



## City Offices

6000 McColl Drive, Savage, MN 55378 | Phone: 952-882-2660 | Fax: 952-882-2656

### WRECKER & TOW TRUCK LICENSE APPLICATION

### CHECKLIST OF REQUIRED APPLICATION MATERIALS

The following materials must be submitted to the City Clerk for consideration of your Wrecker & Tow Truck License:

- Completed Wrecker & Tow Truck License Application form (2 pages)
- Data Practices Warning form
- Background Investigation form
- Consent for Release of Information form
- Receipt of Ordinance Acknowledgment (applicant keeps copy of attached ordinance)
- Current schedule of fees for wrecker or tow truck motor vehicle service charges
- Current Department of Safety and Inspections documentation
- Current Certificate of Liability Insurance for:
  - Public Liability Insurance including a General Liability and Automobile Liability policy from a company authorized to do business in the State of MN, insuring the applicant against any and all loss arising out of use, operation or maintenance of the wrecker and tow truck service enterprise
  - Bodily Injury Liability in the amount of not less than \$500,000 for injury or death of any one person in any one occurrence
  - Not less than \$500,000 on account of a claim by any claimant in any other case arising out of any one occurrence
  - The policy of insurance shall be in limits of not less than \$1,500,000 for property damage and bodily injury without limit for any one occurrence. Such property insurance shall include coverage for damage and theft of property in the care, custody, and control of the wrecker and tow truck motor vehicle service
- Fees: \$250 non-refundable investigation fee; *and* \$150 license fee
  - Permit expires on the last day of March each year, regardless of the date issued



# WRECKER & TOW TRUCK LICENSE APPLICATION

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## SECTION I: APPLICANT

The application forms shall be answered fully and completely by the applicant. No license shall be issued to a person who does not provide all information requested by the license application or such other information as the Issuing Authority or City Council may require.

### APPLICANT INFORMATION

Applicant's Full Name		Former Name	
Address	City	State	Zip
County	State Driver's License No.		
Phone No.	Date of Birth	Email	

### FOR ALL APPLICANTS:

Business Name
Business Location
Storage Lot Location
Hours of Operation
Business Phone

### REQUIRED INFORMATION: Please attach to Application

- Statement of charges: Provide a current schedule of fees for wrecker or tow truck motor vehicle service charges
- Inspection: Provide a current copy of the approved Department of Public Safety and Inspections documentation
- Provide a current Certificate of Liability Insurance (terms and limits identified in 122.06(B)(2))

### VEHICLE IDENTIFICATION: Provide for each wrecker or tow truck vehicle used in the applicant's business

Make	Model	Year	MN License Plate
Make	Model	Year	MN License Plate
Make	Model	Year	MN License Plate
Make	Model	Year	MN License Plate
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Make	Model	Year	MN License Plate

## SECTION 2: BUSINESS LOCATION

Ensure that the business location listed on the application has posted the following:

- Statement of charges
- Hours of operation
- License Certificate from the City of Savage

## NOTICE

The data on this form will be used to approve or deny your license application. Some requested data is private pursuant to the Minnesota Government Data Practices Act. Private data is available to you and City staff or officials who require the information to perform their duties but is not available to the public. You are not legally required to provide this data, but the City may not be able to approve your application if you do not provide it.

I hereby acknowledge that I have reviewed Chapter 122 of the City Code, and the City zoning requirements of said businesses, as provided in Chapter 152 of the City Code, and are familiar with the provisions thereof.

The information I have provided on this application is truthful. I understand that the falsification or misrepresentation of information submitted with my application, including failure to reveal a criminal conviction, constitutes grounds for denial of the license. I authorize the City of Savage to verify any and all of the information requested on this application, including the ordering of criminal background checks, and to conduct any necessary investigation to assure this application complies with the City's licensing and zoning ordinances.

