFORM REQUIREMENTS**

It is the responsibility of the tow contractor to provide the tow operator with specified uniforms and other required equipment. The equipment includes navy blue jump suits or shirts, pants, and safety vest. If coveralls are worn, they shall have a two-way zip front, with a heavy-duty brass zipper. Coverall or shirtsleeves shall be half-raglan type or set-in sleeve with pleated-action back. Long sleeves may have plain barrel cuffs or be equipped with snap or button closure at the wrist. The length of the sleeve on short-sleeved coveralls and shirts shall be approximately one (1) inch above the inside forearm when the wearer's arm is bent at a 90-degree angle.

The coveralls shall have shape-holding Sanforized waist banding with elastic inserts for trim fit. The legs shall be moderately tapered to avoid excessive fullness. All main seams shall be at least double stitched with good quality thread.

The uniform shall either be a navy-blue jumpsuit or navy-blue shirt and pants and shall have double striping sewn around both sleeve and leg cuffs, and across the upper back. The first layer of striping shall be lime green 2 ¼ inches wide and the top layer should be a ½ inch wide reflective white striping. Additionally, the contractor shall provide each FSP driver with yellow, three-piece rain gear. The rain gear shall consist of trousers, coat, and a detachable hood. All rain gear shall also have reflective tape on both sleeve and leg cuffs, and across the upper back. All rain gear shall fit the individual FSP operator so as not to restrict his/her ability to move freely.

Shirts or coveralls shall have one or two chest pockets. Single-pocket coveralls or shirts shall have the chest pocket placed on the left. The small FSP logo shall be sewn on either front pocket opposite the operator's name.

All reflective safety vests shall be a minimum of Class 3 safety vests requirements and shall be in accordance with California Code of Regulations, Title 8, Section 1598. That Section describes the color of the vests and states in hours of darkness the garments shall be retro reflective and visible at a minimum of 1,000 feet. These vests shall be provided by contractual agreement. The FSP logo (patch) shall be attached to the center of the back of each vest. The small FSP logo patch shall be attached on the left front pocket area of the vest. The FSP tow truck operator's name shall be clearly visible and either sewn on or attached to the vest.

The first initial of the first name and full last name shall be sewn above the left chest pocket opposite the FSP logo, so that it can be clearly visible with the collar open. Letters shall not exceed 1/2 inch in size. A detachable metal nameplate may be worn in place of the embroidered name at the contractor's option.

- A. Uniform and grooming requirements will be strictly enforced. Failure to meet uniform or grooming standards may result in the driver being taken out of service and the contractor fined. Continued violations of the uniform or grooming requirements may result in the dismissal of the operator from the FSP program. FSP operators shall be in an authorized uniform at all times during FSP hours. If an operator is out of uniform or is wearing an unauthorized uniform, he/she will be removed from service.
- B. No operator shall wear the FSP uniform at any time other than FSP hours. IN NO EVENT SHALL AN FSP OPERATOR WEAR AN FSP UNIFORM WHILE PERFORMING ANY TOW SERVICE OUTSIDE OF THE FSP PROGRAM. The FSP uniform shall be removed as promptly as possible following the termination of FSP hours. The FSP uniform may be worn to FSP training sessions, but in such cases, only the approved FSP cap shall be worn.
- C. Uniforms shall not be worn unbuttoned or unzipped. If a two-piece uniform is worn, the shirt shall be tucked into the trousers. When long sleeved shirts are worn, sleeves may be rolled up only for that period of time required by a specific job performance.

- D. Tow contractors shall supply each full time operator's (i.e., any operators working 30 or more hours per week) with five (5) sets of uniforms. Additionally, the contractor shall provide each FSP operator with yellow, three-piece rain gear
- E. Operators shall wear black boots with protective steel toes and oil-resistant soles. Operators may also wear composite type work boots if OSHA approved. The boots must be of a minimum ankle height. No other footwear is acceptable. The acquisition of work boots is the individual employee's responsibility. Boots do not have to be supplied by the contractor. The boots shall be replaced when there is any part of the steel showing, the soles are separated from the uppers, or there is any other defect.
- F. One navy blue baseball cap with the Freeway Service Patrol logo will be provided to each new operator. Subsequent replacement caps will be purchased by the operator. These caps may be worn at the operator's discretion. FSP baseball caps are to be worn with the FSP logo/bill facing forward. No other head gear shall be worn.
- G. Operators shall start each shift with a clean, well-maintained uniform. Examples of uniform violations include: dirty and/or torn uniforms, torn/missing patches, non-steel-toed boots, improper placement of patches, unauthorized hat, torn/faded/missing reflective tape, etc.
- H. During inclement weather, a navy-blue or white T-shirt/undergarment may be worn under the uniform shirt. No other color shall be worn. When short sleeved shirts are worn, the operator may wear a long sleeved undergarment granted it is the same color as the uniform (navy blue). Sweatshirts/sweaters (navy blue or white only) are acceptable and shall be tight fitting so they will not hinder job duties. Hooded undergarments are prohibited. A navy blue or black watch cap (beanie/knit cap) may be worn. The watch cap, if worn shall have the FSP logo on it. Rubber steel-toed boots will be allowed as an option during inclement weather. A navy blue jacket may be worn as outerwear, providing the jacket meets all the uniform specifications (logo, reflective tape, etc). No other outerwear is acceptable.
- I. Each operator will be issued an FSP Identification card. The Identification card must be in the operator possession during FSP operations and visible to the motorist while the operator is rendering service. This ID card shall be presented to any individual requesting to see FSP identification. Additionally, a valid California driver's license, DL-64 (Tow Truck Certificate), and DL-51 (Medical Certificate) shall be in the driver's possession during FSP operations.
- J. No FSP operator shall be on FSP duty without displaying an appropriate nametag. Nametags may be made of metal, plastic or cloth and shall include the first initial of the operator's first name and his/her full last name. Showing the full first name is also permissible. Nametags shall be attached at the top of chest pockets and shall be clearly visible.

K. Whenever an FSP operator is outside of their vehicle, they shall wear the reflective vest as the outermost garment. During inclement weather, the driver may wear the rain gear or FSP jacket without the reflective vest, granted the rain gear and/or jacket is in compliance with the current OSHA regulations and has the proper FSP signage. To ensure uniformity, if the contractor or operator chooses to wear an outer garment other than the standard issued safety vest, the contractor and operator shall first obtain approval from the FSP unit.

Note: To maintain a standard of uniformity, a manufacturer and style has been selected by the Technical Advisory Committee (TAC). This information is available upon request.

L. The rain gear shall have the letters "FSP" stenciled across the center of the upper back as well as on the upper left front. The cold weather gear (jacket) shall have the large FSP patch sewn on the center of the upper back and the small logo on the front pocket area opposite of the operator's name.

#### **4. GROOMING AND PERSONAL APPEARANCE STANDARD**

- A. Operators shall maintain a well-groomed appearance at all times. Operator shall be clean when they begin their shifts. This includes both uniforms and bodies. Obtrusive odors, whether they be body odors or others, such as fuel odors, are offensive to motorists. Operators will either be clean-shaven or present neatly trimmed beards and/or mustaches. Hair will be clean and neat. Long hair is discouraged. If hair is long, it shall be worn pulled back in a ponytail. Ponytails shall not be tied with multi-colored ribbons. Hair that is dyed/colored in any unusual manner (multiple colors, non-standard colors, e.g., green, yellow, purple, fluorescent, etc.) is forbidden. Additionally, no ornamental ties (beads, elaborate leather ties, shells, etc.) will be utilized for securing hair. Ponytails that are of a length such that in the opinion of the CHP are unsafe while working around operating automobile engines shall be forbidden. Fingernails shall be kept short. For safety reasons, work gloves are recommended when servicing vehicles.
- B. In order to ensure a professional appearance for all FSP operators, all tattoos that are potentially offensive or disturbing to motorists must be concealed by operators while working. For example, any tattoo that is satanic, racist, threatening, gang related or sexually explicit will be deemed potentially offensive or disturbing to motorists. All FSP tow operators will be required to conceal any tattoos of this nature with gloves, collars, long sleeves, or by other means acceptable to the CHP. The display of any facial tattoos is prohibited. If there are any questions regarding which tattoos are potentially offensive, clarification/authorization may be obtained by contacting CHP personnel in the FSP unit.

C. Operators shall not wear any unusual jewelry. Jewelry, of any type, worn around the neck shall remain under the shirt. This includes religious accouterments. Rings displaying any affiliation with any satanic, racist, sexually explicit, gang-related, or other potentially offensive groups or beliefs shall not be worn while on FSP duty. No rings, studs, or any other accouterments will be worn in the nose, tongue, or eyebrow. Earrings shall be limited to small stud type earrings that are no larger than 1/8 inch in diameter at their widest points. No parts of the earring may protrude around or below the ear lobe. No more than one stud will be allowed in or on each ear lobe. Due to the possibility of serious burns caused while working with electrical sources associated with motor vehicles, it is highly recommended that FSP operators wear no finger rings and that they wear only non-metallic watchbands. Operators may, however, wear necessary medical alert bracelets. The approval of specific jewelry shall be handled by the CHP on a case-by-case basis, but it shall be the CHP's policy to minimize the wearing of jewelry for safety reasons and in order to uphold a professional image.

## CHAPTER 3

### FREEWAY SERVICE PATROL DRIVER RESPONSIBILITIES

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#### **1. LIABILITY**

- A. Operators can be held civilly liable if they perform any acts that are outside the scope of their duties or employment. They may also be held liable for failing to act as is required by these policies.

#### **2. PEACE OFFICER ORDERS**

- A. FSP OPERATORS MUST OBEY ALL PEACE OFFICER ORDERS. THE PEACE OFFICER DOES NOT HAVE TO BE A CALIFORNIA HIGHWAY PATROL OFFICER. If an FSP operator receives a request from a peace officer to perform a task which violates the policy listed herein, the operator must inform the peace officer of the conflict. If the peace officer is insistent with the request, the FSP operator shall obtain approval from the FSP officer (601) through CHP dispatch. However, if exigent circumstances exist the orders take precedence over the policies and procedures listed in this document. The FSP operator shall document and notify the FSP officer and CHP dispatch immediately after the incident.

#### **3. NO PEACE OFFICER POWERS**

- A. FSP operators ***do not*** have any peace officer powers. A tow operator's duty is to patrol freeways to relieve congestion, not police them. FSP operators shall not become involved in enforcement contacts and/or pursuits unless specifically requested to do so by an officer. They should be good witnesses, not police officers. FSP operators shall not attempt apprehension of any suspected violators.
- B. CHP shall be notified of any significant criminal activity or suspected intoxicated motorists observed. Observations of minor traffic infractions need ***not*** be reported (examples of minor infractions: routine speeding vehicles, passing on the shoulder in congested traffic, following too closely, smoking vehicles, etc.). Good judgment must be utilized. If an extremely hazardous condition exists, report it.

#### **4. ALCOHOL AND/OR DRUGS**

- A. THE USE OF ALCOHOL AND/OR DRUGS WHILE IN SERVICE IS ABSOLUTELY FORBIDDEN. ANY OPERATOR FOUND TO BE UNDER THE INFLUENCE OF DRUGS AND/OR ALCOHOL WILL BE IMMEDIATELY TERMINATED FROM THE PROGRAM AND WILL FACE CRIMINAL PROSECUTION.
- B. OPERATORS SHALL NOT BE ON DUTY WHILE HAVING THE ODOR OF AN ALCOHOLIC BEVERAGE ON THEIR BREATH OR PERSON. OPERATORS FOUND TO HAVE THE ODOR OF AN ALCOHOLIC BEVERAGE ON THEIR BREATHS OR PERSONS SHALL BE IMMEDIATELY REMOVED FROM DUTY. PENALTIES FOR BEING ON FSP DUTY WHILE SMELLING OF AN ALCOHOLIC BEVERAGE WILL BE HANDLED ON A CASE-BY-CASE BASIS, DEPENDING ON THE FACTS OF EACH INCIDENT. THE PENALTY MAY INCLUDE TERMINATION FROM THE PROGRAM.
  - 1) Whenever any operator is removed from FSP duty by the CHP for having the odor of an alcoholic beverage on his/her breath or person, that employee shall be offered the opportunity to voluntarily submit to a breath test on a CHP Pre Alcohol Screen (PAS) device to measure the alcohol level of his/her breath.
  - 2) If an operator is removed from FSP duty by the CHP for having the odor of an alcoholic beverage on his/her breath or person, the contractor responsible for that operator shall be immediately contacted by the CHP and a request will be made for the contractor or the contractor's supervisor to respond to the scene.
  - 3) These requirements shall only be applicable in those cases where an operator is not believed to be under the influence of alcohol and is being removed from duty due only to the odor of an alcoholic beverage on his/her breath or person. Operators believed to be under the influence of alcohol shall be arrested by the CHP and the arrest, blood alcohol testing, and booking shall be handled as required by law.
- C. OPERATORS FOUND TO BE IN POSSESSION OF ILLEGAL DRUGS WHILE ON DUTY WILL BE CHARGED WITH ALL APPLICABLE VIOLATIONS OF LAW AND IMMEDIATELY TERMINATED FROM THE PROGRAM.
- D. If an FSP operator is arrested while off duty, for any offense(s), he/she is required to notify his/her contractor immediately. Failure to do so will result in a suspension and/or termination from the FSP program. Furthermore, the contractor shall notify the FSP Sergeant of the arrest.

## **5. IMPLEMENTATION OF SUBSTANCE ABUSE POLICY**

- A. The Freeway Service Patrol program is dedicated to providing safe and efficient service to the public. Because of the nature of our work, this program has a **zero tolerance** for substance abuse. Freeway Service Patrol operators are prohibited from using, selling, possessing, distributing, or being under the influence of a controlled substance or alcohol while on duty or driving an FSP vehicle to and from duty. If an operator is legally prescribed medication that could cause impairment, that operator shall report this to their contractor and the FSP unit before performing FSP duties.
- B. It is the contractor's responsibility to comply with all applicable federal, state, and local law and regulations pertaining to a drug and alcohol free workplace (Refer to Annex Code of Federal Regulations, Title 49, Chapter III, Part 382). Each FSP Contractor will implement and maintain an Alcohol and Substance Abuse Policy, while working in the FSP Program.
  - 1) Written substance-abuse policies and complete records pertaining to the implementation of the policy shall be maintained by the contractor for the duration of each contract.
  - 2) All records shall be subject to unannounced inspection by the California Highway Patrol at any time.
  - 3) All positive test results of drivers shall be immediately reported to the California Highway Patrol.

## **C. POST-ACCIDENT SUBSTANCE-ABUSE TESTING:**

- 1) Since the California Highway Patrol and many other police departments often do not issue citations at the scenes of traffic collisions, the following minimal testing requirements shall apply to all FSP operators. Whether a citation was issued or not does not effect this requirement. The employer shall test for alcohol and controlled substances if:
  - A. An on-duty FSP operator is involved in a collision resulting in a death and there is reasonable cause to believe the employee may have caused the collision or contributed to the cause of the collision.
  - B. An on-duty FSP operator is involved in a collision resulting in serious injuries that require immediate transportation to a hospital or other source of medical aid and there is reasonable cause to believe the operator may have caused the collision or contributed to the cause of the collision.

