STANDARD OPERATING PROCEDURE FOR TOWING, PAYMENT AND RELEASE OF ROAD OBSTRUCTION/ABANDONED VEHICLES BY FIELD COMMANDS

OCTOBER 2019
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<th>Prepared by</th>
<th>OFFICES</th>
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<td>Reviewed by</td>
<td>Management Representative (MR)</td>
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<td>Approved by</td>
<td>Corps Marshal</td>
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<td>Date</td>
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STANDARD OPERATING PROCEDURE (SOP) FOR TOWING, PAYMENT
AND RELEASE OF ROAD OBSTRUCTION/ABANDONED VEHICLES BY
FIELD COMMANDS

INTRODUCTION:
One of the cardinal mandates of Federal Road Safety Corps (FRSC) is to clear
obstructions from the nation’s highways for free flow of traffic. Timeliness in
carrying out this task is of utmost importance, which brings to the fore the
need to engage external tow operators in the absence of the Corps’ tow
trucks. In the course of performing this task, several bottlenecks are
encountered necessitating the need to formulate a policy document on towing
operations.

SCOPE:
2. The SOP covers FRSC enabling powers, the procedures to be adopted while
towing vehicles apprehended by FRSC patrol teams, vehicles obstructing the
highway or safe zone for whatever reason(s) and the mode of payment for such
operations. It also covers safety of the tow truck and vehicle being towed,
categories of the vehicles to be towed and the tow charges.

PURPOSE:
3. This document provides a guide to FRSC Field Commands in order to
ensure uniformity and proper handling of towing operations.

LIMITATIONS:
4. The following limitations apply:
   a. Any vehicle parked at private property can only be towed if the Corps is
      contacted by the owner to render such services with proof of ownership
      or contacted by any of the security agencies.
   b. Vehicles at garages or under the custody of security agencies such as
      Police, VIO, State Traffic Agencies etc can only be towed only when
      directed by the appropriate authorities.
   c. Vehicles at motor/trailer parks can only be towed only when directed or
      contacted by the appropriate authorities.

It should be noted that all the vehicles listed in paragraph 4 (a-c) above must
fulfil all the conditions for towing of vehicle that is not involved in a crash as
presented in paragraph 9 of this document.
In addition, a verifiable letter should accompany a request for towing by
another agency such as Police, VIO, EFCC, ICPC etc.

LEGAL FRAMEWORK:
5. Federal Road Safety Corps derives its legal backing through the
following:
   a. Section 10(3) (b) of the Federal Road Safety Commission (Establishment)
      Act, 2007 empowers the Federal Road Safety Corps to remove any
      vehicle causing obstructions on our highways. The Section provides as
      follow:
      10(3) In particular, but without prejudice to the generality of
      the provision of subsection (2) of this section, members of the
Corps shall subject to the provision of this Act, be charged with responsibilities for -(b) Clearing obstruction on any part of the highways;

b. In pursuance to the above, Regulation 177 of the National Road Traffic Regulations (NRTR), 2012 provides thus:

(1) “The appropriate authority or any person authorised by the Commission shall where a vehicle is parked in contravention of these Regulations paste on the vehicle a parking ticket indicating -

(a) that the vehicle would be removed by it within 24 hours if not removed by the owner; and
(b) the fine to be paid in the parking ticket.

(2) The failure to issue a ticket shall not affect the right of the appropriate authority or any person authorised by the Commission to remove such vehicle.

(3) The appropriate authority or any person authorised by the Commission may notwithstanding the provisions of sub-regulation (1) of this regulation, cause the vehicle to be removed immediately where the vehicle is parked in a position or condition as to cause obstruction or constitute danger to other road users.

(4) The appropriate authority or any person authorised by the Commission may use such force as may be reasonably necessary, for the purpose of removing the vehicle from the public road or gaining access to any part of the vehicle, in order to facilitate the removal of the vehicle.”

TOW TRUCK OWNERSHIP

6. For the avoidance of doubt, it is pertinent to note that the following distinctions of Tow Trucks ownership exist:

a. Tow Trucks fully owned and operated by FRSC.
b. Tow Trucks operated through Public Private Partnership (PPP) and coordinated by FRSC.
c. Private Sector refurbished FRSC Tow Trucks and operated by FRSC

This SOP is hereby developed for the above categories of Tow Trucks for easy and standard administration of tow trucks services in Field Commands.