\_\_\_\_\_

Applicant Signature

\_\_\_\_\_

Date



# DATA PRACTICES WARNING

## DATA PRACTICES ADVISORY FOR PROTECTED INFORMATION

City of Savage | 6000 McColl Drive, MN 55378 | Office: 952-882-2660 | Fax: 952-882-2656

### **Read before completing this packet.**

As an applicant for a license/permit at the City of Savage, you are being asked to provide information about yourself which will be used in evaluating your suitability for licensure/permit. The purpose of this request is to obtain information about you to allow us to thoroughly analyze your qualifications and suitability for licensure/permit.

Attached are several documents which ask for your signature and/or personal information. You are not legally required to supply any of the data requested or to sign any of the release and authorization forms. However, should you not provide that information, the City may be unable to fully and adequately determine your suitability for license/permit with this agency which may in turn reduce the chance you may have for licensure/permit with this agency.

Under Minn. Statute § 13.04 subd. 2, names and the designated contact address and telephone number are public data and available upon request. All other information provided on your application prior to licensure approval is classified by law as private data and is accessible to you, but not to the public. Upon license approval, all information provided on your application, except for: date of birth, social security, non-designated or secondary contact address and telephone number, financial data, state and federal tax ID's, or data classified under Minn. Statute § 13.02 subd. 12 as private or subd. 13 as protected nonpublic, is public data.

Private data may be distributed to and used by personnel of the City of Savage who are involved directly and/or indirectly in the approval/denial of, and maintenance of records on licenses/permits. The data may be used and disseminated to individuals or agencies specifically authorized access to the data by state, local or federal law or when approved by the State Commissioner of Administration or by you. Public data is available to any person upon written request to the City of Savage.

This information will be maintained through the time of your licensure/permit with the City of Savage and thereafter. If granted a license/permit, the City may request that you supply this information at additional times in the future for the purpose indicated above. This information may also need to be updated periodically.

### **I HAVE READ AND UNDERSTAND THE DATA PRACTICES ADVISORY.**

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**Applicant Signature**

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**Date**



# BACKGROUND INVESTIGATION DATA PRACTICES ADVISORY FOR PROTECTED INFORMATION

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Read this Advisory before completing the attached Consent for Release of Information and providing the protected information on said form.

As an applicant for a license/permit with the City of Savage, you are being asked to provide information about yourself that will be used to evaluate your eligibility to obtain a license/permit.

The purpose and intended use of the data requested on the Consent for Release of Information is to conduct the background inquiries that this City uses to establish your eligibility to obtain a license/permit. A complete criminal history and driver's license check is conducted to determine whether there are any factors that affect your suitability for a license/permit.

DATA WE HAVE REQUESTED	INTENDED USE
All names you are known by, or have been known by	To conduct a complete criminal history and background check
Date of birth	To access driver's license and criminal history data
Driver's license number	To access driver's license data

This data will be used solely for the above-mentioned purposes. This data will be forwarded to the appropriate City staff as determined necessary for completion for the background investigation.

You are not legally required to provide the requested information. However, if you do not, the City of Savage will be unable to conduct the required background inquiries and will not be able to issue a license/permit.

I have read and understand the information stated above.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date



# CONSENT FOR RELEASE OF INFORMATION IN ACCORDANCE WITH MSA 13.05, SUBD. 4(D)

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I, \_\_\_\_\_, authorize the City of Savage Police Department to release criminal history data, as defined by Minnesota Statute 13.87, subd. 1 and driver's license and traffic record data to the City Clerk for the City of Savage. I understand that some of this data may be classified as private data under Minnesota statutes and I hereby give my informed consent to the release of that private data by the City of Savage Police Department to the City Clerk for the City of Savage.

This consent for the release of data is for the purpose of determining my eligibility to obtain a license/permit with the City of Savage. This information cannot be used for any other purposes.

I may revoke this authorization in writing at any time and in no event will it be valid for more than one year from the date below.