- 2) Contractors may have further testing requirements, as they determine appropriate for their operations, but contractors shall have their policies in writing and those policies shall be reviewed with all affected operator(s).
- 3) This policy shall not be interpreted as requiring the contractor to retain operators testing positive for alcohol or controlled substances, if the contractor has a written policy requiring the operator's termination of employment in such cases.
- 4) Those operators terminated from working for a contractor for positive substance abuse tests shall be forbidden to work for any other FSP contractor in the FSP program for a minimum of one year, unless the operator can pass the pre-employment testing and agree to submit to all of the conditions required in this section. The one-year moratorium will begin on the date the sample for the testing was obtained.

#### D. PENALTY

- 1) Failure to comply with the requirements or further requirements listed in this document will be handled on a case-by-case basis and may result in fines to the contractor, suspension, and/or termination from the FSP program.
- 2) Operators working in the Freeway Service Patrol (FSP) program shall not refuse to submit to an alcohol or substance abuse test. Any driver who refuses to submit to an alcohol or substance abuse test, shall be assessed the same penalty as a positive test result.
- 3) Contractors shall not permit an operator who refuses to submit to such tests to perform any FSP duties.
- 4) Contractors having actual knowledge that an operator has used a controlled substance shall not permit the operator to continue to perform any FSP duties.
- 5) Contractors shall not employ an FSP operator who failed or refused to submit an alcohol or substance abuse test.

#### 6. SMOKING

Vehicles should not only be clean at all times but also be smoke free. Smoking in FSP vehicles is strictly prohibited. DRIVERS SHALL NOT SMOKE IN THE SERVICE VEHICLE WHILE TRANSPORTING ANY PASSENGER.

## **7. SLEEPING WHILE IN OR AROUND AN FSP VEHICLE**

FSP operators shall not sleep while on or off duty in an FSP vehicle. This prohibition is applicable to rest breaks and lunch periods. Sleeping is not permitted at any time during a shift. If an operator is fatigued to the point of needing sleep during his/her work shift, they should not be working on the roadways. For the purpose of this section, sleeping is defined as actually sleeping or presenting the appearance that one is asleep.

## **8. HONESTY AND TRUTHFULNESS**

It is imperative that all FSP operators and contractors be honest and truthful regarding all aspects of FSP operations. Operators and contractors shall provide truthful information to CHP dispatchers, CHP officers, their employers and the motoring public whether it is by voice radio, daily field log, in person, and/or by written document. Any violations will be handled on a case by case-basis, dependant upon all the facts available.

## **9. PATROL RESPONSIBILITY**

- A. Before each FSP shift, all operators SHALL inspect the truck's equipment and complete the FSP – Daily Inspection Report (CHP 234D). This report shall be forwarded to the contractor every week. The report shall be kept in the contractor's office and made available for inspection by FSP staff.
- B. FSP operators shall record the complete odometer reading (starting mileage) on their vehicle at the beginning of their shift and the complete odometer reading (ending mileage) on their vehicle at the end of their shift. These records shall be listed on the operator's summary report (no exceptions). In those cases where the operator may drive more than one service vehicle, an explanation shall be recorded in the narrative portion of the daily activity log.
- C. FSP operators shall patrol their beat continuously. Parking in one specific location and waiting to be dispatched to an incident is a violation of policy. The success of the program depends on how quickly an incident is detected. An FSP operator may encounter and assist a disabled motorist before dispatch receives a call. Operators shall also check on and off-ramps and transition roads for disabled motorists.
- D. It is recommended that operators patrol in the slow lane. Most incidents encountered will be on the right shoulder. Operators shall not drive at speeds in excess of the speed limits and shall not drive faster than that speed which is safe. The safe speed may be much less than the posted speed limit due to prevailing conditions (e.g., rain, flooding, heavy traffic, frosty roadways, etc.). Operators should always maintain a high visual horizon while on patrol.

- E. FSP operators are not exempt from traffic laws. FSP operators SHALL obey all laws. At no time shall an FSP operator become engaged in any verbal or physical altercation with a motorist. Driving on the shoulder, in the center divider, or in the high-occupancy lane (diamond lane) is not allowed unless permission has been granted by an officer. If permission is granted to drive on the shoulder or in the median area, operators will proceed at a speed no greater than 15 mph. Obtaining permission does not release the operator from liability if an accident or property damage occurs from using the right shoulder or center divider.
- F. FSP personnel working on the same beat or in the same area are encouraged to assist each other and emergency personnel whenever possible. However, FSP operators shall not remain at the scene of any incident any longer than they are needed. When one FSP operator can handle an incident, an additional FSP operator may stop to offer assistance. However, FSP operators shall leave the scene of the incident as soon as it can be determined their presence is not requested or needed. This is particularly applicable at the scene of collisions. FSP response and assistance at the scene is appreciated by emergency personnel, but operators shall quickly leave the scene when no longer needed. Remaining at accident scenes to merely observe is not acceptable.

## **10. CONTACTS OUTSIDE OF ASSIGNED BEAT**

- A. FSP operators may be dispatched to incidents outside of their normal beats if the need is present. This will normally only occur when it involves an emergency or the unavailability of other tows. This practice shall be monitored and controlled so as to be kept at a minimum. No FSP operator shall respond to any incidents outside of their assigned beats without prior approval from a CHP field supervisor.
- B. FSP operators shall not routinely patrol areas beyond their assigned beats. They are expected to turn around at the end of the assigned beat. In those cases where an FSP operator is outside of his/her assigned beat and encounters an incident where a motorist's safety is in jeopardy (in the case of a collision, if the breakdown occurs in a traffic lane, or if a school bus or elderly person is involved, etc.), the FSP operator shall proceed to handle the situation as if it were on his/her assigned beat. Other tows, such as Caltrans bridge tows, are expected to operate in the same manner. When an FSP operator encounters another tow operator attempting to handle a situation where there are motorist safety issues involved, the FSP operator shall offer his/her assistance. If no assistance is needed, the FSP operator shall leave the scene and the original tow assisting the motorist will be expected to complete the assist.

FSP operators shall avoid conflicts with other tow operators. The motorist's safety takes precedence over all tow boundary issues. Conflicts shall be immediately reported to an FSP supervisor. Conflicts, arguments or other displays of unprofessional conduct in the presence of motorists will not be tolerated.

- C. When a tow operator encounters an accident and/or disabled vehicle blocking the roadway while enrooted to and/or from their assigned beat, they should immediately notify Monterey Communications Center (MCC) of their situation and request to go in service or be put back into service. When the operator has finished assisting with the incident, he/she should advise MCC of his/her status and request approval for overtime earned.

## **11. MOTORIST CONTACTS**

- A. While on duty, FSP operators shall stop and check ALL vehicles involved in collisions or observed stopped on the shoulders of the roadway (including vehicles appearing to be abandoned) unless the vehicle has been previously tagged with an FSP 422 form or the FSP operator shall ensure that his/her beat partner will check the vehicle or the FSP operator shall advise CHP dispatch of the need for the vehicle to be checked. Additionally, FSP operators shall respond to all incidents to which they are dispatched by the CHP or they shall ensure that CHP dispatch understands that they are not handling the call and somebody else must respond.

Failing to stop for stranded motorists and not arranging for someone to respond to the motorist or failing to respond to incidents to which they are dispatched are both very serious violations of FSP policy. The penalties shall always be significant and will be handled on a case-by-case basis. Termination from the FSP program shall always be considered for these failures of FSP duty.

- B. An FSP operator's basic duty to the public is to provide a "quick fix" for a disabled motorist. This may consist of providing a gallon of gas, changing a flat tire, refilling a radiator, and/or similar minor repairs. FSP operators may attempt minor repairs to the vehicle if it is possible and safe to do so. If a vehicle cannot be repaired within 10 minutes, the driver shall inform the motorist that the vehicle can be towed to a designated drop location where he or she can summon additional assistance (e.g., AAA tow, phone call to repairman, rotation tow, and taxi). Operators shall explain to the motorist that removal from the freeway is for safety reasons and to prevent congestion.
- C. When making contact with the motorist's vehicle, the operator shall approach the vehicle from the non traffic side. Upon initial contact with a disabled motorist, the operator shall identify him or herself as a member of the Freeway Service Patrol. The operator shall provide a brief description of the program, explaining that it is a free service and designed to relieve traffic congestion. If a motorist speaks a foreign language, the operator should utilize the introductory card. The motorist shall then be given an FSP brochure and the FSP issued business card and asked to complete the online motorist survey form. The operator shall explain to the motorist that the completion of the online survey helps to evaluate the effectiveness of the FSP program.

- D. While motorists are not required to accept service, FSP operators shall always offer their services. FSP operators are required to provide information regarding freeway safety to all stranded motorists. Motorists may request AAA club or other services or elect to handle their situation themselves, but FSP operators shall still explain the FSP program and offer their assistance. Operators shall be professional and courteous at all times. Remember, we would like the motorist to agree to be moved from the freeway to a safer location. If a motorist refuses FSP service or if the FSP operator leaves the motorist, the operator shall inform the motorist of potential hazards and provide freeway safety tips to the motorist. Operators shall note on their daily field record: "Safety admonishment given (SAG)". FSP operators shall notify CHP if a motorist refuses to accept FSP services or if an unusual occurs.
- E. When preparing to tow a vehicle, FSP operators shall explain where the vehicle will be taken and what the motorist's options will be once arriving at the drop site. If any motorist requests towing to another site, the tow operator shall contact FSP dispatch and request additional service. Normally, FSP operators can only summon AAA or a rotation tow. The motorist shall call for any other service requested. Vehicles shall not be towed to any private facilities. Operators shall not leave a motorist stranded at a drop location without services and/or phone. The motorist (not the vehicle) should be transported to the nearest phone at an open establishment where business is conducted. Operators must ensure the phone is operational prior to leaving the drop site. When providing transportation to a female (11-48x), the operator shall by voice, advise of the transportation, advise dispatch of the destination, and give the starting mileage. Upon completion of the detail the FSP operator shall give dispatch the ending mileage.
- F. Operators should employ common sense when leaving motorists at drop locations.  
MOTORIST SAFETY COMES FIRST. After rendering service to the motorist and/or the motorist refuses service, operators may stand by with the motorist for a maximum of thirty (30) minutes, *only at the motorist's request*. If no further assistance arrives and the motorist is uncomfortable about being left alone at a drop location, advise CHP dispatch and request for a CHP unit to respond.
- G. Usually, motorists shall not be transported from gas stations, restaurants, etc., back to their vehicles. When unusual circumstances dictate the need to return the motorist to his/her vehicle from these locations, permission must be obtained from an FSP supervisor through CHP dispatch.
- H. Operators shall record ALL assists and responses on their daily field record form and turn it in to their contractor at the end of each shift.

## **12. WORK HOURS AND ASSOCIATED REQUIREMENTS**

- A. Work hours vary from beat to beat but generally are between 0700 to 0900 hours and 1500 to 1900 hours on weekdays. Beats may have fewer hours and/or weekend coverage to accommodate the changing needs of seasonal traffic patterns.
- B. Operators shall arrive on their beat at the beginning of their shift, and sign on after their arrival on their beat.
- C. Operators shall remain on their beat until the end of their shift, and sign off while still on their beat, not from the tow yard or any other location off the beat. Contractors will only be paid for the time that their operators are on the beat.
- D. Each truck shall be clean (inside and out) and properly equipped at the beginning of each shift. This means the truck is supplied with all required supplies/materials and it has sufficient fuel to complete a SIX-hour shift without refueling. In the unusual circumstance refueling is necessary; trucks are permitted to refuel except during the first hour or the last half hour of their assigned shift. Trucks will only be allowed to replenish their supply (i.e. motorist's fuel, water, etc.), due to usage during the same shift. The driver may leave the beat only for as long as necessary to replace supplies. The operator shall notify dispatch of his/her "temporary out of service" status (10-6, replacing supplies).
- E. Rest or lunch periods may be taken according to the following guidelines:

One rest period of 15 minutes is allowed per each 3 to 4 hour shift.

Drivers may not return to their office/shop early as an option to skipping their break. Rest/lunch periods may not be taken during the first hour and last half hour of the operator's shift and may not be taken consecutively resulting in an extended rest period. Further, operators cannot respond to their beat late or return to their shop early in lieu of taking a rest/lunch period. Operators shall change their status to "out of service" (10-7) during a rest/lunch period. Rest/lunch periods shall not be taken on freeways or on/off ramps, contractor's yard, shopping malls/centers or residences. Rest/lunch periods must be taken within ½ mile from the operator's designated beat.

- F. Restroom breaks are allowed only when necessary and within reason. It is not necessary to advise dispatch (10-7) when stopping for a short time to use the restroom.
- G. When a service/detail at the end of a shift requires overtime to complete, the operator must obtain authorization from CHP dispatch for the overtime. Overtime will be authorized in increments of 15 minutes. Each 15-minute extension must be requested by the operator and authorized by the dispatcher. Only the amount of overtime authorized by dispatch will be paid. All pertinent information justifying the need for the overtime shall be documented by the FSP operator in his/her log. FSP personnel shall not search for incidents while on or to obtain overtime.

## **13. DISPLAY OF FSP SIGNAGE/LETTERING AND VEHICLE STORAGE**

- A. Trucks shall display the authorized FSP logo placards or decals on both sides of the vehicle at all times while engaged in FSP operations. Trucks without proper equipment, including placards or decals, shall be removed from service. In no event shall trucks display the FSP logo outside of FSP hours.
- B. The placards must be displayed only after the operator arrives at his/her assigned beat and after advising MCC of his/her "on-duty" status. The operator shall remove the placard after FSP hours and immediately after advising MCC of his/her "off-duty" status. Drivers shall not respond to a rotation call displaying FSP placards.

## **14. SECONDARY TOWS**

- A. When an FSP tow truck has assisted a motorist during FSP hours, the operator shall not provide assistance as a secondary tow, such as a rotation tow or owner's request. If a motorist requests a rotation tow for which the contractor of the FSP operator is the next scheduled tow, or if a motorist specifically requests the tow operator's company, the contractor shall send a different truck and driver. All rotation and owner's request tows shall be handled through CHP dispatch.

## **15. WEAPONS**

- A. FSP operators shall not carry firearms or weapons (mace, oleoresin capsicum "Pepper Spray" baseball bats, hunting-type knives, short chains, etc), on their persons or in the FSP vehicles. Any FSP operator found to be in possession of a firearm or any weapon while on FSP duty will be charged with applicable violations of the law and will be terminated from the FSP program. The possession of a permit to carry a concealed weapon does not cancel this prohibition. A folding knife, carried on the belt in a closed pouch (Buck Knife type), will be permitted, but no fixed blade knives (hunting type knife) are permitted. FSP operators also have the option to carry on their belt a Leatherman type multi-tool in a holster.

## **16. REINSTATEMENT TO THE FSP PROGRAM:**

If an operator leaves the Bay Area FSP Program and wishes to be reinstated, the following conditions shall apply:

1. If the operator has been separated/absent from the FSP program 90 days or less, the operator must:
  - Accurately complete and submit a CHP 234F and Questionnaire
  - The operator must posses a valid California Driver's License
  - The operator must posses a valid DL 64 (Tow Truck Certificate)
  - The operator must posses a valid DL 51 (Medical Certificate)

2. If the period of separation/absence is 91 days or more, all of the above must be completed including a Live Scan plus all applicable fees.
3. One (1) year or more, the operator must complete the entire application process, which includes the background check, fingerprinting, proficiency testing, and certification training class.

## **17. DRIVER TRANSITIONAL PERIOD**

FSP operators leaving an FSP contractor for whom they are employed shall be required to wait a minimum of ten (10) business days (Monday-Friday) after the hiring contractor notifies the CHP, (via fax or email), before they are allowed to work for his/her new contractor. However, if the employee submits a two-week (or longer) written notice to his/her employer with intentions on seeking other employment, the 10-business day (transitional period) rule shall be waived, with CHP approval. The ten (10) business day rule may also be waived, if the employee leaves their current employer in good standing and there is a mutual agreement between the releasing and acquiring contractors.

