



STATE OF NEW HAMPSHIRE
DEPARTMENT OF SAFETY
DIVISION OF STATE POLICE
PROFESSIONAL STANDARDS OF CONDUCT



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CHAPTER 66
ASSISTANCE TO HIGHWAY USERS

66.1.0 Discussion:

State Police personnel frequently come in contact with members of the public who are in need of assistance while on the highway. The purpose of this procedure is to provide guidelines for Division members dealing with these people and their vehicles. As always, extreme caution should be used to ensure everyone's safety, no matter what course of action is taken.

66.1.1 Provision of General Assistance to Highway Users:

- A. Because of the overall danger to a person stranded on the highway and the potential of danger to other users of the highway because of the stranded motorist, Division members shall offer reasonable assistance at all times to those highway users who appear to be in need of aid.
1. If a Division member is responding to another assignment which prevents him from stopping to assist a stranded motorist, he shall inform his dispatch center so that appropriate help may be sent to that stranded motorist.
 2. Division members may offer mechanical assistance such as changing tires, jump-starting vehicles or opening locked vehicles when practical or no other professional assistance is available within a reasonable time.
 3. Division members shall freely and professionally provide information and directions upon request. To this end, Division members shall become familiar with the streets and highways in their area, with the various services, facilities and tourist attractions, not only within their patrol area, but also in those places within a reasonable distance to which members of the public can be expected to travel. If requested information is unknown to the Division member, he shall make every reasonable effort to obtain it for the person making the request.
 4. Division members shall make traffic safety materials available to the public upon request.

- a. The State Police shall maintain adequate amounts of Traffic Safety educational materials and make these materials available to the public upon request.
 5. Division members shall be knowledgeable about local vendors who offer necessary services to highway users.
 6. Division members shall not leave a stranded motorist in inclement weather conditions or in a hazardous location until help has arrived.
 - a. Division members may transport stranded motorists to the nearest convenient location where assistance may be obtained, however, Division members should be certain that assistance is available.
 7. Whenever a highway user requires a wrecker, roadside service or repair, the officer shall inquire first if the person desiring the service wishes to have a particular person or company provide that service. If the person has no preference, the Division member shall request that the dispatcher contact the next wrecker on the list (See Towing Service, section 66.1.2) that is able to provide the appropriate type of service needed.
- B. Division members who assist stranded motorists shall remain alert to the following possibilities:
1. The vehicle is stolen.
 2. The vehicle is in unsafe operating condition.
 3. The motorist is unlicensed to drive.
 4. The motorist is incapable of safely driving.
 5. The vehicle's occupants have engaged in criminal activity.

66.1.2 Towing Service:

- A. When circumstances require the use of tow services, the State Police has obligations to the convenience, safety and security of the public, to avoid unjustified partiality in the selection of services and to enhance the efficiency and effectiveness of its personnel. Each Troop Area Commander shall adopt a procedure for the selection and use of tow service operators, which shall include establishment of lists of qualified tow operators who will be called in an equitable rotation as needed.
1. Separate lists of wrecker services to be utilized for accidents and road service calls shall be maintained.
 - a. Commanders may also maintain separate lists as determined by

geographic area covered and for class (size & type) of wrecker.

2. Qualifications for inclusion on the tow operator list and grounds for suspension or removal from said list shall be as follows:
 - a. Compliance with all applicable statutes and regulations, as evidenced by a signed affidavit, to be kept in the Troop Station's files, certifying:
 - (1) The tow operator's familiarity with and willingness to abide by the laws governing abandoned vehicles as stated in NH RSAs 262:31 through 262:40-c inclusive.
 - (2) The tow operator's acknowledgment that all notifications required by the NH Division of Motor Vehicles Bureau of Title and Anti-Theft will be performed in a timely fashion.
 - b. Availability for service 24 hours a day.
 - c. Availability for timely response when called, within reason.
 - d. Safe, professional and courteous treatment of customers and Division personnel.
 - e. Equipment and operators of such kind, condition and ability to render appropriate service.
 - f. An acknowledgement that the State Police is not financially responsible for tow, service or storage charges unless expressly agreed upon in advance.
 - g. Indemnification agreement.
 - h. Provision for secure, yet accessible, storage.
 - i. Other conditions and procedures appropriate to the area which relate to the safe, courteous and prompt delivery of tow services.
3. Procedures for dispatching wreckers:
 - a. No officer or employee of the State Police shall promote or solicit for any wrecker service or company.
 - b. Division members shall, wherever possible and practical, inquire of the party or parties needing wrecker service if they prefer a particular wrecker service. This request may also indicate a wrecker from a company affiliated with a certain make of vehicle or association. Upon owner's/operator's request for a preferred wrecker, Division members shall notify the dispatcher of such request.

