

INTERAGENCY MEMORANDUM OF UNDERSTANDING
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
NORTH CAROLINA DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY
STATE HIGHWAY PATROL

REMOVAL OF VEHICLES FROM ROADWAY

This memorandum of understanding made this 24th day of March, 1992, by and between the North Carolina Department of Transportation (DOT) and the North Carolina Department of Crime Control and Public Safety (DCCPS)/State Highway Patrol (SHP) is to provide guidance for State Highway Patrol and State Highway personnel in removing vehicles from roadways in certain high traffic volume and/or delay situations to maintain a safe and orderly flow of traffic.

WITNESSETH: Whereas, the DOT finds it necessary to remove certain vehicles from the roadway on an urgent basis following collisions or spilled loads or where vehicles have been abandoned and are causing a hazardous situation or extraordinary traffic delay to exist.

I. General:

Whenever a road or lane is closed or partially blocked by an accident and/or spilled load and traffic delays or safety problems may occur, the Division Engineer or his representative in cooperation with the police officer in charge should reopen the roadway as soon as possible ON AN URGENT BASIS. This recognizes that public safety is the highest priority and must be secured, especially if life threatening injuries or hazardous materials are involved. It is understood that damage to vehicles and/or cargo may occur as a result of clearing the road on an urgent basis. While reasonable attempts to avoid such damage will be taken, the highest priority is public safety.

II. Procedure/Requirements - DOH

A. General

The Division Engineer or his representative is to assign the necessary materials, traffic control devices, equipment and manpower to reopen the road or lane as soon as possible.

If vehicle loads are involved, the Division of Highways will make every effort to relocate these loads in the shortest possible time, using whatever equipment is necessary. All such materials will be relocated as short a distance as possible, but not be placed so as to present a traffic hazard.

The Division Engineer or his representative is to prepare a list of the personnel, materials, traffic control devices, and equipment used and the work hours involved so that the party responsible, or owner of the vehicle and/or cargo can be billed for the work.

Appropriate warning devices (barricades, signs, arrowboards, etc.) are to be placed on the scene should damaged vehicle(s) and/or cargo remain in a lane or adjacent to a lane or the shoulder.

B. Hazardous/Flammable/Exploding Materials

No attempt is to be made by the North Carolina Department of Transportation/Division of Highways personnel/equipment to move any hazardous or flammable or explosive materials for any reason. If the Division of Highways is first on the scene and cargo content is not readily identifiable, the Division Engineer or his representative will contact the proper authorities to ascertain if special measures should be taken.

As soon as public safety has been secured, then reopening of the roadway is to proceed as described under "GENERAL" in this agreement.

III. SHP Duties and Responsibilities

Members of the North Carolina State Highway Patrol who are the on-scene motor vehicle collision investigators will work in cooperation with other Emergency Service Personnel and the North Carolina Department of Transportation personnel who are at the scene.

Members of the State Highway Patrol will conduct their required investigation in as expedient manner as possible, considering the severity of the collision and the need to maintain a high quality investigation. Lengthy investigations will require investigators to work diligently in an attempt to minimize traffic delays. This may mean that certain "non-critical" portions of an investigation be conducted at a later time when traffic congestion is non-existent (i.e., non-peak periods).

As fire and rescue service personnel complete their required tasks of extrication, administration of medical assistance and removal of the injured, the North Carolina State Highway Patrol Officer in Charge may choose to release them unless a hazardous material (HAZMAT) situation exists. This will also hold true for allied police personnel (city or county), additional troopers and DOT personnel as each complete their required functions and it is determined that their services are no longer needed. Returning the roadway to normal as soon as possible is the top priority once the injured are cared for and fire or hazardous material pose no threat to traffic.

The North Carolina State Highway Patrol shall not unnecessarily cause a delay in the reopening of a roadway by allowing a company to dispatch (an) additional truck(s) for off-loading where this action will result in additional traffic back-ups or hazardous circumstances.

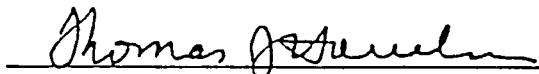
IV. Public Safety Priority

The DOT and DCCPS determine and agree that public safety is the highest priority in reopening traffic lanes blocked by motor vehicle accidents. Further, the policy of utilizing available resources for the removal of vehicles involved in accidents which interfere with the flow of traffic and create a safety hazard, should be immediately put into effect and the vehicles removed from the roadways ON AN URGENT BASIS.

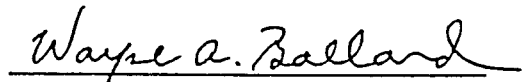
In Witness Whereof, each party hereto has caused this agreement to be executed in its name and on its behalf by its duly authorized officer or agent as of this day and year first above written.



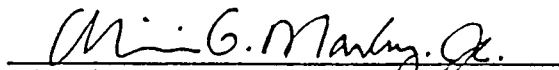
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