## CHAPTER 4

### VEHICLE OPERATIONS

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#### **1. DISABLED VEHICLES**

- A. Disabled vehicles in traffic lanes shall be cleared, as soon as possible and without delay by either pushing or towing. Minor repairs, refueling vehicles or changing a flat tire may be performed on the shoulder, if safe.
- B. **SAFETY FIRST.** If a vehicle is located in the traffic lane and a traffic break is required, operators are to request CHP for assistance. FSP operators shall not provide traffic breaks unless directed to do so by a peace officer or it is necessary due to an extreme hazard such as a body lying in the roadway, etc.
- C. FSP operators shall provide service to all vehicles stopped on the freeway. If repairs are needed and not readily available from the FSP, the operator shall advise the motorist that his/her vehicle can be towed to a drop location. If FSP service is refused, the operator shall notify MCC.
- D. Overhead amber lights shall not be used when stopped on the shoulder unless a portion of the disabled or FSP vehicle is determined to be in a hazardous location (blocking a lane). FSP vehicles shall not utilize the overhead amber lights when towing a vehicle. As a general rule, overhead lights should be used only when the tow truck is stopped and blocking the traffic lane or when an unusually hazardous situation exists.
- E. FSP operators shall place an FSP 422 (green) on all vehicles located on the shoulders of the freeway, whether a CHP 422 (yellow) is present or not. The FSP 422 shall only be placed on the non-traffic side of the rear window and antennas. The FSP 422 shall not be placed on painted surfaces. Additionally, an FSP 422 shall be placed on vehicles left at drop locations. In those locations where vandalism has proven to be a problem, an FSP supervisor may elect to overrule this practice. In the event an FSP 422 is removed or missing, an FSP operator shall replace the FSP 422.
- F. FSP operators shall leave an FSP brochure with every vehicle serviced/checked, whether it is occupied or not. Normally, the brochure will be left under the windshield wiper blade on those vehicles that are not occupied. The practice of leaving brochure on abandoned vehicles need not be followed during inclement weather, where the brochure would be destroyed by the weather conditions.
- G. If an FSP operator assists a disabled vehicle occupied by a female motorist, the FSP operator may stay (**by motorist request only**) with the motorist until CHP or help, whichever comes first. The operator shall notify MCC and request a CHP beat unit to respond. The FSP operator will go back in service, and check on the motorist periodically.

H. When an FSP operator encounters a vehicle disabled in the center median (or divider) the FSP operator shall not leave the motorist, even if service is refused. The operator shall notify dispatch and request for a CHP beat unit to respond. Once beat unit arrives the operator may leave if no longer needed. In addition to the center median, an operator shall not leave a motorist in the gore point (or reverse gore point), traffic lane, or any other location that hinders a motorist's ability to safely enter and exit his/her vehicle.

## **2. ABANDONED VEHICLES**

- A. Authorization to tow an abandoned vehicle from the traffic lane must be obtained from CHP officer. The law does not provide FSP operators authorization to tow abandoned vehicles. Authorization can be given by a peace officer by way of dispatch. If an FSP operator encounters an abandoned vehicle in the lane, the operator shall request dispatch to respond CHP. An FSP operator may remove an abandoned vehicle if it is deemed to be in a dangerous location such as a blind curve and/or during inclement weather such as heavy rain or fog. The operator shall always attempt to notify dispatch and get permission prior to removing the hazardous abandoned vehicle. If the dispatcher is unable to obtain permission in a timely manner, the operator may remove the vehicle to the right shoulder. The dispatcher must be notified of the removal. A CHP beat unit shall be requested for all vehicle storages and the operator shall remain with the vehicle until the beat unit arrives. Sound professional judgment shall be used when handling vehicles found abandoned in hazardous locations. The FSP operator's safety shall always be the top priority in making his/her decisions.
- B. If an FSP operator encounters an abandoned vehicle in the center divider, he/she shall tag the vehicle with an FSP 422, and notify dispatch whether the vehicle is a hazard or not (*Drivers must use sound judgment when determining whether the vehicle is a hazard or not*).

## **3. HYBRID VEHICLES:**

1. The following steps shall be followed when a Freeway Service Patrol (FSP) operator encounters a Hybrid vehicle in need of assistance. Hybrid vehicles are vehicles which are powered by gas and electrical engines, have high fuel efficiency and emit low levels of fuel emissions. Hybrid vehicles can be handled like any other vehicle, except as noted in these guidelines.
  - A. Due to the possibility of damaging hybrid drive components and in compliance with manufacturer recommendations, no FSP operator shall tow a hybrid vehicle with any of its wheels on the ground. FSP operators shall use tow dollies (or flatbed if available) to remove the vehicle from the freeway.
  - B. FSP operators shall not attempt to service hybrid vehicles by performing any function within the engine compartment. Under no circumstances shall an FSP operator attempt

to jump-start or repair battery cables on a hybrid vehicle. Contact with damaged high voltage battery modules, motor, or cables can result in serious electric shock and/or death. Furthermore, if the FSP operator has determined the hybrid vehicle is in need of anything more than fuel or a tire change, the FSP operator shall dolly tow (or flatbed) the vehicle off the freeway. Sling-type equipment should not be used unless the vehicle is damaged beyond repair, or directed to do so by a law enforcement officer to clear traffic lanes expeditiously.

## 2. NOTES OF CAUTION WHILE ASSISTING HYBRID VEHICLES:

- Never assume the hybrid vehicle is shut off simply because it is quiet.
- Always observe the instrument panel cluster to verify whether the vehicle is on or off.
- While the vehicle is stopped, the gasoline engine and the traction motor are off, however the vehicle still remains operational.
- Operators shall use extreme caution when pushing hybrid vehicles out of traffic lanes following traffic collisions. When doing so, it is imperative to *assure that the ignition key is in the OFF position*.

## 4. **VEHICLE COLLISIONS (FSP IS NOT INVOLVED)**

A. The FSP operator is likely to be the first responder to a vehicle collision. If a vehicle is in a traffic lane, the following subsequent steps may be used as a guideline. Every situation will be different, this is only a guideline. FSP operators should use their best judgment in each circumstance and remain calm.

- 1) While approaching the scene and still in his/her truck, the operator should pre-alert dispatch of an accident (11-83). When dispatch responds, the operator should then tell them he/she is on scene and give the location (10-97 with an 11-83 at...).
- 2) The operator should activate the truck's amber warning lights, then decide whether to park in front of the damaged vehicles or behind the accident scene (This depends on whether parties are in the roadway, amount of congestion, speed of passing traffic, location of collision, etc.; the operator should use good judgment).  
*THE DRIVER'S OWN SAFETY AND THE PUBLIC'S SAFETY IS THE MOST IMPORTANT FACTOR IN MAKING DECISIONS.*
- 3) If seriously injured persons are observed, the operator should immediately request dispatch to roll an ambulance (11-41).
- 4) The operator should not move an injured person unless that person's life is in imminent danger at his/her present location; e.g., in or near a burning vehicle.
- 5) If injuries are suspected, the operator should ask involved persons if they would like to have an ambulance or paramedics called to the scene.

- 6) Be alert and cautious with individuals involved in a minor collision. They may appear uninjured, but can develop serious complications. When in doubt, the operator should call for medical personnel.
- 7) When time and safety issues allow, cones or flares should be utilized to protect the scene. Be aware of fuel spillage and the use of flares, and advise parties of danger from passing traffic. Wait for the CHP beat unit to arrive before moving the vehicles.
- 8) If no injuries are claimed by anyone involved in the collision, advise dispatch there are no injuries (11-82).
- 9) The FSP operator shall attempt to clear vehicles to the right shoulder or center divider **only** if there are no injuries and all involved parties give their permission to move the vehicles. If one of the parties refuses to move their vehicle, operators shall protect the scene until the CHP beat unit arrives. Operators shall not cancel the CHP beat unit from responding to an accident. If all parties leave the scene prior to the arrival of the CHP beat unit, advise MCC.
- 10) FSP operators shall not recommend any attorneys or medical practitioners to involved parties. Referrals of this nature will be grounds for dismissal from the program. Additionally, no FSP operator shall offer any opinions concerning whether a police report should or should not be prepared.
- 11) Whenever safety allows, FSP operators shall document the license plate numbers of all vehicles involved in collisions. These license plate numbers shall be documented on the operator's daily activity log. If a vehicle does not display a license plate number, then a description of the vehicle shall be documented. This requirement is applicable to all collisions and only to those vehicles at the same location as the FSP operators.

## **5. DEBRIS IN THE ROADWAY**

- A. Traffic is flowing: The operator should position the tow truck on the shoulder *just before* the debris. Operators should remember traffic might swerve toward them while avoiding debris. The operator should advise dispatch of his/her location and request a traffic break. He/she should be prepared to remove the hazard immediately after calling for the break. Once the break is established, the operator may proceed to the debris and remove it to the shoulder. (CAUTION: Keep their eyes on traffic and be prepared to take evasive action, if necessary.) Advise dispatch of the location of the removed debris.
- B. Traffic is stopped: The operator should activate the amber warning lights and position the FSP vehicle so as to provide protection to ones self while collecting the debris. The operator should remove the debris from the roadway with caution, keeping his/her eyes on traffic at all times. Advise dispatch of the location of the removed debris.

- C. If debris is too large to be removed, the operator should notify dispatch, divert traffic around debris by use of cones and/or flares, and remain at the scene until relieved by a CHP beat unit or Caltrans.
- D. If an operator is unable to stop safely for debris: the operator shall return immediately to the location of where debris was observed and remove it safely. If unable to remove safely, the FSP operator shall stand-by until the hazard is safely removed. Driving by debris and not arranging for someone to respond or failing to respond to incidents to which they have observed are considered a serious violation of the FSP policy.

## **6. LOST AND FOUND ITEMS**

- A. Under no circumstances will FSP operators take possession of any articles found on the freeway. They should leave non-valuable articles on the shoulder for Caltrans to retrieve and advise CHP dispatch of significant items and their location.
- B. If any items of value are found (money, suitcases, etc.), dispatch will be immediately advised and a CHP beat unit shall be requested to respond. All valuables shall be turned over to the beat unit. The valuable(s) will be handled according to CHP policy. FSP operators shall note the name and badge number of the officer taking possession of the item(s) on the daily activity log.
- C. If a weapon is located, dispatch shall be immediately advised and a CHP beat unit shall be requested to respond. Do not move, touch, or handle any located weapons as there may be evidentiary value that needs to be preserved. The weapon(s) will be handled according to CHP policy. FSP operators shall note the name and badge number of the officer taking possession of the item(s) on the daily activity log.

## **7. EMERGENCY OPERATION PROCEDURES / NATURAL DISASTER CONTINGENCIES**

The Monterey Area has the potential for emergency events precipitated by civil unrest, acts of terrorism or natural disasters such as earthquakes, fires, floods, or mud slides. In order to ensure the safety of both tow operators and the public, the following emergency guidelines shall be implemented when a disaster occurs during while on-duty. Below is a guideline that should be followed. However, it is not all inclusive. As with everything, it is incumbent on each operator to exercise sound judgment when making a decision.

- A. Each operator should remain calm and not panic.
- B. CHP communication is functional:
  - 1) CHP dispatch will contact each on-duty FSP operator and conduct a roll call. Each operator should provide their status to CHP dispatch.

- 2) Additional information should also be provided (i.e. visible damage to the freeway infrastructure, injuries to civilian or FSP operator and other pertinent/emergency information).
- 3) All transmissions shall be as brief as possible.

C. CHP communication is non-functional:

- 1) Each operator shall report to the first drop location (i.e. A or A1) listed for your respective beat guides to ensure all operators on the beat are accounted for and safe. Each operator should wait for further instructions from CHP dispatch which may come via cellular telephone, Nextel direct-connect or word of mouth.
- 2) Report your status to your company via shop radio. Each contractor will then immediately telephone FSP Dispatch with an update.
- 3) FSP Dispatchers will relay directions and information to all operators following an actual emergency. Unless otherwise notified, continue to patrol your beat.

D. The Contractor will be notified by the FSP Partners of possible redeployment and/or beat changes.

E. Emergencies that occur during non-FSP hours:

- 1) Contractors shall remove all FSP trucks from a covered facility and relocate them to an open but (fenced or gated) secure location.
- 2) Unless instructed otherwise, operators should report to their respective contractor offices to await instructions prior to their shift.

F. The FSP partners will conduct periodic testing of the Emergency Procedures Policy. Contractors will receive advance notification should the FSP Partners decide to conduct any testing of this procedure. Contractors should be aware that after a major disaster, the FSP Partners may redeploy specific beats to other freeway or non-freeway areas based on the situational needs that may arise from the event itself.

## **8. HAZARDOUS MATERIALS**

- A. Hazardous material incidents are common in Monterey County. Any unknown substance in any package (bags, boxes, or barrels) or in any form (liquid, gas, or solid) should be considered a hazardous material. Operators are to put a distance between themselves and the substance. Operators should not expect the odor to tell them if the material is dangerous or not. Some deadly chemicals are odorless. If the operator can smell it, see it on his/her clothing, or feel the effects of it, he/she has been contaminated. The operator

should advise dispatch as soon as possible. All trucks not needed at the scene are to avoid the area. All hazardous material incidents shall be handled with extreme caution, and safety being the utmost importance.

- B. Do not approach any suspected hazardous spill. Immediately request dispatch to notify CHP beat units. Any FSP operator who suspects a hazardous material spill or a potential hazardous material spill shall avoid the substance. If any substance is leaking (liquid or powder), or if there are flames, it shall be treated as a hazardous material. Operators should not step in or taste the material. They should stay upwind, uphill, and upgrade from the spill, and notify dispatch immediately. If hazardous material placards can be seen, operators should relay the information to dispatch (e.g., label, color, sign, describe the picture, numbers etc.).
- C. The operator should be extremely careful at accident scenes involving big rig trucks and hazardous materials. They should not light flares. Operators should use traffic cones whenever incident conditions permit.

## **9. DROP LOCATIONS**

- A. Drop locations are specific on-street public parking areas, generally adjacent to the freeway that have been selected and approved by the CHP, as appropriate tow sites for disabled vehicles.
- B. Operators are to park vehicles only at the designated drop locations indicated on the beat maps. Vehicles shall not be towed to any private parking areas such as service station lots, malls, restaurant lots, etc. unless so directed by a peace officer. Operators should utilize the nearest drop site unless special circumstances dictate otherwise. The motorist shall be advised of any restriction at the drop site location (time limits, etc). Operators shall document the notification on their daily field log.
- C. After a vehicle is towed to a drop location, and the motorist requests additional assistance, the operator should advise dispatch of the location. If a rotation tow or AAA is called, the operator should provide dispatch with the cross streets of the drop location.
- D. Operators should notify an FSP officer if any corrections or modifications need to be made to the drop locations or beat maps.
- E. FSP operators shall notify the FSP officer of any abandoned vehicles left at drop locations for extended periods (over three to four days). Vandalized vehicles at drop locations should be reported to the FSP officer immediately.
- F. Good judgment must prevail. If conditions lead an operator to believe that a vehicle or motorist should be transported to a location other than that required by the procedures described above, then he/she should contact an FSP supervisor. **Operators should not jeopardize the motorist's safety.** Operators shall take all reasonable steps to ensure the

motorists do not feel fearful or abandoned if left at a drop site. Extra care must be taken with female, juvenile, and elderly motorists. If the motorist is uncomfortable with the setting, operators should consider their options. If appropriate, operators may call for a CHP beat unit for assistance. If the motorist expresses concern about his/her safety, the operator should not leave him/her without getting help or transporting him/her to another location. The operator should not hesitate to get permission to transport the motorist to another location.