\_\_\_\_\_  
**Signature of Individual Authorizing Release**

\_\_\_\_\_  
**Date**

PLEASE COMPLETE THE FOLLOWING INFORMATION			
First	Middle		
Last			
Date of Birth			
Address			
City	State	Zip	
Driver's License No.			State Issued
Please list any other names you are or have been known by:			
Business/Employer			

I certify that all statements by me on this form are true and complete. I understand that any false statements or omissions on this form shall be sufficient cause for rejection of my application for a license/permit.

I hereby authorize the City of Savage to use this information to determine my eligibility to obtain a license/permit.

\_\_\_\_\_  
**Applicant Signature**

\_\_\_\_\_  
**Date**



Savage City Code

Title XI: Business Regulations

Chapter 122: WRECKER/TOW TRUCKS

Receipt of Ordinance Acknowledgement

I acknowledge receipt of Chapter 122 of the Savage City Code for Wrecker and Tow Trucks; and I have read and understand the Ordinance.

Print Applicant Name: \_\_\_\_\_

Signature: \_\_\_\_\_

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

## **CHAPTER 122 : WRECKERS AND TOW TRUCKS**

### Section

122.01	Purpose
122.02	Findings of the Council
122.03	Definitions
122.04	License Required
122.05	License Applicability
122.06	License Application Requirements, Investigation and Consideration, and License Term and Renewal
122.07	License Issuance Procedure
122.08	Suspension or Revocation
122.09	General Provisions Regarding Licenses
122.10	Violations
122.11	Application

### **122.01                    PURPOSE**

The purpose of this section is to protect the public health, safety and welfare of the citizens of the City and the community at large by prescribing license requirements for wrecker and tow truck businesses to ensure that such businesses are consistently operated according to applicable laws and regulations, and in compliance with basic consumer protection standards.

### **122.02                    FINDINGS OF THE COUNCIL**

The Council makes the following findings regarding the need to license wrecker and tow truck motor vehicle service business:

1. The City has received several complaints regarding wrecker and tow truck companies operating within City limits.
2. The complaints have included wrecker and tow truck companies having no immediately identifiable hours of operation after a vehicle has been towed, having no posted notice of fees, and damaging towed vehicles, well as complaints related to the subsequent sale of towed vehicles.
3. While the City cannot resolve civil disputes between wrecker and tow truck companies and members of the general public who have had their vehicles towed, the City has an interest in protecting and preserving the public health, safety and welfare of members the public who may have their vehicles towed.
4. Regulating wrecker and tow truck companies is within the City's police power to provide for the government and good order of the City, to protect private property, and to promote health, safety, order, convenience, and the general welfare.

### **122.03                    DEFINITIONS.**



As used in this Chapter, unless otherwise stated in specific sections, the following words and terms shall have the meanings stated:

***APPLICANT***- any entity making an application for a license under this Chapter.

***APPLICATION***- a form to be completed by the applicant as his or her request for a license, furnished by the City and required as a prerequisite to the consideration of this issuance of a license.

***ISSUING AUTHORITY***- the Savage Police Department.

***LICENSEE***- any person with an approved license from the Issuing Authority.

***MULTI-CAR HAULING***- Vehicle transports capable of carrying or hauling four or more vehicles.

***STORAGE LOT***- any location or property used to deposit and store towed vehicles until reclaimed by vehicle owner.

***WRECKER OR TOW TRUCK MOTOR VEHICLE SERVICE***- the removing of a motor vehicle by towing or pushing from private property at the request of a person who is neither the owner or operator nor agent of the owner or operator of the vehicle.

#### **122.04 LICENSE REQUIRED**

It shall be unlawful for any wrecker or tow truck motor vehicle service as described in section 122.03 to operate or otherwise conduct business in the City of Savage, nor shall any person permit such service vehicles to be kept or maintained in the City of Savage without first having obtained a license from the City pursuant to this chapter.

