

**COMMERCIAL USE AUTHORIZATION OPERATING PLAN FOR
TOWING AND AUTOMOTIVE SERVICES – EXHIBIT B**

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 (CUA) for Towing and Automotive Services. It describes specific operating responsibilities of the CUA holder and the Service with regard to those purposes authorized by the CUA.

1) The Purposes of this plan are:

- a) To provide 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.
- b) To ensure safe and efficient operating procedures for towing and automotive services within Yellowstone.
- c) To clarify the protocol for dispatching operators to provide automotive services, including: tire repair, RV repair service, RV appliance repair service, and locksmith service to accommodate park visitors.
- d) To abide by the terms and conditions outlined in the Commercial Use Authorization and all applicable laws, regulations, and policies.

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, County, or municipal law enforcement (Sheriff or town police).
2. Call-Out Rotation System – Administrative system in place in Yellowstone National Park to respond to calls and arrange for assistance. The system and list are managed by the Yellowstone Interagency Communications Center (YICC) and administered by appropriate District U.S. National Park Service Park Rangers.
3. Towing Services – Services to provide towing and rescue operations for motor vehicles.
4. Tire Repair Services – Services to provide tire repair or replacement.
5. Automobile Locksmith Services – Service to provide assistance with car lockout and key services, including: key replacement, key cutting, replacement keys/key fobs, and key extraction.
6. RV Repair - Repair service required to repair, maintain, and replace components required to safely operate recreational vehicles.
7. RV Appliance Repair – Repair of RV appliances and equipment not essential to the safe operation of the vehicle, including but not limited to: air conditioners, furnaces, plumbing, refrigeration, generators, and electrical systems.

1) Yellowstone National Park Provisions

- a) The CUA holder will provide the services identified under Item 4 of their CUA on a “called upon basis”.
- b) All drivers shall present themselves in a professional manner and dress that identifies them as roadside assistance (wearing of safety vests is mandatory).
- c) Traffic cones are required if the disabled vehicle and/or towing truck in any way impedes traffic flows or patterns.
- d) Commercial tow truck operators must have the ability to communicate with law enforcement officers and the YICC (i.e., satellite phone, radio, cell phone).
- e) 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.
- f) Commercial operator vehicles must be marked with their company logo and employees will be identified by some type of uniform or standard clothing.
- g) Commercial operators will provide the following documentation to YNP Business and Commercial Services Office:
 - i) Certificate of Insurance – provide with the CUA application, upon expiration of the previous policy, and if changes are made to the current policy.
 - (1) 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 attorney’s 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.

- ii) Annual Financial Report due January 31st following the operating year of January 1st through December 31st.
 - (1) This report relays information on gross receipts the commercial operator received during the CUA operating year for business performed in YNP.
- h) Appropriate DOT decals will be prominently displayed on the vehicles.
- i) Violation of any park regulation or terms of this CUA may result in issuance of a violation notice, suspension of privileges granted by this CUA, or revocation of this CUA.

2) General Operating Standards - Towing Operations

- a) The National Park Service will first dispatch a request for towing service, tire repair, and vehicle/RV repair to Yellowstone Park Service Stations (YPSS). If YPSS cannot respond, or if the YICC is unable to reach YPSS, YPSS or YICC will contact the next CUA holder on the rotation list and that CUA holder will have 2 hours to respond.
- b) A rotation call-out system will be in place and followed as established and administered by YICC.
 - i) The rotation may be impacted by specific needs of a call, such as specialized equipment, vehicle capacity, location, and safety concerns. CUA holders providing this service should ensure the Concessions Office is aware of all of its capabilities.
- c) Two towing rotation systems will be implemented and managed by YICC:
 - i) Heavy Recovery
 - (1) Any vehicle over 9000GVW and/or vehicles larger than a typical SUV, dual wheel pick-up trucks, etc.
 - ii) 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 versus Light Recovery if necessary. If a law enforcement officer is not on scene, the determination will be based off information provided by the vehicle owner.
- d) YPSS has the first right of refusal during its operating season generally between the months of April and October. If a CUA holder gets a call directly from a visitor for towing during this time, the company must contact YPSS prior to providing the requested service. If YPSS refuses the call for service, the CUA holder must notify the YICC at 307-344-2640 to confirm that they (CUA holder) have contacted YPSS directly and to make logistical arrangements for the service. On Highway 191 and in the Bechler area, YPSS does not need to be contacted and the YICC will notify law enforcement of the request and the CUA holder is free to provide the service after notification.

3) General Operating Standards - Vehicle/RV Repair and Tire Repair

- a) YICC will maintain a rotation list for vehicle/RV repair and tire repair.
 - i) YPSS will be contacted first for calls related to vehicle/RV repair and tire repair. If they cannot be reached or cannot respond, YPSS or YICC will contact the next CUA holder on the rotation list and the CUA will have limited time to respond.
- b) If a CUA holder gets a call directly from a visitor for vehicle/RV or tire repair, the company must notify the Yellowstone Interagency Communication Center (YICC) at 307-344-2640 to confirm that they (CUA holder) have contacted YPSS directly to make logistical arrangements for the repair. With the exception of Highway 191, and Bechler area, where the YICC will notify law enforcement of the request and the CUA holder is free to take the call as it is an owner's direct request for service after notification.

4) General Operating Standards - Locksmith and RV Appliance Repair

- a) The National Park Service will keep an updated list of operators to provide services for locksmith and RV appliance repair. These operators may be contacted by NPS, YPSS, law enforcement officers, or by clients directly. They may respond to calls as they are received.

5) These standards are to be followed in compliance with Towing and Repair Protocol provided on the following pages.

Towing and Repair Service Protocol

August 15, 2011 (updated 12/2020 paragraph related to phone number for YPSS)

Purpose:

The purpose of this protocol is to implement a policy for dispatching and handling vehicle towing and repair service requests within YNP, excluding Highway 191, Grassy Lake Road, and Bechler area.

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 YICC 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 YICC and field rangers call when a visitor requests towing and repair services during their operating season.

By May 1 of each year, YPSS will verify and/or provide the Concessions Management office and the YICC with the phone number the Service is to call to reach YPSS. The phone number provided will roll over to multiple other phone numbers as programmed by YPSS until answered. Once YPSS answers the call, the YPSS agent will coordinate YPSS's response OR, alternatively, the YPSS agent will contact one of Yellowstone's towing CUA holders to respond to the call if YPSS is unable to respond within two hours or chooses not to respond to the call. In the event the YICC is unable to reach YPSS at the phone number provided, YICC will contact one of the park's towing CUA holders to respond to the call-in accordance with the rotation list process described above.

YICC (for towing and vehicle repair services only):

The YICC and law enforcement officers in the field will call YPSS first to provide towing and vehicle repair services.

The YICC 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 CUAs to provide services in Yellowstone. The YICC or a law enforcement officer may call one of these CUA holders for any of the following reasons:

1. YPSS is unable to respond to the request within two hours.
2. YICC is unable to have direct contact with YPSS at the number provided by YPSS.
3. Protection of life, health, or safety as determined by the law enforcement officer's best professional judgment.
4. Protection of resources from damage, as determined by the law enforcement officer's best professional judgment.

I have read and agree to the Towing and Automotive Services CUA conditions. I hereby confirm that myself and all relevant employees will be trained in the requirements of this CUA, the Yellowstone CUA Special Park Conditions, and this Operating Plan.

CUA Holder's Signature: _____

Date: _____

Company Name: _____