## **10. PEDESTRIANS**

- A. FSP operators shall not make contact or standby with a pedestrian who is not associated with a vehicle unless directed to do so by CHP or other peace officers. Pedestrians wandering along the freeway are often mentally disturbed and/or under the influence of drugs and/or alcohol. All pedestrians observed on the freeways shall be reported to CHP dispatch. FSP operators do not have any authority to order pedestrians from the freeway.

## **11. TOW PROCEDURES**

- A. Operators shall not use the tow truck's overhead lights when performing services on the shoulder of the roadway. Overhead flashing lights are distracting to passing motorists and tend to slow down traffic. Operators shall use the truck's four-way emergency flashers while performing services that are not in the traffic lane. The use of overhead flashing or rotating lights is generally limited to tow services performed while in the traffic lane or partially blocking a lane. When assisting disabled vehicles on the right shoulder or center median of the freeway, the operator shall perform the work from the non-traffic side.
- B. FSP procedures require two safety chains be used for every towed vehicle. If there is risk of danger to the operator, the operator may tow the vehicle without chains to the nearest place of safety (shoulder, surface streets, etc.) where safety chains shall be attached. Chains shall not drag on the ground, but can be crossed if necessary. Operators failing to follow these procedures may be suspended from the program.
- C. FSP procedures require operators to place portable stop/signal lamps (tow lights) on every towed vehicle. It is recommended that a piece of paper or cloth be placed under the tow lights to prevent damaging the motorists' vehicle. When vehicles are in extremely hazardous location, they may be moved to the closest location of safety prior to placement of these lights. Four-way flashers on the towed vehicle shall be turned off. Exceptions to these lighting requirements must be approved by CHP.

## **12.ON-DUTY FSP TRAFFIC COLLISION/OPERATIONAL DAMAGE:**

- A. Any FSP operator involved in a traffic collision while on duty shall immediately notify dispatch of the collision and request an FSP supervisor and CHP beat unit for a report. For the purposes of this policy, a traffic collision shall include any event that results in damage or injury (scratches or complaints of possible injury are applicable). All traffic collisions and accidental contacts with other vehicles shall be reported to CHP dispatch. All damages to a motorists' vehicle or property, whether considered by the FSP operator to be traffic collisions or "operational damage", shall be reported to CHP dispatch. All damages also will be recorded on the operator's daily field log and reported to the FSP operator's employer, by the involved operator.
- B. At the time of the collision, the tow operator shall create a daily field log and contact dispatch to report the details of the incident. The operator shall not indicate 10-7 (out of service) while waiting for assistance to arrive. If, for any reason, a tow operator is unable to create a log, the operator shall use the voice radio to have the dispatcher assign him/her to a log.
- C. The operator will not be docked for the time required to complete the accident investigation.
- D. If any contact occurs between an FSP truck and another vehicle, an FSP supervisor or CHP beat unit shall be requested to determine if a report is warranted.
- E. Contractors who become aware of any damage to FSP vehicles or to other private or public property that could be reasonably believed to have occurred during FSP service hours shall immediately ensure the damage has been reported to an FSP supervisor. Failure to do so may result in the termination of the contractor from the FSP program

## **13.PUSHING POLICY:**

- A. Operators are encouraged to push disabled vehicles out of traffic lanes (as another tool for clearing the roadway) in order to expedite the flow of traffic, regardless of contractor's policies/procedures. When an operator encounters a vehicle in the traffic lanes, he/she should (using sound judgment) push the vehicle safely to the right shoulder of the freeway. Operators should only push the vehicles to the right shoulder of the freeway, unless the right shoulder puts them in a more hazardous situation, they should then push the vehicle off the freeway. Operators shall advise the motorists their vehicle's steering or braking system may be affected due to the lack of power.

## **14.MOBILITY IMPAIRED MOTORIST**

- A. For the purposes of this section, a mobility-impaired motorist is defined as an individual who has a long term and/or permanent physical disability, and is unable to walk under his/her own power.

The following steps should be followed when an operator encounters a mobility-impaired motorist whose vehicle is in need of a tow.

1. Ascertain what help, if any, may have already be underway to assist the motorist.
2. If help is already en route, dispatch shall be notified of the situation and the operator shall stay with the motorist until help arrives.
3. If the motorist has no help en route, the operator shall ascertain the motorist's ability and using sound and good judgment, decide the best method for removing the motorist from the freeway.
4. If the motorist can be moved, the operator shall safely move the motorist from his//her vehicle, then tow the vehicle off the freeway.
5. If the motorist is unable to be moved into the tow truck, a CHP beat unit will be requested to respond to make decision as to how to mitigate the incident. The operator shall not leave the scene until released by the CHP beat unit or dispatch.
6. If the motorist is unable to be moved from their vehicle and all other resources have been exhausted, operators may tow the vehicle with the motorist inside with CHP approval, (CHP will refer to Highway Patrol Manual 81.2 and General Order 100.45).

## **15. TOWING THE VEHICLE OF A MOBILITY IMPAIRED MOTORIST**

Use caution when towing vehicles that may have been altered to accommodate the mobility impaired motorist. Modifications may have been made that prohibit towing by conventional means. If there is any doubt about modifications, operators shall dolly the vehicle to the drop location to avoid any damage or contact dispatch or and FSP supervisor for guidance.

## **16. USE OF CELLULAR DEVICE**

The use of personal communication device (Reading/sending text messages, emails or speaking on a cellular telephone) may only be done during the operator's authorized break. At no time shall an operator use a personal communication device during FSP hours. Direct connect communication devices are allowed, granted the FSP operator is communicating with CHP dispatch, FSP supervisors, other FSP operators, or a partnership agency.

## CHAPTER 5

### RADIO/DAILY FIELD LOG COMMUNICATIONS

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#### **1. GENERAL RADIO PROCEDURES**

- A. All communications shall be conducted in a professional manner. Operators should remain calm, think about what to say before saying it, and speak slowly, clearly and briefly.
- B. Operators shall use call signs. They shall call dispatch by name (Monterey) then advise them who is calling (FSP1). Operators shall always pre-alert the dispatcher so the information is not "in the blind" (ex: Golden Gate \*\*\* FSP 1 \*\*\* 11-25).
- C. Operators should always know and give their location, when requesting assistance from the dispatcher.
- D. Operators shall keep voice radio traffic to a minimum, and utilize the MDT as much as possible.
- E. Operators must use the phonetic and aural brevity codes (listed on pages 5-3, 5-4). It is necessary to keep all radio traffic uniform so that all concerned will understand radio transmissions.
- F. Operators should not carry on personal conversations with dispatch. Greetings such as "Have a good day", "Nice to hear you again" etc., are inappropriate radio traffic that tie up the air.
- G. Requesting dispatch to make telephone calls takes a great deal of airtime and should be avoided if at all possible. Whenever possible, operators should refer motorists to a call box or public phone.
- H. If an operator is dispatched to an incident and encounters another incident while en route, he/she shall notify the dispatcher of the new incident via voice or MDT, whichever is appropriate, and handle the most hazardous incident first. It is important to communicate with the dispatcher of any change in assignments.
- I. Operators shall keep the FSP radio and scanners "on" during FSP operation. When leaving the truck, operators shall activate the outside speaker so that dispatch can be heard.

- J. The scanner shall be programmed to the CHP Area where the operator is working and shall be monitored by the operator. Operators are encouraged to respond to incidents on their beats that are monitored over the scanner (*if the incident is FSP service related*). FSP operators shall only respond to those incidents that are in their scope of employment. Drivers shall not respond to emergency incidents such as shootings or hazardous material spills unless specifically requested to do so.

## **2. AURAL BREVITY CODES**

10-1	POOR RECEPTION
10-2	GOOD RECEPTION
10-4	MESSAGE RECEIVED
10-5	RELAY MESSAGE
10-6	BUSY, STAND BY
10-7	OUT-OF-SERVICE
10-8	IN-SERVICE
10-9	REPEAT TRANSMISSION
10-10	OFF DUTY
10-19	RETURN TO
10-20	LOCATION
10-21	TELEPHONE
10-22	DISREGARD
10-23	STAND BY
10-39	MESSAGE/ITEM DELIVERED
10-97	ARRIVED AT SCENE
10-98	ASSIGNMENT COMPLETE
11-24	ABANDONED VEHICLE
11-25	TRAFFIC HAZARD
11-26	DISABLED VEHICLE
11-41	AMBULANCE REQUIRED
11-48	PROVIDE TRANSPORTATION
11-48X	TRANSPORT FEMALE
11-79	T/C, AMBULANCE RESPONDING
11-80	T/C - MAJOR INJURY
11-81	T/C - MINOR INJURY
11-82	T/C - PROP. DAMAGE
11-83	T/C - NO DETAILS
11-84	DIRECT TRAFFIC
11-85	TOW TRUCK REQUIRED
11-98	MEET OR MEET WITH

### **3. PHONETIC ALPHABET**

A -	ADAM
B -	BOY
C -	CHARLES
D -	DAVID
E -	EDWARD
F -	FRANK
G -	GEORGE
H -	HENRY
I -	IDA
J -	JOHN
K -	KING
L -	LINCOLN
M -	MARY
N -	NORA
O -	OCEAN
P -	PAUL
Q -	QUEEN
R -	ROBERT
S -	SAM
T -	TOM
U -	UNION
V -	VICTOR
W -	WILLIAM
X -	X-RAY
Y -	YELLOW
Z -	ZEBRA

#### **4. COMMON RADIO/DAILY FIELD LOG MESSAGE ABBREVIATIONS**

<b>B.O.</b>	BAD ORDER, NOT WORKING
<b>E.T.A.</b>	ESTIMATED TIME OF ARRIVAL
<b>D.O.T.</b>	DEPARTMENT OF TRANSPORTATION
<b>F.Y.I.</b>	FOR YOUR INFORMATION
<b>G.O.A.</b>	GONE ON ARRIVAL
<b>P.D.</b>	POLICE DEPARTMENT
<b>S.O.</b>	SHERIFF'S DEPARTMENT
<b>T.C.</b>	TRAFFIC COLLISION
<b>U.T.L.</b>	UNABLE TO LOCATE
<b>ACC</b>	ACCESS FROM (I.E., WHAT RAMP)
<b>C/D</b>	CENTER DIVIDER
<b>JNO</b>	JUST NORTH OF
<b>JSO</b>	JUST SOUTH OF
<b>NFD</b>	NO FURTHER DETAILS
<b>OBS</b>	OBSERVED
<b>RSP</b>	RESPOND
<b>UNK</b>	UNKNOWN
<b>O.O.G.</b>	OUT OF GAS
<b>FLT/GS</b>	FLAT TIRE - GOOD SPARE
<b>FLT/NS</b>	FLAT TIRE - NO SPARE

## **5. ELECTRONIC COMMUNICATION SYSTEMS**

The FSP operator will be equipped with a Transportation Agency owned Personal Data Assistant equipment. TAMC owns, operates, leases, and maintains various “electronic communications systems” to be utilized by or provided primarily to support the operative and administrative functions of the Freeway Service Patrol (FSP) program. TAMC has established this policy for the appropriate use of said systems by FSP contractors. The term “Electronic Communications Systems” as used herein shall include, but is not limited to, the following:

- computing and telecommunications networks, routers, gateways, and switches
- computing equipment
- telephone equipment
- voice mail
- facsimile devices
- imaging systems, cameras, and scanners
- electronic mail (e-mail)
- Internet World Wide Web access
- modems
- video conferencing equipment
- tape recording equipment
- personal digital assistant (PDA)
- other technologies and equipment used to convey information

“Electronic Communications” as used herein shall mean any communications made using the Electronic Communications System.

### **A. Freeway Service Patrol drivers shall use Electronic Communications for official business.**

Official business may include communications with Transportation Agency employees, and recognized TAMC associations, such as the California Highway Patrol. Drivers shall primarily use electronic communications during regularly work shifts for purposes directly related to work being performed by the drivers. The use of electronic communications for unofficial business is prohibited.

### **B. Information on the Electronic Communications System is not private.**

The Electronic Communications System and all Electronic Communications are the property of TAMC. TAMC has a right, but not a duty, to inspect or audit any and all Electronic Communications, at any time, for any lawful purpose, without notice to any FSP drivers and contractors. Accordingly, no drivers or FSP contractors shall have any expectation of privacy regarding the content of any Electronic Communications.

**C. The Electronic Communications System shall be used in a professional manner.**

Drivers shall prepare Electronic Communications in a lawful, ethical, professional, and businesslike manner. Language that is insulting, offensive, disrespectful, demeaning, or sexually suggestive will not be tolerated. Harassment of any form, sexual, religious, or ethnic slurs or other derogatory or inflammatory remarks, and obscenities or any representation of obscenities is prohibited. Sending a copy of these types of offensive E-mail messages is prohibited. Illegal material, such as child or other pornography, from any source, will not be tolerated or further distributed. Reports or complaints of possible illegal material will be investigated by appropriate law enforcement agencies. The use of Electronic Communications Systems is a privilege, which may be revoked by TAMC at any time.

**D. FSP contractors shall protect the security of the Electronic Communications System.**

FSP contractors shall take all reasonable and necessary efforts to protect the confidentiality of information which is placed in their control or care, minimize the likelihood of inadvertent transmission of confidential information to unintended recipients, prevent unauthorized persons from accessing the Electronic Communications System, and prevent the introduction or spread of computer viruses. Reasonable precautions include, but are not limited to the use of an anti-virus program and the review of all e-mail messages for unanticipated or unknown attachments prior to opening them. FSP contractors shall obtain authorization from the TAMC staff prior to installing or removing any software on a TAMC-owned computer. FSP contractors shall not copy, transfer, or utilize any software or electronic materials in violation of copyright, trademark and/or licensing agreements. The copying of software that has not been placed in the public domain and distributed as "freeware" is expressly prohibited. FSP contractors, who access, copy, transfer and/or use "shareware" shall abide by the requirements of the shareware licensing agreement. No FSP contractors may inspect, change, alter, copy, or distribute proprietary data, programs, files, disks or software without authorization from the TAMC staff.

FSP drivers and contractors may be assigned passwords for computer log in and E-mail usage, but the assignment of a password does not imply the granting of privacy rights of any kind in the computer usage for which the password is required. The password belongs to TAMC and may be accessed for any purpose by TAMC. All system passwords and encryption keys must be available to TAMC management, and FSP drivers and contractors may not use passwords that are unknown to TAMC staff and management or install encryption programs without prior approval and turning over encryption keys to TAMC.

- E. TAMC is responsible for maintenance of the telecommunication equipments, but the FSP contractors shall be responsible for any damage to the equipments caused through negligence of the FSP driver or contractor's personnel.
- F. FSP contractors are required to immediately notify TAMC staff of any telecommunications problems. Contractors are required to provide service to their respective beat(s) using paper logs as an alternative.
- G. Given that the PDAs are easy to transport, they are prone to thefts. Therefore, PDAs must always be kept secured and particularly, they should not be left in parked vehicles when FSP drivers and contractors are not on beat. Locking the PDAs in cabinets during off-beat hours may deter casual thieves.
- H. FSP contractors should use the PDAs with care to ensure that the equipment has a long useful life. Battery lives should be looked after and drivers and contractors should avoid placing the PDAs under excessively or low temperatures.
- H. Food and drinks are not allowed in the computer area at any time.
- I. Any discs or CD's brought from home must be virus scanned and approved by TAMC staff before use.
- J. Do not play games on the PDA or the computer.
- K. Do not unplug the PDA while it is synching the data. Unplug the PDA only when the synching process is completed.
- L. Any driver and/or contractor found to be tampering, modifying or purposely damaging any FSP equipment, (unplugging wires, removing parts, or any physical modifications) which prohibits the proper functionality of the equipment, will be subject to penalties from suspension up to termination from the program.
- M. Contractors are required to immediately notify the Transportation Agency of any communication equipment problems.