- c. When affected parties do not request a particular wrecker, the Division member shall instruct the dispatcher to call the next scheduled wrecker on the rotation list.
- d. In all requests for a wrecker, the Division member shall inform the dispatcher of the exact location, description of vehicle and nature of the problem with the vehicle.
- e. The requested or rotational wrecker will be dispatched except as follows:
 - (1) In case of extreme emergency, the nearest wrecker will be called.
 - (2) When traffic conditions are such that the immediate removal of the damaged vehicle is necessary for safety, the nearest wrecker will be called.
 - (3) When an injured person is pinned in wreckage or when danger of fire or explosion is imminent, the nearest wrecker will be called.
- f. Dispatchers shall maintain a record of calls for wrecker service and shall maintain a record of comments received concerning quality of service and response time.
- g. Division members shall report to their immediate supervisors any wrecker service who provided poor service along with a description of what made the service poor.
- h. Troop Commanders may refuse to authorize the use of any wrecker service that is identified as being a source of problems in the service they provide.

66.1.3 Emergency Medical & Fire Assistance to Highway Users:

- A. Division personnel shall notify dispatch as soon as possible of the need for the closest and fastest assistance when they come upon an emergency medical or fire situation.
 - 1. In the case of medical emergencies, Division members shall give to dispatch an accurate location of the incident and description of the nature of the emergency.
 - a. Division members shall not transport injured persons to a medical facility unless, in the judgement of the Division member, not doing so would constitute a life threatening situation and the Division member is no longer required to remain on the scene.

2. In the case of fire emergencies, Division members shall give to dispatch an accurate location of the incident and description of the nature of the emergency.
 - a. Division members shall remain at the scene of a fire until the appropriate fire-fighting service has taken control of the scene.
 - b. Division members shall provide scene security and traffic control, as needed.
 - c. A Division member may use his issued fire extinguisher to put out small vehicle fires, if it can be done safely.

66.1.4 Escort of Vehicles in Emergency:

- A. State Police vehicles shall be used to escort civilian vehicles in an emergency only under the two following conditions:
 1. When authorized by the Director or his designee.
 2. When, in the opinion of the Division member discovering the emergency, it is impractical to arrange transfer of person(s) from a private vehicle requesting escort and that person(s) appear to be in an immediate life-threatening situation. In such cases, the Division member shall:
 - a. Initiate escort, taking the lead so as to control speed and progression through traffic control devices.
 - b. Immediately inform his dispatch center, who in turn shall notify the Troop Supervisor.
 - c. Adhere to the provisions of NH RSA 265:8.
 - d. Be attentive to the fact that other vehicles using the highways will probably pay attention to only the cruiser and not to any civilian vehicle following. If possible, this information should be given to the civilian vehicle's driver.
- B. Under no circumstances will a State Police cruiser be used to escort ambulances or fire department vehicles if they have operative audible and visual warning signals.

66.1.5 Reporting Hazardous Highway Conditions:

- A. The following guidelines are established for identifying, reporting and correcting hazardous highway and roadside conditions.
- B. Hazardous conditions in this section do not address those instances of situations involving Hazardous Materials or Hazardous Waste as covered in Chapter 66-B.

- C. Conditions covered by this section shall include, but not be limited to:
1. Defects in the roadway itself. (Holes, ruts, dangerous shoulders, etc.)
 2. Lack of, or defects in highway safety features. (Painted lines, reflectors, guardrail, etc.)
 3. Lack of, improper, damaged, destroyed, missing or visually obstructed traffic control and information signs.
 4. Lack of, improperly located or malfunctioning mechanical traffic control devices.
 5. Lack of, missing or defective roadway lighting systems.
 6. Natural or manmade obstructions. (Fallen trees, litter, parts of vehicles, general debris in roadway, etc).
 7. Ice or heavy snow accumulations on roadway surfaces.
 8. Fire and/or smoke in areas on or adjacent to highway.
 9. Vehicles parked or abandoned near the roadway in such a manner so as to constitute a hazard to others using the roadway.
 10. Downed electrical or telephone lines and poles.
- D. The following procedures shall be used in reporting and correcting hazardous highway conditions:
1. Any roadway hazard which can be alleviated by a Division member shall be corrected immediately, ie: removing debris such as rocks, vehicle parts, etc. from the road. If the debris is such that it could damage a passing vehicle or cause a motorist to swerve, it is clearly a danger and a Division member shall stop to clear the road.
 2. When a hazard is identified which requires immediate correction beyond his capability, any Division member discovering it shall immediately inform his dispatch center of the situation and request appropriate assistance be sent. He shall describe the exact location and identify the assistance needed. He shall remain at the scene to protect life and property until the hazard has been cleared or until properly relieved.
 - a. The Dispatcher receiving the call shall:
 - (1) Immediately notify the Troop Supervisor.
 - (2) Log the information on the request for assistance.

- (3) Call for the appropriate help.
 - (4) Log what corrective measures were taken.
3. When a hazard is identified which poses a potential danger, but not an immediate hazard, the incident shall be handled as stated in the previous sub-section, with these exceptions:
 - a. The Division member need not remain on the scene.
 - b. If the request for help is for a business or agency that is outside its normal business hours, the call may be made when normal business hours resume.
 - c. Either the Division member making the original request or a Division member designated by the Patrol Supervisor shall check on the hazard after forty-eight hours. (Weekends and holidays excluded)
 - (1) If remedied, that information shall be logged by the dispatcher.
 - (2) If unresolved, the Troop or Unit Commander shall make a written notification to the agency/business concerned that the hazard needs to be corrected.