PROCEDURE FOR TOWING

7. The towing procedure goes thus:

a. Team leader captures obstructing vehicle pictorially, showing how it constitutes obstruction before removal.
b. Team leader removes obstructing vehicle after getting approval from the Commanding Officer/Head of Operations via phone call or SMS for this purpose.
c. Notice of Offence is issued to the driver at the time of towing a vehicle to an approved Vehicle Park.
d. In the absence of the driver, the Notice of Offence is kept in the Duty Room awaiting the arrival of the driver or claimant.

**TOWING OF CRASHED VEHICLES**

8. It is the responsibility of FRSC to remove obstructions from the highways. In the light of this, Commands must make all efforts to do this without waiting to be paid by the owners before towing.

9. **TOWING OF VEHICLES ON REQUEST**

On request for towing of a vehicle that is not involved in crash, the following procedure applies:

a. The owner of the tow truck (individual or Corporate) making such request shall produce a Police report and vehicle papers certifying ownership of the vehicle.

b. The documents mentioned in paragraph 9a above shall be accompanied with handwritten application, photocopy of identity card of the person making the request (Drivers licence, National Identity Card or International Passport suffices for a private individual).

c. The police report and vehicle papers shall be verified from appropriate authorities and through necessary platforms by the Command.

d. After due consideration of the Tow Charges as contained in this document, payment shall be made through generation of RemitaRetrival Reference (RRR), the code which shall boldly be indicated on the FRSC Revenue Receipt should be issued to the owner before the towing operation is embarked upon.

e. A form shall be given to the person requesting for the service indicating Name, Occupation, Organization, Vehicle Type, Vehicle Make and Model, Registration Number, Reason(s) for Towing, Payment Made and signature.

f. A file containing copies of Police report, vehicle licence, Proof of Ownership, FRSC revenue receipts, pictures of owner with the vehicle to be towed and other necessary documents confirming ownership of the vehicle shall opened in the Command.

**TOWING A BROKEN-DOWN VEHICLE UNDERGOING REPAIRS WITH THE OWNERS IN SIGHT**

10. In a situation where a vehicle obstructing the highway is undergoing repairs with the owner in sight, the patrol team leader should:

a. Find out the nature of faults

b. Assess the duration the repairs are likely to take and take decision on whether or not the vehicle should be towed.

c. Tow the vehicle off the road to a safe place at no cost if the repairs will take a long time.

d. Allow repairs to continue if it is a minor, such as tyre burst.

**MODE OF PAYMENTS OF TOWING SERVICES**

11. The following applies when payment is to be made:
a. The claimant pays the prescribed fee into the “FRSC Drivers Training, Towing Truck Donation and Others” account with CBN. The account number is 0020104861033.
b. The claimant pays the fines and Custody fee into “FRSC Consolidated Revenue Funds” account with CBN. The account number is 0020054141107.
c. The claimant presents original copy of the receipt of payment of the fines and tow charges to the Duty Room Officer.

RELEASE OF TOWED ABANDONED VEHICLE TO CLAIMANT
12. Before a towed abandoned vehicle is release, the following procedure must be followed:
   a. Claimant presents the following evidences to Duty Room Operatives:
      i. Original proof of ownership (not hand written) or sworn affidavit from a court of law certifying his/her true ownership of the vehicle.
      ii. Driver's Licence/Utility Bill/Any other valid means of Identification.
      iii. Vehicle Licence
      iv. Two passport size photographs
   b. Staff Officer Operations takes photograph of claimant standing by the vehicle.
   c. Head of Operations verifies the vehicle registration details from MVA Central Databank and issues Vehicle Certificate to claimant for endorsement.
   d. Claimant endorses the Vehicle Release Certificate and takes possession of the vehicle.
   e. Duty Room file copies and other verified documents in Release of Towing/Recovered Vehicle file as appropriate.

RE-IMBURSEMENT OF EXPENSES
13. For re-imbursement, the following applies:
   a. The Command to apply to RSHQ Finance and Account for withdrawal of proceeds for towing.
   b. The 100% of the towed proceeds from the privately-owned Tow Truck received from RSHQ shall be shared on the ratio of 80% to the owner of the Truck and 20% to the Command.
   c. No remittance of privately owned Tow Truck proceeds to RSHQ.