## **CHAPTER 6**

### **BACKUP TRUCK SERVICE**

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#### **1. BACK UP TRUCK SERVICE**

- A. If a regular FSP truck is unable to provide service, whether determined prior to the shift or during the first half of the shift, the contractor must notify the CHP Communications Center by telephone or via the CHP/FSP radio as soon as possible.
- B. A contractor who fails to notify the CHP Communications Center that a truck will be out of service shall be fined. The operator or other agent may make this notification, but the contractor shall be held responsible for the notification.
- C. Contractors failing to report out of service vehicles more than 20 minutes after the truck has been determined to be out of service, shall be fined double the hourly rate in 15-minute increments from the beginning of the "out of service" status until the service was renewed or the end of the shift, whichever occurs first. This fine shall not apply when extenuating conditions prevent the contractor from making the necessary notifications within the specified time.
- D. It is always the contractor's responsibility to obtain a back up truck when needed. The contractor's notification to the CHP that his/her truck is out of service does not fulfill this requirement. Contractors shall ensure a back up truck is made as quickly as possible after it can be reasonably assumed a back up vehicle will be required.
- E. If a truck goes out of service while working the beat, the contractor shall replace the vehicle with a back up truck for the time remaining on the same shift as quickly as possible. In this case, the contractor will only be docked for that time service is not provided.
- F. When a truck is not available for the next shift it is the contractors responsibility to arrange for a back up truck.
- G. At the expense of the contractor, a contractor may purchase an additional vehicle or make available an existing vehicle within their fleet that is less than five (5) years old, as an FSP backup truck or arrange to use another company's pre-approved back-up truck. If another company's back-up truck is used the contractor shall be responsible for payment of the FSP backup truck services provided at the rate established for the regular tow service or the established rate for the back-up truck service whichever is higher.

## **2. VEHICLE REQUIREMENTS**

- A. At the time of the initial request for approval, the back-up truck shall be no older than 5 years;
- B. Vehicles must meet all the required Freeway Service Patrol vehicle specifications (except for the minimum miles requirement) and;
- C. Vehicle must be in good operating condition, and
- E. Pass a Yearly "Level 1" Inspection, in addition to an initial CHP Inspection for service operation.

## **3. AUTHORIZATION REQUEST FORM**

Each contractor that is interested in establishing a company back-up truck must request and submit a "Contractor Back-up Truck Authorization Request Form" (Refer to Annex B, page AB-1). The back-up truck must pass a thorough CHP inspection prior to being authorized for use. The "Contractor Back-up Truck Authorization Form" will be returned to the contractor indicating whether or not the back-up truck has been approved. No vehicle, other than that which has been approved, may be used as a company back-up truck. The use of an unauthorized vehicle for Freeway Service Patrol operations may result in a fine. The Back-up Truck Authorization Request Form can be obtained in Annex D.

## **4. VEHICLE INSPECTION**

All proposed back-up vehicles must pass a thorough CHP inspection prior to being approved to serve as a back-up truck. The proposed back-up truck will be inspected by contractor supervisor for appearance & equipment and a Level 1 safety test will be conducted by a commercial officer at a CHP location.

## **5. COMMUNICATION EQUIPMENT**

When a back up truck is utilized, it is the responsibility of the operator and driver to transfer all necessary communication equipments and documents so all the incidents will be recorded and submitted to the Transportation Agency at a timely manner.

## **6. ACCEPTABLE USE**

The approved vehicle is the only vehicle that may be used as a back-up truck. The Freeway Service Patrol back-up truck shall only be used to back-up a vehicle that is out of service due to mechanical failure or an accident. It shall not be used to provide service for a vehicle that is unavailable due to routine maintenance.

## **7. BACK UP CONTRACTOR RESPONSIBILITY**

Back up contractor assignments will be established. Back up contractors will provide service within 30 days of notice by the Transportation Agency. Back up trucks must meet the vehicle requirements. If a contractor is not able to provide service, without reasonable justification, the contractor WILL BE FINED. The lack of or unavailability of a driver is not considered reasonable justification for the failure to provide back up service. The fines for failure to provide back up service range from fines at the contractor's hourly rate to the reassignment of service to another contractor. Each incident will be handled on a case-by case basis.

The back up contractor will be paid at an hourly rate previously determined with the Transportation Agency, regardless of the beat on which it is utilized.

## **CHAPTER 7**

### **DOCUMENTATION**

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#### **1. REQUIRED DOCUMENTATION**

- A. FSP operators are required to complete a variety of forms and provide a range of written documentation deemed necessary by FSP during their shifts. Proper completion of these forms is essential to the success of the Freeway Service Patrol program. It is vitally important to ensure proper completion and readability of these forms for the success and management of the Freeway Service Patrol.
- B. Failure to properly complete and adequately record operator activities can result in written reprimands, suspensions and/or dismissal. Contractors will also be subjected to fines or contract termination for noncompliance with documentation requirements.

#### **2. TOW TRUCK AND EQUIPMENT DAILY/WEEKLY INSPECTION REPORT**

- A. The Daily Inspection Report (CHP 234D; Annex C) shall be completed prior to the beginning of each FSP shift.
- B. Any missing items will be replaced before completing the form and beginning FSP service.
- C. The inspection report, along with daily assist data, shall be submitted and uploaded daily after the conclusion of each shift.

#### **3. DRIVER'S DAILY SHIFT RECORD (DSR)**

- A. Daily shift log shall be completed for each shift.
- B. Any activity a driver performs shall be recorded on the Personal Data Assistant.
- C. "Start time" is the time that an incident is first encountered or the time you arrive at the incident sent to you by dispatch.
- D. "End time" is the time the incident is completed.
- E. "Activity" is defined as any service tow operators provide or offer to provide. For example, if an operator assisted a disabled motorist, the operator would enter 11-26 in the activity box.

- F. "License Plate" numbers are required each time the operator has any contact with a motor vehicle other than providing traffic control. If a vehicle does not have a license plate, write in a short vehicle description (e.g., blue Toy. p/u).
- G. "Location of Incident" is defined as the actual location the contact took place. Use abbreviations for directions of travel. (e.g., northbound - N/B)
- H. In the "Comments" section drivers are to describe what type of service was provided, and/or refused FSP service. (e.g., jump start, flat tire, gas, etc.) Additionally, provide the license plate of the party refusing the service, and if possible provide the reason. If a vehicle was towed off the freeway to a drop location, select the drop location provided in the drop down list in the Personal Data Assistant.
- I. "Auth. No." is required if a driver works overtime. Overtime will not be paid if a driver does not obtain authorization from either dispatch or a CHP officer. Enter the dispatcher's "A" number or the CHP officer's last name. This box shall also be marked if a supervisor or dispatcher requests the operator to perform duties outside the assigned beat. If any problems or concerns arise with regards to a dispatcher on a particular incident, politely ask for the "A" number and enter it in the Personal Data Assistant for later reference.

#### **4. FREEWAY SERVICE PATROL FORMS/BROCHURE**

- A. Operators shall keep a sufficient supply of the FSP survey cards and brochures with them at all times.
- B. All motorists receiving service shall be provided an FSP issued survey card. Operators must politely ask the motorist to follow the "link" on the card to the FSP online survey or mail in the paper survey. Operators should give a brief explanation of the survey and indicate to the motorist that the effectiveness of the program is evaluated from the completed surveys.
- C. Brochures are to be left on the windshield of abandoned vehicles (on the side away from traffic).
- D. Foreign language card and information are to be used as needed.

#### **5. CONTRACTOR RESPONSIBILITY**

Contractors shall review the driver logs and motorist assist forms for accuracy and completeness.

## **6. REQUIRED FSP RECORDS**

Certified operator rosters, records and Daily Shift Record (if applicable), duplicates must be maintained by each contractor providing FSP services for a period of up to 180 days. Failure to comply with these requirements shall be handled on a case-by case-basis and may include monetary fines to the contractor or, if warranted, cancellation of contract(s). The following records shall be maintained and shall be subject to inspection by the CHP, Caltrans or the TAMC at any time.

- A. A current operator roster listing the following: (This roster is required by California Vehicle Code Section 2430.50)
  - All operators who have valid FSP tow truck driver's certificates
  - All operators who are prohibited from working for the FSP
- B. All operators who have valid FSP tow truck driver's certificates

An operator records files shall be maintained for each individual operator working in the FSP program. This file **shall** contain the following information:

- 1) A copy of the FSP training certificate issued upon completion of required initial training. (This copy is required by Vehicle Code Sections 2430.5 and 2436.7).
- 2) The FSP operator's full name, current address and telephone number.
- 3) The FSP operator's driver's license number and the license date of expiration. This date is also the expiration date for the DL 64.
- 4) The operator's current hourly wage.
- 5) Health care benefits, retirement benefits, incentive pay programs, or any other benefits for the operator shall be recorded in his/her personnel file. If there are no benefits, the record shall so indicate.
- 6) Addresses and telephone numbers of the person(s) who should be contacted should this operator employee be involved in an accident or emergency.
- 7) An ongoing record of all citizens' complaints made against this operator.
- 8) An ongoing record of any on-duty accidents this operator is involved in.
- 9) An ongoing record of any property damage caused or alleged to have been caused by this operator.
- 10) An ongoing record of any disciplinary actions affecting the operator.
- 11) An ongoing record of any commendations.
- 12) An ongoing record of all FSP and other tow-related training. This record shall include any training for interpersonal-type skills.
- 13) A copy of the driver's current DL-51, DMV Medical Card.

## **7. DRIVER MEDICAL CARD**

2430.5 CVC, 12520 CVC, and 12804.9 CVC require tow truck drivers participating in the FSP program to possess a valid medical certificate. They shall have a valid medical card in their possession while performing all FSP duties.

## CHAPTER 8

### SPECIAL RELATIONSHIPS

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#### **1. SPECIAL RELATIONSHIPS**

- A. Once an FSP operator establishes any contact with a motorist, that driver has established what is referred to as “special relationship.”
- B. FSP operators are to exercise reasonable care for motorists once a special relationship has been established.
- C. FSP operators shall not place motorists, passengers, or pedestrians in a position of foreseeable danger from either traffic or other potentially hazardous factors after contact has been made.
- D. It is the responsibility of the operator not to leave the motorist in a worse situation than that which existed before the driver made contact. This includes not leaving a motorist stranded at a drop site where the safety of the motorist may be compromised. It is the operator’s responsibility to ensure that help is en route or that the motorist has access to additional public services.
- E. Operators should treat motorists as if they were members of their own family. Operators should ask themselves if they would leave one of their family members in the same situation they would leave a motorist.
- F. While all drop sites have been checked by the CHP, operators should be aware of any changing conditions that may adversely affect the suitability of any drop site. If in the operator’s opinion a drop site is unsafe, he/she should immediately notify an FSP supervisor.
- G. Center dividers, gore points and narrow shoulders are always considered **dangerous** locations. Once an operator establishes contact with a motorist in any situation that may be dangerous, it is that operator’s responsibility to stay with the motorist until relieved by the CHP, another tow company or until the motorist is moved to a safer location.
- H. If a motorist refuses FSP service or if the FSP operator leaves the motorist, the operator shall inform the motorist of potential hazards and provide freeway safety tips as well as informing dispatch.

## CHAPTER 9

### POLICY ON SEXUAL HARASSMENT

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It is the policy of the FSP program that the working environment be free of sexual harassment. The CHP, Caltrans and TAMC prohibit and do not tolerate sexual harassment by any FSP operators. Immediate and appropriate disciplinary action will be taken against those individuals determined to be in violation of this policy, up to and including dismissal from the FSP program. Report of an incident of sexual harassment will not automatically result in action being taken against operators accused of harassment.

**Definition:** Sexual harassment is defined as unsolicited and unwelcome sexual advances, requests for favors, and other verbal, physical, or visual conduct of a sexual nature.

1. Title VII of the Civil Rights Act and Government Code Section 12940 make it an unlawful employment practice for employers to discriminate against any individual with respect to terms, conditions or privileges of employment on the basis of sex. The Federal Equal Opportunity Commission (FEOC) issued guidelines that make an employer responsible for acts of sexual harassment in the work place, regardless of whether the specific acts are forbidden by the employer.
2. Submission or rejection by an employee is used as a basis for employment decisions affecting the employee.
3. Sexual harassment has the potential to affect an employee's work performance negatively and/or create an intimidating, hostile or otherwise offensive work environment. While sexual harassment may be manifested in various forms, the most common examples may include:
  - A. Making unsolicited written, verbal, physical and/or visual contact with sexual overtones.
    - Written examples: suggestive or obscene letters, notes, invitations
    - Verbal examples: derogatory comments, slurs, jokes, epithets
    - Physical examples: assault, touching, impeding, or blocking movement
    - Visual examples: gestures leering, display of sexual suggestive objects or pictures, cartoons
  - B. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction is not considered sexual harassment.)

- C. Making reprisals, threats of reprisal or implied threats of reprisal following a negative response. For example, either, implying or actually withholding support for an appointment, promotion or change of assignment; suggesting a poor performance report will be prepared, or suggesting probation will be failed.
- D. Engaging in implicit or explicit coercive sexual behavior that is used to control, influence or affect the career, salary, and/or work environment of another employee.
- E. Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations, re-classifications, etc., in exchange for sexual favors.

## **CHAPTER 10**

### **STANDARD OPERATING PROCEDURES, VIOLATIONS AND PENALTIES**

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#### **1. GENERAL: STANDARD OPERATING PROCEDURES**

The California Highway Patrol (CHP), and the California Department of Transportation (Caltrans), in cooperation with the Transportation Agency for Monterey County (TAMC), has developed a standard set of penalties for failure to meet the guidelines and policies set specifically for the FSP program.

The list of violations in this chapter is not all-inclusive, and each offense will be weighed on its own merit. Violations classified as Minor, Major, & Flagrant is only a guide. The CHP shall utilize a “progressive discipline” policy when deciding adverse actions. Disciplinary actions can escalate from a verbal warning, to a written reprimand, to a suspension, or to termination from the FSP Program. An employee who has been penalized for inappropriate behavior on prior occasions can expect a more severe penalty than an employee who does not have a negative work history. Thus, multiple violations of policies and procedures can result in increasingly severe actions, up to and including termination from the FSP program. All penalties shall be based on the totality of facts available. The FSP Partners reserve the right to levy fines and assess penalties as deemed appropriate for offenses above and beyond the scope of what is included in this chapter.

Penalties assessed against a contractor will specify whether the penalty applies to an individual(s) or a beat(s). Program managers retain the right to enforce such penalty(s), provided adequate documentation exists.

Investigative reports will be sent to each contractor informing them of both operator and/or contractor violations. All documentation of investigations shall be retained by the CHP for a minimum of three years, rotating monthly beginning on the date the violation occurred. Contractors and operators are able to submit an administrative appeal for invoice deductions, violations, operators and/or contractor terminations. The request for appeal must be submitted in writing within ten (10) calendar days commencing upon the date the adverse action notice is served to the contractor.