#### **122.05 LICENSE APPLICABILITY**

(A) This Chapter shall apply to any wrecker or tow truck motor vehicle service operating within the City of Savage city limits.

(B) This Chapter shall not apply to vehicle owner initiated transports or multi-car hauling vehicles.

#### **122.06 LICENSE APPLICATIONS, INVESTIGATION AND CONSIDERATION, AND LICENSE TERM AND RENEWAL.**

(A) Wreckers or Tow Truck Motor Vehicle Service License Application. An application for a wrecker or tow truck motor vehicle service license shall require the following information:

(1) For all Applicants:

(a) *Investigation*: Provide a completed Background Investigation Application and Consent for Release of Information for all Licensees/ Owners.

(b) *Business location*: Provide the street location, mailing address, and telephone number of the wrecker or tow truck motor vehicle service's primary business location.

(c) *Storage lot*: Provide the street location, address, and telephone number of wrecker or tow truck motor vehicle service's storage lot(s).

(d) *Hours of Operation*: Provide the hours of operation of the wrecker service storage lot premises where motor vehicles are stored and released.

(e) *Statement of Charges*: Provide a current schedule of fees the wrecker or tow truck motor vehicle service charges.

(f) *Vehicle Identification*. Provide the year, make, model and Minnesota license plate number for each wrecker or tow truck vehicle used in the applicant's business.

(g) *Inspection*. Provide a current copy of the approved Department of Safety and Inspections documentation.

(h) *Insurance*. Provide a current Certificate of Liability Insurance with the terms and limits identified in 122.06(B)(2).

**(B) *Application Requirements, Investigation, and Consideration, and License Term and Renewal.***

(1) *Filing*. An application for wreckers or tow truck motor vehicle service license under this chapter must be filed with the Issuing Authority.

**(2) *Insurance Requirements.***

(a) Each applicant for a wreckers or tow truck motor vehicle service license shall file with the Issuing Authority a Public Liability Insurance including General Liability and Automobile Liability policy from a company authorized to do business in the State of Minnesota, insuring the applicant against any and all loss arising out of use, operation or maintenance of the wrecker and tow truck service enterprise.

(b) Bodily Injury Liability in the amount of not less than \$500,000 for injury or death of any one person in any one occurrence.

(c) Not less than \$500,000 on account of a claim by any claimant in any other case arising out of any one occurrence.

(d) The policy of insurance shall be in limits of not less than \$1,500,000 for property damage and bodily injury without limit for any one occurrence. Such

property insurance shall include coverage for damage and theft of property in the care, custody, and control of the wrecker and tow truck motor vehicle service.

(e) Failure to keep in full force and affect the insurance required by this Section is grounds for suspension or revocation of the license.

(3) *Application and Investigation Fees.* Upon submission of the application, applicants for a wrecker or tow truck motor service license shall pay a non-refundable fee to the City which shall be considered an application and investigation fee to cover the costs of the City for processing the application and the investigation thereof. All application and investigation fees provided for in this Chapter shall be fixed and determined by the Council. Such fees, may, from time to time, be amended by the Council.

(4) *Current Information Required.* A licensee must promptly notify the Issuing Authority of a change in the information or facts required to be furnished on the application for a license, even after the license has been issued.

(5) *Term of License.* Wrecker or tow truck motor vehicle service licenses issued under this Chapter shall automatically expire on March 31 following the issuance.

(6) *Renewal of License.* Applications for renewal of wrecker or tow truck motor vehicle service licenses under this Section shall be made at least ninety (90) days prior to the expiration date of the license and shall be in such form as required by the Issuing Authority. Within a reasonable period after the completion of the renewal application verification process, the renewal application shall be processed by the Issuing Authority for consideration. Upon denial of a renewal application, notice shall be sent by regular mail to the applicant which shall provide the grounds for such denial. Upon approval of a renewal application, the Issuing Authority shall renew the applicant's license.

