

COMMERCIAL USE AUTHORIZATION FOR TOWING, RV REPAIR AND RV APPLIANCE REPAIR OPERATING PLAN

This Operating Plan between the CUA holder and Yellowstone National Park (hereinafter referred to as Service) will serve as supplement to the Commercial Use Authorization (hereinafter referred to as CUA). It describes specific operating responsibilities of the CUA holder and the Service with regard to those purposes authorized by the CUA.

MANAGEMENT, ORGANIZATION AND RESPONSIBILITIES

A. National Park Service

The Superintendent of the Area is the Park Manager with responsibility for Area operations including the CUA holder management. The Superintendent carries out the policies and directives of the Service, including commercial use authorization management. The Chief, Concessions Management Division of the Area (hereinafter referred to as Chief) is the liaison between the CUA holder and all other service divisions. The Chief has line authority from the Superintendent to make field decisions pertaining to the CUA holder's operations. The Superintendent carries out policies and directives of the Service. Directly or through designated representatives, including the Chief, the Superintendent reviews, directs, and coordinates CUA holder activities relating to the area.

B. CUA holder

To achieve an effective and efficient working relationship between the CUA holder and the Service, the CUA holder will designate a staff member to serve as the primary contact with the National Park Service. This person has the authority and managerial experience to operate the Concessions services authorized by the CUA. This person will employ a staff with expertise and training to operate all services required. This person has the authority to act as a liaison in all the CUA holder's administrative and operational matters within the Area. This person has the responsibility for implementing the policies and directives of the Service.

The **Purposes of this plan** are:

1. To provide for a system for dispatching commercial tow truck operators to wrecked, disabled or abandoned motor vehicles within Yellowstone National Park and on Highway 191 within the boundary of Yellowstone National Park.
2. To ensure safe and efficient operating procedures for towing and recovery operations.
3. To create a protocol for an RV Repair Service, RV Appliance Repair Service, Locksmith Services to accommodate park visitors.
4. To abide by the terms and conditions outlined in the Commercial Use Authorization and all applicable laws, regulations and policies.

The CUA holder will provide the services identified in the Commercial Use Authorization on a “called upon basis”. The CUA holder will not monitor park radios and “chase” calls. The National Park Service will dispatch a request for towing service through Yellowstone Park Service Stations (YPSS) **first** and if they cannot respond, NPS will contact the next CUA holder on the rotation list, and said CUA holder will have a limited time to respond. The National Park Service may alter the rotation based on specific needs such as specialized equipment, vehicle capacity and safety concerns.

Definitions:

1. Law Enforcement Officer – U. S. National Park Service Park Ranger or other law enforcement officer with assigned authority in Yellowstone National Park – State Highway Patrol, or County or municipal law enforcement (Sheriff or town police)
2. Towing Rotation System – Administrative system in place in Yellowstone National Park managed by YNP Communication Center and administered by appropriate District U.S. National Park Service Park Rangers.

General Operating Standards and Requirements for Tow Operators:

1. A rotation system will be in place and followed as established and administered by Yellowstone National Park’s Communication Center.
 - Two rotation systems will be implemented and managed by YNP Communication Center:
 - Heavy Recovery
 1. Any vehicle over 9000GVW and/or vehicles larger than typical SUV, dual wheel pick-up trucks, etc.
 - Light Recovery
 1. Standard vehicles, SUV, dual wheel pick-up trucks etc.
 2. The law enforcement officer on scene will make the determination of Heavy verses Light Recovery if necessary.
 - Complaints about the rotation system will be referred in writing to YNP Concessions Management Division.
 - The law enforcement officer at the scene of the wreck can determine that the YNP Communication Center shall call another qualified tow truck operator that is next on the rotation **IF**:
 - YPSS unable to respond to the request within 2 hours
 - The law enforcement officer determines that the tow truck operator on rotation is unable to handle the wrecked or disabled vehicle
 - The tow truck operator on scene cannot move the disabled vehicle within 60 minutes of connecting the tow truck/s to the disabled vehicle
 - Unable to reach and communicate directly to YPSS at either of the two provided numbers

- Protection of life, health, or safety, as determined by the ranger's best professional judgment
 - Protection of resources from damage, as determined by the ranger's best professional judgement.
- If the CUA holder gets a call from a visitor, the CUA holder must notify the communication center at (307) 344-2640 to confirm that they have called YPSS to make logistical arrangements for the tow.