Contractors not suspending a driver within 30 days of notification by CHP will be fined a monetary amount commensurate with the contractor's hourly truck wage, and/or the suspension amount for the operator's violation.

## **2. VIOLATIONS THAT MAY LEAD TO CONTRACTOR TERMINATION**

Contractors are ultimately responsible for the actions of their employees during FSP operating hours. Contractors will be notified of all violations being investigated. FSP partners will utilize “progressive discipline” for any recurring problems that an FSP operator fails to address. For example, the contractor may receive a “minor violation” letter or a letter stating that they may be placed on probation. If the problem(s) continue, Contractors shall be subject to probation or termination from the program. Contractor participating in or encouraging any activity constituting a FLAGRANT violation, or withholding required reporting of such violations to FSP supervisors shall be subject to immediate termination of their FSP contract.

## **3. CLASSIFICATION OF VIOLATIONS**

In order to better clarify the seriousness of these violations, as well as to explain their ensuing consequences, violations have been assigned to three basic categories: MINOR, MAJOR, and FLAGRANT violations. The following violations are only examples to illustrate the three categories, the list is not all inclusive.

### **A. Minor Violations:**

- 1) Wearing FSP uniform while off duty or during non-FSP hours while performing other tow services
- 2) FSP operator not complying with established basic uniform standards as specified in the SOP
- 3) Contractor failing to possess pre-operation inspection forms for the previous 30-day period at their place of business.
- 4) Contractor or operator violating the conditions set forth in this SOP.
- 5) Operator not utilizing a properly functioning Daily field log while on FSP duty.

### **B. Major Violations:**

- 1) FSP trucks not insured.
- 2) Contractor falsifying information, orally or in written form, to the FSP officer or dispatcher.
- 3) Contractor having knowledge of and failing to notify the FSP officer of any level of violation that could result in suspensions or termination to either contractor or driver, pursuant to the SOP.
- 4) FSP trucks operating with expired registration.
- 5) Providing or recommending a secondary tow service following an initial service.

- 6) Contractor having knowledge of, and failing to report to the FSP officer, any act, omission, or violation of the SOP by an FSP operator that most likely would result in a written reprimand or minor suspension (five days or less) shall receive a written reprimand.

Examples of these violations include:

- i. FSP operator using poor judgment
- ii. FSP operator displaying inappropriate behavior or using foul language

- 7) FSP operator off the beat for an extended amount of time (30 minutes) without authorization, via AVL system.

Numerous violations committed on the same incident will be dealt with on an individual basis. Each violation will be handled separately and can range in discipline from a written reprimand up to and including termination.

C. Flagrant Violations:

Due to the severity of these violations, the contractor/operator will be subject to immediate termination of the contract when having knowledge of, or encouraging/participating in the following:

- 1) Stealing or charging for FSP service
- 2) Retaining tips or other gratuities, selling any items,
- 3) Soliciting any service that would require subsequent compensation
- 4) Contractor allowing an uncertified FSP driver to perform FSP duties
- 5) Operator operating an FSP vehicle while under the influence of alcohol and/or drugs.
- 6) Operator purposely tampering, modifying or damaging FSP telecommunications equipment.

The activities listed in each of the three categories are not intended to be an exhaustive list. Caltrans, TAMC, and the CHP reserve the right to characterize any activities that violate the contract, but which are not listed in the SOP, in the manner they see fit.

NOTE: Appropriate enforcement action may be taken by the California Highway Patrol if a violation of the law has occurred.

#### **4. LIST OF VIOLATIONS (SPECIFIC)**

- 1) Sleeping (or giving the appearance of sleeping) while in or around an FSP vehicle during FSP hours. (**Major**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Three work day suspension.
2 <sup>nd</sup> Offense:	Five day work suspension.
3 <sup>rd</sup> Offense:	Termination.

- 2) Using poor judgment. (**Minor to Termination**)

Any act or violation of FSP policy that is deemed to be egregious, negligent, intentional or malicious in nature can result in the following penalties.

- **OPERATOR:**

1 <sup>st</sup> Offense:	Case by case basis.
2 <sup>nd</sup> Offense:	Three to five day work suspension.
3 <sup>rd</sup> Offense:	Termination.

- 3) Leaving a motorist stranded at a drop location without a phone, shelter, or other help en route. (**Minor to Major**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Case by case basis.
2 <sup>nd</sup> Offense:	Three work day suspension.
3 <sup>rd</sup> Offense:	Five work day suspension.

- 4) Stealing or charging for FSP service. (**Flagrant**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Termination.
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5) Inappropriate display of FSP placards decals and/or inappropriate use of FSP uniforms (**Minor**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Case by case basis.
2 <sup>nd</sup> Offense:	Three work day suspension.
3 <sup>rd</sup> Offense:	Five day work suspension.

6) Inappropriate behavior (**Minor to Major**)

These examples are not all inclusive: Rudeness, vulgarity, unsafe driving or other inappropriate behavior towards motorist, officers, dispatchers, or other tow operators.

- **OPERATOR:**

1 <sup>st</sup> Offense:	Case by case basis.
2 <sup>nd</sup> Offense:	Three work day suspension.
3 <sup>rd</sup> Offense:	Five day work suspension.

7) Selling found items (**Flagrant**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Termination.
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8) Providing false information/lying to CHP, MTC, Caltrans or employer. (**Major**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Case by case basis (up to a three-day suspension).
2 <sup>nd</sup> Offense:	Five work-day suspension.
3 <sup>rd</sup> Offense:	Termination.

- **CONTRACTOR:**

1 <sup>st</sup> Offense:	Handled on a case by case basis.
2 <sup>nd</sup> Offense:	Contract subject to termination.

9) Falsifying legal documents (accident reports)

**OPERATOR:**

1<sup>st</sup> Offense: Termination.

10) Falsifying FSP documents (**Major**)

• **OPERATOR:**

1<sup>st</sup> Offense: Case by case basis (up to a three-day suspension).  
2<sup>nd</sup> Offense: Five work day suspension.  
3<sup>rd</sup> Offense: Termination.

• **CONTRACTOR:**

1<sup>st</sup> Offense: Handled on a case by case basis.  
2<sup>nd</sup> Offense: Contract subject to termination.

11) Contractor not in possession of required paperwork (i.e. completed pre-inspection forms for all FSP trucks for the previous 30 days and FSP personnel file folder containing required documentation) (**Minor**)

• **CONTRACTOR:**

1<sup>st</sup> Offense: Written reprimand  
2<sup>nd</sup> Offense: Fined for one truck for two hours.  
Subsequent Offenses: Fined for one truck for four hours.

12) Contractor failing to complete and submit all required FSP paperwork to Caltrans, CHP, and/or MTC as specified in the SOP (**Minor**)

• **CONTRACTOR:**

1<sup>st</sup> Offense: Written reprimand  
2<sup>nd</sup> Offense: Fined for one truck for two hours.  
Subsequent Offenses: Fined for one truck for four hours.

13) Uniform/Grooming Violations (**Minor**)

• **OPERATOR:**

- |                          |   |
|--------------------------|---|
| 1 <sup>st</sup> Offense: | Operator is placed out of service until the problem is corrected and a written reprimand.                       |
| 2 <sup>nd</sup> Offense: | Operator is placed out of service until problem is corrected and the operator is suspended for three work days. |
| 3 <sup>rd</sup> Offense: | Five day work suspension.   |

• **CONTRACTOR:**

- |                          |  |
|--------------------------|--|
| 1 <sup>st</sup> Offense: | The contractor will be fined at the hourly contract rate from the beginning of the shift until the operator/truck is placed back into service. |
| 2 <sup>nd</sup> Offense: | Handled on a case-by-case basis.   |

14) Equipment Violation (**Minor**)

Examples of minor equipment violations include but not limited to: insufficient supplies (flashlight, fuel, water, flares, etc.), dirty truck, and/or missing equipment.

• **OPERATOR:**

- |                          |  |
|--------------------------|--|
| 1 <sup>st</sup> Offense: | Operator/truck is placed out of service until the problem is corrected and a written reprimand.                        |
| 2 <sup>nd</sup> Offense: | Operator/truck is placed out of service until problem is corrected, and the operator is suspended for three work days. |
| 3 <sup>rd</sup> Offense: | Five day work suspension.  |

• **CONTRACTOR (Having knowledge)**

- |                          |   |
|--------------------------|---|
| 1 <sup>st</sup> Offense: | Written Reprimand and fined from the beginning of the shift until the problem is corrected and service restored to the affected beat. |
|--------------------------|---|

**2<sup>nd</sup> Offense:** The same as 1<sup>st</sup> offense and the contract may be subject to termination.

**15) Equipment Violation (**Major**)**

Includes, but not limited to, equipment that is safety related and/or violates the California Vehicle Code when it is not serviceable and/or missing (i.e. worn tires, expired or missing fire extinguisher, cracked windshield, etc.).

• **OPERATOR:**

<b>1<sup>st</sup> Offense:</b>	Operator/truck is placed out of service until the problem is corrected, and written reprimand is issued.
<b>2<sup>nd</sup> Offense:</b>	Operator/truck is placed out of service until problem is corrected, and the operator is suspended for three work days.
<b>3<sup>rd</sup> Offense:</b>	Five day work suspension.

• **CONTRACTOR:**

Due to the severity of this violation, contractor(s) having knowledge of any major equipment violation(s) and allows an FSP truck to perform FSP duties without correcting the discrepancy shall:

<b>1<sup>st</sup> Offense:</b>	Be fined from the beginning of the shift until the problem is rectified and service restored to the affected beat, and may be placed on probation status by the FSP partners.
<b>2<sup>nd</sup> Offense:</b>	FSP contract may be terminated.

**16) Failure to notify CHP dispatch of a truck breakdown and/or truck not in service (**Major**)**

• **OPERATOR:**

<b>1<sup>st</sup> Offense:</b>	Case by case basis.
<b>2<sup>nd</sup> Offense:</b>	Three work-day suspension.
<b>Subsequent Offenses:</b>	Five work-day suspension.

- **CONTRACTOR:** (Regardless if the contractor does or does not have knowledge of the truck being out of service)

1 <sup>st</sup> Offense:	Fined for actual time truck was out of service, in 15-minute increments, at double the hourly rate.
Subsequent Offenses:	If within a year of first offense, fine is same as the first offense plus an additional \$50 fine. If subsequent offense is more than a year after the first offense, it will be handled as a first offense.

17) Failure to notify the FSP officer or CHP dispatch of any FSP involved traffic collision or operational damage during FSP hours (**Major to Termination**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Three work-day suspension.
2 <sup>nd</sup> Offense:	Five work-day suspension.
3 <sup>rd</sup> Offense:	Termination.

- **CONTRACTOR:** (If contractor had knowledge of violation)

1 <sup>st</sup> Offense:	Contract subject to termination.
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18) Preventable Traffic Collision (**Minor to Termination**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Case by case basis.
2 <sup>nd</sup> Offense:	Three work-day suspension.
3 <sup>rd</sup> Offense:	Five work-day suspension.
Subsequent Offenses:	Termination from the FSP Program

19) Use of Cellular Device during FSP hours (**Minor**)

- **OPERATOR:**

1st Offense:	Written reprimand.
2 <sup>nd</sup> Offense:	Three work-day suspension.
3 <sup>rd</sup> Offense:	Five work-day suspension.

20) Late sign-on or early sign-off Violation will be applied to driver not on beat for up to one (1) hour of the shift. (**Minor**)

- **OPERATOR:**

1 <sup>st</sup> - 3 <sup>rd</sup> Offense:	Written Reprimand
Subsequent Offenses:	Handled on a case by case basis, up to termination.

- **CONTRACTOR:**

All Offenses: Up to one (1) hour:	Fined for time out of service at the contractor's hourly rate.  (See Violation 46 for offenses over one hour)
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21) Failure to distribute FSP issued business card and brochure (**Minor**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Written reprimand.
2 <sup>nd</sup> Offense:	Three work-day suspension.
3 <sup>rd</sup> Offense:	Five work day suspension.

22) Failure to advise dispatch when transporting a female. Operator may move to a safer location such as the shoulder before advising dispatch or if unable to contact dispatch, may contact shop via shop radio and have shop dispatcher telephone CHP dispatcher with information. (**Minor**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Written reprimand.
2 <sup>nd</sup> Offense:	Three work-day suspension. Retraining.
Subsequent Offenses:	Five work-day suspension or Termination.

23) Improper radio traffic (**Minor**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Case-by-case basis, from written reprimand to up retraining on proper radio
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	procedure.
2 <sup>nd</sup> Offense:	Three work day suspension and retraining on proper radio procedure.
3 <sup>rd</sup> Offense:	Five work day suspension and retraining on proper radio procedure.

23) Safety violations (may include no safety chains, standing between vehicles, not protecting motorists and misuse of equipment) (**Major**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Written reprimand.
2 <sup>nd</sup> Offense:	Three work-day suspension.
3 <sup>rd</sup> Offense:	Five work-day suspension.

24) Solicitation or referrals (**Flagrant**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Case by case basis; Written reprimand to termination.
2 <sup>nd</sup> Offense:	Termination.

- **CONTRACTOR:** (If contractor has knowledge)

1 <sup>st</sup> Offense:	Subject to termination of Contract.
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25) Providing commercial services during FSP hours (**Flagrant**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Termination.
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- **CONTRACTOR:** (If contractor has knowledge)

1 <sup>st</sup> Offense:	Subject to termination of Contract.
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26) Use of FSP vehicle(s) which has been exclusively contracted for FSP use only (anytime) (**Major**)

- **CONTRACTOR:**

1 <sup>st</sup> Offense:	\$1,000 fine.
Subsequent Offenses:	\$1,000 and contract subject to termination

27) Operating a vehicle with a suspended or expired driver's license (**Major**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Immediate suspension until violation corrected
2 <sup>nd</sup> Offense:	Termination.

- **CONTRACTOR:**

1 <sup>st</sup> Offense:	Fined at the contractors hourly rate from the beginning of the shift to the time the operator is replaced by a certified FSP operator.
Subsequent Offenses:	Regardless of the operator, the fine will be double the contractor's hourly rate (when the contractor has knowledge of the suspension).

28) Unauthorized storage of an FSP vehicle (**Major**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Written reprimand.
2 <sup>nd</sup> Offense:	Three-day work day suspension.
Subsequent Offenses:	Five-day work suspension (up to termination).