## **122.07**

### **LICENSE ISSUANCE PROCEDURE**

(A) *Applications.* Applications shall be submitted to the City Clerk and shall be accompanied by the application fee. The City Clerk shall determine if an application is complete within two (2) regular business days. An application shall be considered completed if all required information is provided and the fee is paid. Upon determining that the application is completed the City Clerk shall refer the application to the Chief of Police. The Chief of Police or designee, shall review the application and conduct an investigation he/she deems necessary including but not limited to, a criminal history and wanted persons check with the Bureau of Criminal Apprehension, check with the Better Business Bureau, the Attorney General's office, and shall approve or deny the application in the manner prescribed in this Section within a reasonable period of time.

(B) If grounds exist under Section 122.07 (C) for denying the license, the Chief of Police shall deny the license; otherwise the Chief of Police shall immediately issue the license to the applicant. In the case of denial, the Chief of Police shall

notify the applicant in writing that his/her application is denied, the reason for denial, and that the applicant has the right to appeal the denial as set forth below. Notice shall be delivered in person or by mail to the business address provided on the license application.

(C) The following shall be grounds for denying a license:

(1) The applicant has failed to truthfully provide any of the information required by the City as part of the application or failed to pay the license fee.

(2) Conviction of any crime or crimes directly related to carrying on business that is directly related to the occupation or business licensed as defined by Minnesota Statutes §364.03 Subd. 2, as it may be amended from time to time; where the applicant has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties and responsibilities as provided in Minnesota Statute §364.03, Sub. 3, as it may be amended from time to time.

(3) The revocation of any license issued to the applicant for the purpose of conducting business as a wrecker and tow truck motor vehicle service within the past five years.

(4) The applicant is determined to have a bad business reputation. Evidence of a bad business reputation shall include, but is not limited to, the existence of a pattern of substantiated complaints against the applicant with the Better Business Bureau, the Attorney General's office, or other similar business or consumer rights office or agency, within the preceding 12 months; a rating of C minus (C-) or less with the Better Business Bureau or other similar business or consumer rights office or agency; or the existence of substantiated complaints against the applicant with the City or with any other jurisdiction where the applicant performed license activities within the preceding 3 years.

(5) *Appeal.* An applicant may appeal the denial of a license under this subchapter by filing a request for a hearing with the Chief of Police, within ten (10) days of the date of mailing of the notice of denial of the license. The request for a hearing shall be accompanied by an appeal deposit in the amount of \$1,000, in the form of cash or certified check. If no request for a hearing is received in the time proscribed, the license shall be deemed denied. If a hearing is requested within the time proscribed, a hearing shall be scheduled before an impartial hearing officer within 30 calendar days of the date of the request. Within 10 calendar days of the hearing the hearing officer shall notify the City and the applicant in writing of his or her decision and the reasons therefore. In the event the denial of the license is upheld, the actual expenses of the hearing shall be withdrawn from the deposit by the Chief of Police for reimbursement to the City for said expenses and the amount remaining in the deposit, if any, shall be returned to the applicant. In the event the denial is overturned the deposit shall be returned to the applicant.

(E) *License Posting.* The applicant shall post the City issued license in the business location listed on the license application. The City issued license shall be invalidated upon suspension or revocation and shall immediately be surrendered to the City.

(F) *Transferability.* Not license issued under this subchapter shall be transferred to any other person.

## **122.08           SUSPENSION OR REVOCATION**

(A) *Suspension.* A license issued under and pursuant to this subchapter may be immediately suspended by the Issuing Authority by written notice if the license holder:

- (1) Uses fraud, misrepresentation or false statements during the course of permitted activity;
- (2) Has been convicted of any offense, or takes any other action, for which a license could have been denied under this subchapter;
- (3) Conducts license activities in an unlawful manner or a manner as to constitute a breach of peace, or constitute a menace to health, safety or general welfare of the public; or
- (4) Violates any part of this subchapter.