2. **Yellowstone National Park Provisions**

- All drivers shall present themselves in a professional manner and dress that identifies them as roadside assistance (**wearing of safety vests is mandatory**). Traffic cones are required if the disabled vehicle and/or towing truck in any way impedes traffic flows or patterns.
- Commercial Tow Truck Operators will have vehicle and/or portable radios to communicate with law enforcement officers and the YNP Communication Center.
- The initial operator will be responsible for;
 1. scene coordination as it pertains to "recovery"
 2. submitting all billing information to the appropriate entity
 3. paying the second commercial towing operator all submitted invoices within 30 days
- Commercial towing operators will have vehicles marked with their company logo and employees will be identified by some type of uniform or standard clothing, with appropriate safety vests.
- Commercial towing operator will provide the following documentation to YNP Concessions Management Office annually no later than December 31:
 - Certificate of Insurance. The CUA holder shall assume liability for, and does hereby agree to save, hold harmless protect and indemnify the United States of America, its agents and employees from and against any and all liabilities, obligations, losses, damages or judgments (including without limitation attorneys fees and experts' fees) of any kind and nature whatsoever on account of fire or other peril, bodily injury, death or property damage, or claims for bodily injury, death or property damage of any nature whatsoever, and by whomsoever made, in any way connected with or arising out of the activities of the CUA holder, its employees, agents or contractors under the Commercial Use Authorization. This indemnification shall survive the termination or expiration of the CUA.

- Annual Financial Report. This is the amount of gross receipts the commercial tow operators receive while doing business within Yellowstone National Park.
 - Monthly Use Report. This is the monthly operational statistics on the number and description of each tow provided during that time period. This report is due on the 4th of each month for the previous month's activity. "No activity" need not be reported.
- The CUA holder shall supply copies of inspections, fees and appropriate decals to the NPS at their request. Appropriate DOT decals will be prominently displayed on the vehicles.
 - Violation of any park regulation or terms of this permit may result in issuance of a violation notice, suspension of privileges granted by this permit, or revocation of this permit.

3. Towing and Repair Service Protocol August 15, 2011

Purpose:

The purpose of this protocol is to implement a policy for dispatching and handling vehicle towing and repair service requests within Yellowstone National Park, excluding Highway 191.

Concessions Management Office:

The Concessions Management Office manages the permits of all business that offer towing services in the park. The office will provide a list of towing operators that are permitted to operate inside Yellowstone to the communication center and each of the entrance stations. See "Other towing providers," below. It will update that list as changes are made. It will also take the lead on revising the towing protocol if necessary.

YPSS as the Park's Primary Towing and Repair Service Provider:

Yellowstone Park Services Stations (YPSS) holds a concession contract. The contract allows the company to operate facilities inside the park and requires it to provide towing and repair services from late May until early October. Therefore, YPSS is the park's primary towing and repair service provider and is the first company the communication center and field rangers call when a visitor requests towing and repair services during their operating season.

By May 1 of each year, YPSS will provide the concessions management office and the communication center two phone numbers: a park-wide dispatch number and a park-wide, on-call employee number to contact wrecker drivers stationed in the park. These are the number the communication center will use to contact YPSS.

The Communications Center (for Towing only):

The communication center and protection rangers in the field will call YPSS first to provide towing services. YPSS must be able to arrive on scene within two hours of receiving the call. See “Other Towing Providers,” below.

The communications center will notify visitors requesting towing services that YPSS is the primary towing provider in the park and is the most readily available. Note: Since YPSS does not submit towing bills to towing insurers, such as AAA, visitors will have to pay YPSS and then submit their bills themselves.

Other Towing Providers:

A number of companies located outside the park hold commercial use authorizations to provide services in Yellowstone. The communication center or an NPS ranger may call one of these CUA holders for any of the following reasons:

- YPSS unable to respond to the request within two hours
- Unable to have direct contact with YPSS at either of the two provided numbers
- Protection of life, health, or safety, as determined by the ranger’s best professional judgment
- Protection of resources from damage as determined by the ranger’s best professional judgment

If a CUA holder gets a call directly from a visitor, the company must notify the communication center at (307) 344- 2640 to confirm that it (CUA holder) has called YPSS directly to make logistical arrangements for the tow.

Unauthorized Towing Providers:

Companies that do not have a permit to offer towing services are not permitted to operate inside the park. If an unauthorized provider arrives at a staffed entrance gate, the ranger at the gate or the communication center will direct the company to call YPSS to make arrangements to have disabled vehicle towed to the entrance.

Other RV Repair and Locksmith Providers:

If a CUA holder gets a call directly from a visitor, the CUA holder must contact YPSS directly to confirm it is not able to service the call. YPSS gets the right of first refusal.

CUA Holder’s Signature

Date

Title

Company Name