- **CONTRACTOR:**

1 <sup>st</sup> Offense:	Fined \$150
2 <sup>nd</sup> Offense:	Fined \$300
Subsequent Offenses:	Fined \$500

29) FSP operator causing damage or failing to report any property damage and the damages are the result of unacceptable/unreasonable towing practices. **(Major)**

- **OPERATOR:**

- |                          |   |
|--------------------------|---|
| 1 <sup>st</sup> Offense: | Verbal or Written reprimand.                |
| 2 <sup>nd</sup> Offense: | Retraining and a three work-day suspension. |
| 3 <sup>rd</sup> Offense: | Five work-day suspension.                   |

- **CONTRACTOR:**

- |               |   |
|---------------|---|
| All Offenses: | Contractor will be liable for all damages.<br>(If the contractor has knowledge and fails to report the damage: May be placed on a probationary status). |
|---------------|---|

30) Non-certified FSP operator performing FSP duties (**Flagrant**)

- **CONTRACTOR:** (If contractor has knowledge of violation and fails to report)

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|--------------------------|----------------------------------|
| 1 <sup>st</sup> Offense: | Contract subject to termination. |
|--------------------------|----------------------------------|

31) Retaining gratuities or tips (**Flagrant**)

- **OPERATOR:**

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|--------------------------|--------------|
| 1 <sup>st</sup> Offense: | Termination. |
|--------------------------|--------------|

- **CONTRACTOR:** (If contractor has knowledge of and fails to report the violation)

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|---------------------------|----------------------------------|
| 1 <sup>st</sup> Offense:: | Contract subject to termination. |
|---------------------------|----------------------------------|

32) Insubordination (**Major**)

• **DRIVER:**

- |                          |                            |
|--------------------------|----------------------------|
| 1 <sup>st</sup> Offense: | Three work-day suspension. |
| 2 <sup>nd</sup> Offense: | Five work-day suspension.  |
| 3 <sup>rd</sup> Offense: | Termination.               |

33) Operator failing or refusing a substance abuse test (**Flagrant**)

• **OPERATOR:**

- |                          |  |
|--------------------------|--|
| 1 <sup>st</sup> Offense: | Suspension from the program for a minimum of one year. |
|--------------------------|--|

34) Operator under influence of drugs and/or alcohol while on duty (**Flagrant**)

• **DRIVER:**

- |                          |              |
|--------------------------|--------------|
| 1 <sup>st</sup> Offense: | Termination. |
|--------------------------|--------------|

35) Operator having an odor of an alcoholic beverage but not under the influence (**Major**)

• **OPERATOR:**

- |                          |   |
|--------------------------|---|
| 1 <sup>st</sup> Offense: | Out of service and five day suspension. |
| Subsequent Offense:      | Termination.                            |

• **CONTRACTOR:**

- |               |  |
|---------------|--|
| All Offenses: | Fined from the beginning of the shift (at the hourly rate) until a replacement operator can respond to the affected beat). |
|---------------|--|

36) Operator failing to complete and submit required FSP paperwork (**Minor**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Written reprimand.
2 <sup>nd</sup> Offense:	Three day work suspension.
3 <sup>rd</sup> Offense:	Five day work suspension.

37) Operator failing to replace/repair deficiencies noted on pre-operation inspection sheet (**Minor**)

- **DRIVER:**

1 <sup>st</sup> Offense:	Written reprimand and truck taken out of service until repaired or replaced.
2 <sup>nd</sup> Offense:	Three work-day suspension.
3 <sup>rd</sup> Offense:	Five work day suspension or termination.

38) Unauthorized refueling of an FSP vehicle (**Minor**)

- **OPERATOR/CONTRACTOR:**

1 <sup>st</sup> Offense:	Operator: Written reprimand. Contractor: Fined double the hourly rate for duration of refueling.
2 <sup>nd</sup> Offense:	Operator: Three work-day suspension. Contractor: Same as above.
3 <sup>rd</sup> Offense:	Operator: Five work-day suspension. Contractor: Same as above.

39) Failing to use and/or follow correct procedures regarding Daily field log use (e.g., Log on, Log off, incomplete logs) (**Minor**)

- **OPERATOR:**

1 <sup>st</sup> – 3 <sup>rd</sup> Offenses:	Written Reprimand
Subsequent Offenses:	Handled on a case by case basis, from retraining to termination.

40) Towing a vehicle to other than a designated drop location without permission of the FSP officer (**Minor**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Written reprimand.
2 <sup>nd</sup> Offense:	Three work-day suspension.
3 <sup>rd</sup> Offense:	Five work-day suspension, up to termination.

41) Substandard performance (This applies to operators and contractors who compile a history of various offenses which, individually, could be considered minor, but taken as a whole indicate a more serious problem.) (**Major**)

- **OPERATORS:** (Can receive a written reprimand up to and including termination)

1 <sup>st</sup> Offense:	Substandard performance will be handled on a case-by-case basis.
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- **CONTRACTOR:** (Can receive fines and a written warning up to and including termination of contract for one or all beats)

1 <sup>st</sup> Offense:	Substandard performance, including failure to disclose information relevant to the operations of the FSP Program, will be handled on a case-by-case basis.
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42) Operator failing to sign on their respective shift as required (**Minor**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Written reprimand.
2 <sup>nd</sup> Offense:	Three work-day suspension.
3 <sup>rd</sup> Offense:	Five work-day suspension.

- **CONTRACTOR:**

1 <sup>st</sup> Offense:	Fined for one half hour, at the contractor's hourly rate.
2 <sup>nd</sup> Offense:	Fined for one half hour at double the contractor's hourly rate.
3 <sup>rd</sup> Offense:	Fined for one hour at double the contractor's hourly rate.

43) Operator intentionally becomes involved in the apprehension of suspect(s), enforcement contact(s), and/or pursuit(s). (Not applicable when acting under the directions of a police officer) (**Major**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Handled on a case-by-case basis written reprimand up to 3-work day suspension.
2 <sup>nd</sup> Offense:	Five work-day suspension.
3 <sup>rd</sup> Offense:	Termination.

44) Operator missing quarterly training without reasonable justification or notification to the FSP unit. (**Major**)

- **OPERATOR:**

1 <sup>st</sup> Offense:	Written reprimand.
2 <sup>nd</sup> Offense:	FSP operator will be de-certified (Must complete the entire application process to be recertified)

- **CONTRACTOR:**

All Offenses:	Contractor will be fined two hours at double the hourly rate for each driver who misses quarterly training
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45) Failure to provide a back up truck without reasonable justification during the contract period. (**Major**)

- **CONTRACTOR:**

1 <sup>st</sup> – 2 <sup>nd</sup> Offense:	Fined for the time out of service at the contractor's hourly rate.
3 <sup>rd</sup> – 4 <sup>th</sup> Offense:	Fined for the time out of service at double the contractor's hourly rate.
Subsequent Offenses:	Fined for time out of service at four times the contractor's hourly rate.

46) Failure to meet service obligation on contracted beats (defined as over one hour out of service), as indicated in the RFP and Implementation Plan. (**Major**)

- **CONTRACTOR:**

1 <sup>st</sup> Offense:	Fined for time out of service at double the contractor's hourly rate.
Subsequent Offenses:	Handled on a case-by-case basis, up to contract termination.

47) An FSP operator not on or leaving the beat during FSP hours without authorization, as established via AVL system (**Major**)

- **OPERATOR/CONTRACTOR:**

1 <sup>st</sup> – 3 <sup>rd</sup> Offense:	\$25 fine
Subsequent Offenses:	\$25 fine; Handled on a case by case basis, up to termination.

48) Tampering, damaging, or modifying any FSP telecommunications equipment (unplugging wires, obstructing or removing equipment, etc). (**Major**)

- **OPERATOR/CONTRACTOR:**

1 <sup>st</sup> Offense:	\$250
2 <sup>nd</sup> Offense:	\$500 and Termination

49) Violation of break policy (examples: prolonged breaks, not in area of beat, two operators from same beat at the same time, as established via AVL system)  
**(Minor)**

- **OPERATOR/CONTRACTOR:**

1 <sup>st</sup> – 3 <sup>rd</sup> Offense:	\$25.00
Subsequent Offenses:	\$25 fine; Handled on a case by case basis, up to termination.

50) Operator not in possession of California Driver's License, DL-64 and DL-51  
**(Major)**

- **OPERATOR:**

1 <sup>st</sup> Offense:	Taken out of service and a written reprimand.
2 <sup>nd</sup> Offense:	Taken out of service and a three-day suspension.
Subsequent Offenses:	Taken out of service and a five-day suspension.

- **CONTRACTOR:**

All Offenses:	Fined from the beginning of the shift until the issue is resolved, at the contractor's hourly rate.
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51) Illegitimate use of back-up service (such as routine maintenance, lack of drivers, etc.)

- **CONTRACTOR:**

1 <sup>st</sup> Offense:	\$75.00
2 <sup>nd</sup> Offense:	\$150.00
Subsequent Offenses:	\$300.00

## **5. APPEAL PROCESS**

Contractors and operators have the right to appeal an invoice deduction, violation, and the termination of a driver and/or contractor. The FSP Request For Appeal form should be completed and submitted for all appeals. Appeals should be faxed or mailed to the contacts listed on the form: TAMC and CHP.

A committee consisting of staff from the TAMC and CHP is responsible for reviewing appeals for invoice deductions/credits, violations, and operator and/or contractor terminations, and is also responsible for making final decisions regarding driver and/or contractor termination appeals.

**A. Invoice Deductions/Credits**

The contractor has ten (10) business days from the date the invoice is signed to appeal a fine levied for a violation or a credit for tow operations. Contractors should complete the Request for Appeal form and fax to the contacts listed on the form.

**B. Violations (Suspensions)**

The FSP operator and/or contractor have ten (10) business days, from the date of notification of the violation, to file an appeal. The request for appeal must be submitted in writing and faxed or mailed to the TAC. Once the request has been received, the committee will review the appeal for "good cause". Within ten (10) business days, the contractor will be notified of the committee's decision.

**C. Operator and Contractor Termination**

An FSP operator and/or contractor who have been terminated from the program and who desires reinstatement, may submit a request for appeal. The FSP operator and/or contractor will be given five (5) business days, from the date of notification of termination, to file an appeal. Upon receipt of the appeal, the committee will determine whether the driver can work during the appeals process. Within ten (10) business days, the contractor will be notified of the committee's decision regarding the appeal. The committee is the ultimate authority in these cases and their decision is final. Because of the confidentiality of criminal histories, those persons disqualified from working in the FSP program for criminal convictions may only appeal to the CHP.

**5. SUBJECT TO TERMINATION**

7. Per beat: Contractor receiving fifteen (15) or more letters documenting minor violations within any twelve (12) month period, shall be subject to termination from the FSP contract.
8. Per Beat: Contractor receiving eight (8) or more letters documenting major violations within any twelve (12) month period, shall be subject to termination from the FSP contract.
9. Contractor participating in, encouraging, or withholding required notifications to FSP supervisors any activity constituting a FLAGRANT violation shall be subject to immediate termination of their FSP contract.
10. Per Beat: Contractor receiving six (6) or more letters documenting major violations within any twelve (12) month period, shall be subject to termination from the FSP contract.

Contractors are ultimately responsible for the actions of their employees during FSP operating hours. For any reoccurring problems that an FSP operator fails to address, the contractor will receive a minor violation letter.

## **6. CONTRACTORS' AND OPERATOR'S MANDATORY MEETING/TRAINING**

Contractors are required to be represented at all quarterly FSP tow contractor meetings. The contractor must be represented by the contract owner or the contractor's FSP manager at all contractors' meetings. Contractors who cannot meet these meeting requirements must contact the FSP project manager as soon possible. Contractors failing to have the required representation at a contractors' meeting will be fined for two hours at the contractor's lowest hourly rate.

All FSP operators are required to participate in two hours of FSP-related training once each quarter of the calendar year. There is no fee for this training, however the contractor shall pay the wages of their employees to attend. This training is presented by the FSP program and will occur at hours removed from regular FSP work hours. The training will include any topic deemed important to further develop FSP services or safety for FSP employees.

## ANNEX A

### CRIMINAL HISTORY DISQUALIFICATIONS

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Criminal history disqualification shall be applicable to all FSP operators/employees working under FSP contracts. They will also be applicable to all newly hired or trained FSP employees.

Any felony conviction of the FSP contractor or any FSP operator involving stolen or embezzled vehicles, fraud related to the towing business, stolen or embezzled property, crimes of violence, felony driving while under the influence of alcohol and/or drugs, misdemeanor driving while under the influence of alcohol and/or a drug while involved in FSP operations, or moral turpitude shall be cause for denial of application in the FSP program or termination from the FSP program.

Any FSP operator convicted of the above stated crimes shall be disqualified from working in the FSP program.

Any FSP operator arrested or charged with a violation involving the above crimes or any drug- or alcohol-related charges shall be suspended from working in the FSP program until the case is adjudicated.

Additionally, FSP operators shall be disqualified from the FSP program for a conviction of any of the following offenses. These disqualification offenses are based on the recommendations made by the Emergency Roadside Assistance Advisory Committee (ERAAC). A conviction means a plea or verdict of guilty or a conviction following a plea of nolo contendere.

- (1) An FSP operator shall be **permanently disqualified** for any violation of Sections 210.5, 217.1, 220, 237, 240-247.5, 261, 262, 264.1, 266a, 266j, 267, 288, 288.5, 289, 311.3, or 11105.3 of the Penal Code (PC), or any violent felony as defined in Section 667.5 PC.
- (2) An FSP operator shall be **permanently disqualified** for any violation of Chapter 3 (commencing with Section 207) or Chapter 8 (commencing with Section 236) of the Penal Code.
- (3) A contractor or operator shall be **disqualified** if he/she has three or more drug-related misdemeanors or any drug related felony within five years of application.
- (4) An FSP operator shall be **disqualified** if he/she has three or more violations of Section 23152 of the Vehicle Code (VC) within the previous seven years. Convictions of 23103 VC (Reckless Driving, alcohol related) shall count as violations of 23152 VC.
- (5) A contractor or operator shall be **disqualified** if he/she has a violation of Section 191.5 PC within the previous seven years.
- (6) An operator shall be **disqualified** if he/she has had a violation of Section 23153 VC within the previous seven years.

(7) An operator who has had a felony conviction within the previous 10 years or a misdemeanor conviction within the previous five years for any of the following offenses shall be **disqualified** from working in the FSP program:

- (a) A violation of Section 148, 222, 237.5, 261.5, 273a, 273d, 417, 450, 453, 459, 466, 467, 470, 470a, 470b, 477, 484e, 484f, 484g, 487, 496, 503, or 538d of the Penal Code.
- (b) A violation of Section 2800, 10750, 10752, 10851, or 20001 of the Vehicle Code.
- (c) A violation of Chapter 9 (commencing with section 240) of the Penal Code.
- (d) Three or more misdemeanor violations of any violent crime as defined in Section 667.5 of the Penal Code.

A contractor or operator may reapply for participation in the FSP program if the applicable felony or misdemeanor conviction is reversed or dismissed. A termination of probation and dismissal of charges pursuant to Section 1203.4 PC or a dismissal of charges pursuant to 1203.4(a) PC is not a dismissal for purposes of this policy.

A contractor or operator may request a hearing with the CHP, regarding disqualification due to a criminal conviction. Requests for a hearing must be submitted in writing to the CHP within 10 working days following any notice of disqualification. Exceptions to the criteria listed above generally will not be granted, unless extenuating circumstances indicate an exception is appropriate and disqualification is unreasonable. No exceptions shall be granted if the individual cannot demonstrate he/she is not a threat to public safety and not a liability to the FSP program. The burden of proof will rest upon the contractor or operator to demonstrate that an exception is appropriate.

Listed below is a synopsis of criminal convictions referenced on pages 3-11 through 3-12 of this manual as it relates to the FSP contractors and operators applying for or participating in the Freeway Service Patrol.