The suspension shall remain in effect until the license is revoked or the suspension is lifted subject to the procedure set forth in Section 122.08 Subd. B.

(B) *Revocation.*

(1) *Notification.* After the suspension of any license issued under this subchapter, the City shall notify the license holder in writing of the alleged violation(s) and the license holder's right to appeal the suspension as set forth below. Notice shall be delivered in person or by mail to the address as listed on the license application. A license holder may appeal the suspension of a license under this subchapter by filing a request for a hearing with the Chief of Police, within ten (10) days of the date of mailing of the notice of suspension. The request shall be accompanied by an appeal deposit in the amount of \$1,000 in the form of cash or certified check.

(2) *Hearing.* If no request for a hearing is received by the Chief of Police within the time proscribed, the licensed shall be deemed revoked. If a hearing is requested within the time proscribed, a hearing shall be scheduled before an impartial hearing officer within 20 calendar days of the date of request. Within 10 calendar days of the hearing, the hearing officer shall notify the City and the license holder in writing of his or her decision and the reasons therefore. In the event the license is suspended or revoked, the actual expenses of the hearing shall be withdrawn from the deposit by the Chief of Police for reimbursement to the City for said expenses and the amount remaining in the deposit, if any, shall be returned to the license holder. In the event the license is not suspended or revoked, the deposit shall be returned to the applicant.

**GENERAL PROVISIONS REGARDING LICENSES***(A) Storage Lot.*

(1) All licensees shall, immediately upon hooking up to a vehicle, be towed from private property under orders of one not the owner or operator of such vehicle, tow the vehicle directly to the storage lot listed on the license application. Such towed vehicle shall not be temporarily dropped, placed, or left at any other lot on any other property.

(2) All licensees shall abide by City Code 152.078.

*(B) Vehicles and Equipment.*

(1) It is incumbent upon the licensee to abide by all state laws.

(2) All vehicles shall be towed by equipment and pursuant to procedures which are in full compliance with applicable laws. The vehicle towed, or being towed, shall not be driven under its own power during the towing process. In case of vehicles found stripped of tires, or tires and rims, the wrecker and tow truck motor vehicle service must remove said vehicle without damage to wheels or roadways. In no case shall wrecker or tow truck motor vehicle service tow a vehicle on rims or wheels without tires or on flat tires.

*(C) Posting Fee Schedule.* The schedule of fees shall be posted at the business location. The accepted method(s) of payment must be displayed with fee schedule.

*(D) Posting Hours of Operation.* The hours of operation shall be posted at the business location.

*(E) Order Form*

(1) *Order Form.* Licensees, when providing wrecker or tow truck motor vehicle service, shall use a printed order form which includes the name of the licensee's business, the address and telephone number of the storage lot, and the name of the person authorizing the service. This form shall be printed and signed by such person in a legible manner and stating such authorizing person's business address and telephone number. Said person authorizing the service and signing the above order form must be an owner or licensee of the property from which the vehicle is to be removed or a duly authorized agent of such owner or licensee, other than the licensee under this chapter or any agent or employee of such licensee. The wrecker or tow truck motor vehicle service operator shall have this authorized service order form signed, fully completed and in personal possession before hooking up to the vehicle to be serviced and a copy of this form shall be given to the individual reclaiming the vehicle. If a wrecker or tow truck motor vehicle service is authorized under contract with the location from which the vehicle is being towed, the contract would satisfy this provision, so long as the contract contains the information required under this section.

**122.10****VIOLATIONS**

Violations of the above general provisions shall constitute grounds for revocation of the license. Notice of the violations shall be served in writing. Three days (following the date the notice was given) shall be given for the license holder to make the require corrections. If, after three days, the area and/or activity remain in noncompliance, the license shall be immediately revoked.

**122.11****APPLICATION OF THIS ORDINANCE**

The requirements of this Ordinance shall apply to wrecker and tow truck service license applications pending as of March 16, 2020.