SPECIFICATION OF PRIVATELY-OWNED TOW TRUCKS
14. Any privately owned Tow Truck to be engaged by FRSC Command must fulfil the following conditions:
   a. It must be a registered vehicle
   b. The private Tow Truck must have at least Third party Insurance cover.
   c. The Tow Trucks must be roadworthy.
   d. The operator must have valid driver licence for that category of Tow Truck/Van.
e. The Company must be registered with relevant Authorities.

RECOMMENDED TOW CHARGES
15. FRSC tow charges are to be average of the prevailing commercial charges but subject to distance, tonnage of Vehicle involved, terrain and PMS/AGO price regime.

The following guide is relevant:

<table>
<thead>
<tr>
<th>S/N</th>
<th>DISTANCE</th>
<th>CARS/LIGHT VEH. (NORMAL TERRAIN)</th>
<th>HEAVY DUTY VEH. (NORMAL TERRAIN)</th>
<th>CAR/LIGHT VEH. (DIFFICULT TERRAIN/DITCH)</th>
<th>HEAVY DUTY VEH. (DIFFICULT TERRAIN/DITCH)</th>
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<tbody>
<tr>
<td>A.</td>
<td>Less than 3 KM</td>
<td>5,000</td>
<td>10,000</td>
<td>10,000</td>
<td>20,000</td>
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<tr>
<td>B.</td>
<td>3 - 5 KM</td>
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<td>20,000</td>
<td>20,000</td>
<td>40,000</td>
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<tr>
<td>C.</td>
<td>5 - 10KM</td>
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<td>30,000</td>
<td>30,000</td>
<td>60,000</td>
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<tr>
<td>D.</td>
<td>Above 10 KM</td>
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<td>40,000</td>
<td>50,000</td>
<td>80,000</td>
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<tr>
<td>E.</td>
<td>25 - 50KM</td>
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<td>60,000</td>
<td>70,000</td>
<td>85,000</td>
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<tr>
<td>F.</td>
<td>Night time towing</td>
<td>40,000</td>
<td>70,000</td>
<td>80,000</td>
<td>95,000</td>
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SHARING FORMULA
16. The following sharing formula applies:
   a. For tow trucks owned by FRSC, 40% is for FRSC National Headquarters and 60% is for the Command.
   b. For tow trucks operated through PPP and coordinated by FRSC, 80% is for the owner of the truck and 20% is for the Command.

AUTHORITY
17. Commanding Officers shall take full charge of tow trucks administrations to enhance Command and control in tow truck operations.

RECORDS MAINTAINED
18. The following records must be maintained by Field Commands:
   a. List of private Tow Truck Operators with addresses and phone numbers and their respective towing service price schedules.
   b. Register of Towed vehicles showing details of Vehicle towed, date towed, location towed from and to, towing company specified fee, payment receipt number, name and phone numbers of claimant, signature of claimant and Date of release (See the attached format)
   c. Photograph of claimant beside the vehicle and copy of Vehicle Release Certificate.

Dr. Boboye Oyeyemi, MFR, mni, NPoM
Corps Marshal.
FEDERAL ROAD SAFETY CORPS
NATIONAL HEADQUARTERS, NO.4 MAPUTO STREET WUSE ZONE 3 ABUJA

TOWING REQUISITION FORM

A. HIREE INFORMATION

Name: ____________________________________________________________
Address: _________________________________________________________
Telephone Number(s): ____________________________________________
Email Address: ____________________________________________________
Occupation: ______________________________________________________
Organization/Place of Work: _______________________________________

B. INFORMATION OF VEHICLE TO BE TOWED

Vehicle Registration: ___________________ Vehicle Type: ______________
Vehicle Make: ___________________________ Vehicle Model: ____________
Vehicle Year/Colour: _____________________________________________
Does the Vehicle have Keys? (Yes/No) _______________________________
Location of Vehicle: (Street Address, City, State) ____________________

C. GENERAL INFORMATION

Location of Vehicle to be Towed (Street, Address, City & State):
________________________________________________________________
Destination of Vehicle to be Towed (Street Address, City & State):
________________________________________________________________

Date of Towing: ___________________________________________________
Time: ______________ Distance Covered: ____________________________

D. Reason(s) For Towing:
________________________________________________________________
________________________________________________________________
________________________________________________________________

E. TOW TRUCK DETAILS

Registration Number: ___________ Driver's Tel. No: ____________________
Driver's Name & Rank: __________________ Command: ________________

F. AUTHORIZATION

Name & Rank of COs or his Designate ________________________________
Signature of COs or his Designate & Date: __________________________
Vehicle Released to: _____________________________________________