A contractor or operators shall be permanently disqualified for the following offenses:

- (1) Section 210.5 of the Penal Code (PC)(defined in Section 667.5 PC)- False imprisonment
- (2) Section 217.1 PC - Assault or attempted murder of a government officer
- (3) Section 220 PC - Sexual assault
- (4) Section 236 - 237 PC, Chapter 8 - False imprisonment
- (5) Section 240 - 247.5 PC, Chapter 9 - Assault and battery
- (6) Section 261 PC - Rape
- (7) Section 262 PC - Rape of spouse

- (8) Section 264.1 PC - Rape with the use of a foreign object
- (9) Section 266(a) PC - Procurement by force or fraud
- (10) Section 266(j) PC - Procurement of a child
- (11) Section 267 PC - Abduction of a person under 18 for the purpose of prostitution
- (12) Section 288 PC - Lewd or lascivious acts with a child under 14
- (13) Section 288.5 PC - Continuous sexual abuse of child
- (14) Section 289 PC - Penetration of genital or anal opening by foreign object
- (15) Section 311.3 PC - Sexual exploitation of child
- (16) Section 11105.3 PC - Any felony conviction or three misdemeanor convictions covered by this section.
  - (a) 667.5 PC - Prior prison terms; enhancement of prison terms for new offenses as follows:
    - 1. Murder or voluntary manslaughter
    - 2. Mayhem
    - 3. Rape (Section 261 - 262 PC)
    - 4. Sodomy by force, violence, duress, menace, or fear
    - 5. Oral copulation by force, violence, duress, menace, or fear
    - 6. Lewd acts on child under 14 (Section 288 PC)
    - 7. Any felony punishable by death or life in state prison
    - 8. Any felony in which the defendant inflicts great bodily harm on another person except accomplice
    - 9. Robbery
  - (b) Kidnapping - Chapter 3, 207-210 PC
  - (c) False imprisonment - Chapter 8, 236-237 PC
  - (d) False imprisonment/hostages - 210.5 PC

- (e) Assault and battery - Chapter 9, 240 -247.5 PC
- (f) Assault or attempted murder of a government officer - 217.1 PC
- (g) Procurement by force or fraud - 266(a) PC (felony or misdemeanor)
- (h) Procurement of child - 266(j) PC (felony)
- (i) Continuous sexual abuse of child - 288.5 PC (felony)
- (j) Sexual exploitation of child - 311.3 PC (misdemeanor)

The following shall disqualify an applicant or operator if the drug related offenses listed have occurred **within five years:**

- (1) Three or more drug-related misdemeanor convictions
- (2) Any drug-related felony conviction

The following shall disqualify an applicant or driver if the violation occurred within the previous **seven years:**

- (1) Gross vehicular manslaughter while intoxicated - 191.5 PC (felony).
- (2) DUI causing injury/death - 23153 VC (felony).
- (3) Three convictions of DUI.

The following criminal violations shall impose a **10-year limitation for felonies (F) and a five-year limitation for misdemeanors (M)** before an application to work in the FSP program may be considered:

- (1) Section 148 PC (M) - Resisting/ delaying a peace officer
- (2) Section 222 PC (F) - Administering drugs with the intent to commit a felony
- (3) Section 273.5 PC (F/M) - Infliction of injury to spouse, cohabite, or parent of child
- (4) Section 261.5 PC (F/M) - Statutory rape
- (5) Section 273(a) PC (F) - Cruelty to child
- (6) Section 273(d) PC (F) - Infliction of corporal punishment of child which results in traumatic conditions
- (7) Section 417 PC (M) - Brandishing a firearm in a threatening manner
- (8) Section 450 PC (F) - Arson
- (9) Section 453 PC (M/F) - Possession of fire bomb

- (10) Section 459 PC (F/M) - Burglary
- (11) Section 466 PC (M) - Possession of burglary tools
- (12) Section 467 PC (M) - Possession of deadly weapon with intent to commit an assault
- (13) Section 470 PC (F/M) - Forgery
- (14) Section 470(a) PC (M) - Reproduction or falsification of driver license or ID card
- (15) Section 470(b) PC (M) - Display or possession of reproduced or falsified driver license or ID card
- (16) Section 477 PC (F) - Counterfeiting money
- (17) Section 484(e) PC (F/M) - Theft of access card
- (18) Section 484(f) PC (F/M) - Forgery of access card or signature
- (19) Section 484(g) PC (F/M) - Fraudulent use of access card
- (20) Sections 487 and 489 PC - Grand theft, including theft of firearm 487 PC (F); Grand theft of firearm, punishment 489 PC (F)
- (21) Section 496 PC (F/M) - Receiving stolen property
- (22) Section 503 PC (F/M) - Embezzlement
- (23) Section 538(d) PC (M) Fraudulent impersonation of peace officer
- (24) Section 2800 VC (F/M) - Evading a peace officer
- (25) Section 10751 VC (M) - Altering, defacing, or replacing vehicle identifying numbers
- (26) Section 10752 VC (M) - Fraudulent acquisition of disposition of DMV- or CHP- issued Vehicle Identification Numbers
- (27) Section 10851 VC (F) - Vehicle theft
- (28) Section 20001 VC (F) - Hit-and-run collision causing injury/death

NOTE: Failure to disclose or be truthful on the CHP 234F and Questionnaire will be grounds for disqualification or termination from the FSP program.

## **ANNEX B**

### **BACK-UP TRUCK AUTHORIZATION REQUEST FORM**

SEND TO: TRANSPORTATION AGENCY, ATTN: Kaki Cheung  
kaki@tamcmonterey.org/ fax to (831) 775-0897

FROM: Contractor: \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Contact #: \_\_\_\_\_  
Date: \_\_\_\_\_

TRUCK  
INFO: Vehicle Make: \_\_\_\_\_  
Model: \_\_\_\_\_  
Year: \_\_\_\_\_  
Mileage: \_\_\_\_\_  
License Plate #: \_\_\_\_\_  
FSP Truck #: \_\_\_\_\_  
Beat #: \_\_\_\_\_  
Years Used: \_\_\_\_\_  
Truck Condition: \_\_\_\_\_

#### **STAFF USE ONLY:**

CHP Inspection  Pass

Conditional Pass (Describe below).

Fail

Comments

Approved

Denied

Staff Authorization

Signature

Date



## ANNEX C

### **CHP 234D – Daily Inspection Report Page 1**

STATE OF CALIFORNIA  
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

**FREEWAY SERVICE PATROL - DAILY INSPECTION REPORT**

CHP 234D (Rev. 8-01) OPI 061

TRUCK LICENSE #	COMPANY NAME	DATES						
		FROM:			THROUGH:			

**FSP Drivers:** A pre-shift vehicle inspection shall be completed prior to EACH shift. Keep this form with this truck for the entire week. Upon verifying each item, check (✓) the appropriate box. Place your initials on the back of this form, in the space provided, for the shift in which you inspected this truck. Submit the form each Friday to your supervisor. Contractors shall forward completed forms to their respective CHP FSP coordinator.

VEHICLE/EQUIPMENT	MON AM	MON PM	TUES AM	TUES PM	WED AM	WED PM	THUR AM	THUR PM	FRI AM	FRI PM	SAT AM	SAT PM	SUN AM	SUN PM	REMARKS
CLEAN CAB INTERIOR															
SURVEY FORMS & BROCHURES															
OPERATION MANUAL AND/OR S.O.P.															
FIRST AID KIT (5" X 9" MIN.)															
SHOP RADIO & SCANNER															
PUBLIC ADDRESS SYSTEM															
GLOVES															
FLASHLIGHT & SPARE BATTERY															
BODY															
PAINT															
DECALS															
LETTERING															
CONES - 6 (18" TALL)															
TIRES (✓ AIR PRESSURE)															
BRAKES															
LIGHTS (INCLUDES DRAG LIGHTS)															
CHECK ALL ENGINE FLUIDS															
CHECK ALL HYDRAULIC FLUIDS															
SQUARE POINT SHOVEL															
BROOM (24" OR WIDER)															
PRY BAR (36" OR LONGER)															
BOLT CUTTERS															
AIR - TANK (100 LBS) OR COMPRESSOR															
LOCK OUT SET															
RAIN GEAR															
TRIANGLE REFLECTORS															
FIRE EXTINGUISHER															
FLARES - 36 (15 MINUTE TYPE)															
JUMPER CABLES (25' LENGTH)															
FLOOR JACK (2 TON MIN.)															
TRAILER BALL (1 7/8" & 2")															
STAR LUG WRENCH (1 STD/MET)															
TOW TRUCK LUG WRENCH															
UNLEADED GAS (5 GAL MIN.)															
DIESEL FUEL (OPTIONAL)															
WATER (5 GAL MIN.)															
ABSORBENT (5 GAL MIN.)															
TRASH CAN (5 GAL MIN.)															
FLEXIBLE FUNNEL FOR GAS CANS															
TOW DOLLIES (✓ AIR PRESSURE)															
TOW CHAINS (5/16" W/J HOOKS)															
SAFETY CHAINS - 2 (6' LENGTH)															
WINCH CABLE - GOOD CONDITION															
SLING - GOOD CONDITION															
SPACER BLOCKS - 2															
4" X 4'S - (1 EACH - 5' & 4' LONG)															
WOOD BLOCKS - 2 (4" X 6" X 12")															

Destroy Previous Editions

c234d501.frp

## ANNEX C

### CHP 234D – Daily Inspection Report Page 2

PAGE 2

TOOL BOX	MON	TUES	WED	THUR	FRI	SAT	SUN	REMARKS
	AM	PM	AM	PM	AM	PM	AM	
NEEDLE NOSE PLIERS								
ADJUSTABLE JOINT PLIERS (2")								
CRESCENT WRENCH (8" & 12")								
RUBBER MALLET / HUB CAP REMOVER								
5 POUND SLEDGE HAMMER								
ELECTRICAL TAPE - 1 ROLL								
MOTORCYCLE TOW BAR / STRAPS								
WHEEL LIFT SAFETY STRAPS								
WHEEL RETAINERS / O.K.								
CROSS BAR PIVOT / O.K.								
STANDARD SCREWDRIVERS (1/8", 3/16", 1/4" & 5/16")								
PHILLIPS SCREWDRIVERS #1 & #2								
ROLL OVER (IF APPLICABLE)								
BRIDLE ROLLOVER CHAIN								
20' CHAIN WITH 2 GRAB HOOKS								
ONE STIFF LEG (4" X 4" X 4")								
DRIVER APPEARANCE								
NAME TAG								
PHOTO I.D. CARD								
STEEL TOE BOOTS								
REFLECTIVE TAPE								
UNIFORM (GOOD CONDITION)								
CLEAN APPEARANCE								
GROOMING								
DRIVER'S INITIALS (PRIOR TO EACH SHIFT)								
MILEAGE	MORNING SHIFT			AFTERNOON SHIFT				
	BEGINNING	ENDING	TOTAL	BEGINNING	ENDING	TOTAL		
	MONDAY							
	TUESDAY							
	WEDNESDAY							
	THURSDAY							
	FRIDAY							
SATURDAY								
SUNDAY								
	TOTAL MORNING MILEAGE			TOTAL AFTERNOON MILEAGE				
	WEEKLY TOTAL MILEAGE FOR BOTH AM & PM SHIFTS							
COMMENTS								

TRUCK MILEAGE LAST OIL AND LUBRICATION	DATE OF LAST TUNE UP	
NAME OF COMPANY'S FSP REPRESENTATIVE/COORDINATOR	SIGNATURE	

c234d801.frp

## ANNEX D **REQUEST FOR APPEAL**

**FAX TO***fax to all contacts*TAMC, attn: Kaki Cheung  
CHP, attn: Valeska Jackson(831) 775-0897  
(831) 424-2117**FROM**

Contractor &amp; Beat #: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contact #: \_\_\_\_\_

Driver Name: \_\_\_\_\_

Truck #: \_\_\_\_\_

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

Supervisor: \_\_\_\_\_

**VIOLATION/  
TERMINATION***Complete only if you are  
appealing a  
driver/contractor violation  
or termination*Violation type     Major     Minor     Flagrant

Notification date: \_\_\_\_\_

Violation description: \_\_\_\_\_  
\_\_\_\_\_**INVOICE  
APPEAL***Complete only if you are  
appealing an invoice*

Date	Time	Driver ID	Hours	Deduction

**REASON FOR  
APPEAL***Attach additional sheets if  
necessary*\_\_\_\_\_  
Signature/Date**APPEALS  
REVIEW  
COMMITTEE  
USE ONLY** Appeal Accepted     Appeal Denied\_\_\_\_\_  
Approval/Date

**ANNEX E**  
**UNIFORM**  
**SPECIFICATIONS**

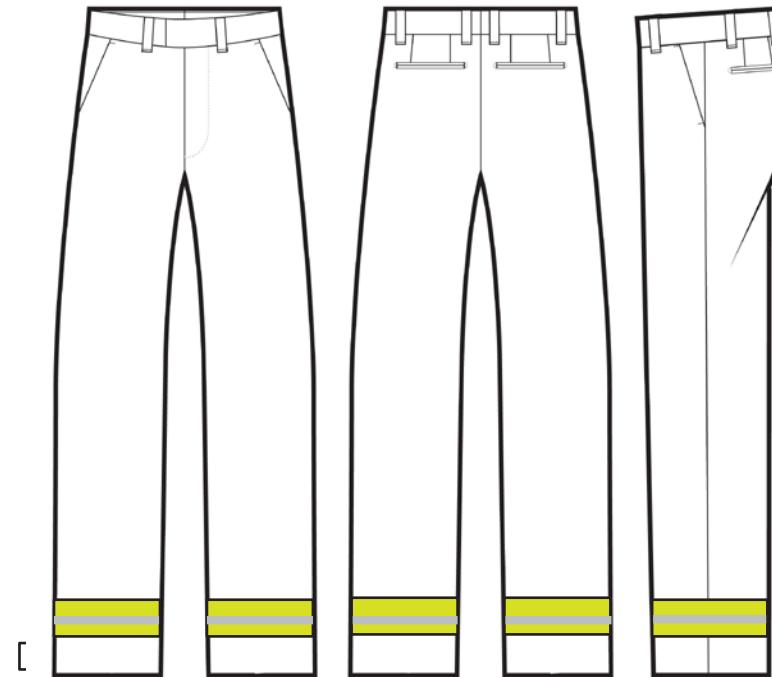
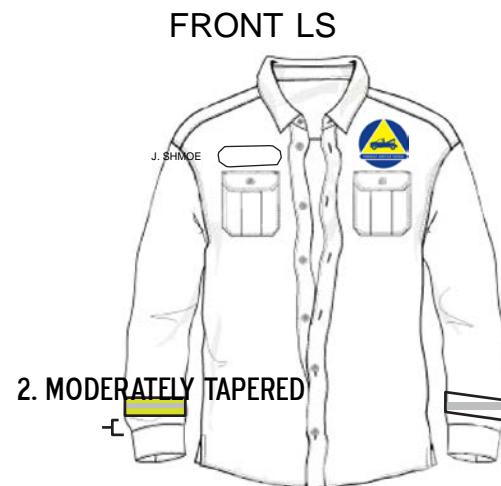
**SHIRT**

1. NAVY BLUE SHIRT, PANTS, OR COVERALLS
2. REFLECTIVE DOUBLE STRIPING REQUIREMENTS:
  - A.) 2.25" LIME GREEN STRIPING
  - B.) .5" REFLECTIVE WHITE STRIPING
3. TAPE SEWN 1" FROM CUFF/HEM
4. 3.5" FSP PATCH SEWN ON ABOVE THE LEFT POCKET.
5. NAMETAG OPPOSITE THE LOGO
6. REFLECTIVE DOUBLE STRIPING SEWN ACROSS THE UPPER BACK
7. 7" FSP PATCH SEWN BACK CENTER
8. ALL MAIN SEAMS DOUBLE STITCHED WITH GOOD QUALITY THREAD



**PANT**

1. NAVY PANT



1" from cuff

3. ALL MAIN SEAMS DOUBLE STITCHED WITH GOOD QUALITY THREAD
4. REFLECTIVE DOUBLE STRIPING 2-4" ABOVE THE CUFF

2-4"

FRONT      BACK SIDE RZ: 2012