

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING COMMERCIAL TOW TRUCK
5 CLASSIFICATION STANDARDS; INCREASING MINIMUM BOOM AND MANUFACTURER'S GROSS
6 VEHICLE WEIGHT RATING REQUIREMENTS; ALLOWING A TOW TRUCK OPERATOR TO CONTINUE
7 PARTICIPATING WITH EXISTING CLASSIFIED EQUIPMENT UNTIL EQUIPMENT IS UPGRADED OR
8 REPLACED; AND AMENDING SECTION 61-8-905, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 61-8-905, MCA, is amended to read:

13 **"61-8-905. Classification standards.** (1) Commercial tow trucks are divided into the following five
14 classes based on the manufacturer's rating:

15 (a) Class A tow truck equipment must have a minimum manufacturer's boom or combined boom
16 rating of ~~4~~8 tons and must be mounted on a straight truck chassis with a minimum manufacturer's rating of
17 ~~40,000 pounds~~ 17,500 pound gross vehicle weight rating.

18 (b) Class B tow truck equipment must have a minimum manufacturer's boom or combined boom
19 rating of ~~8~~12 tons and must be mounted on a straight truck chassis with a minimum manufacturer's rating of
20 ~~48,000 pounds~~ 25,500 pound gross vehicle weight rating.

21 (c) Class C tow truck equipment must have a minimum manufacturer's boom or combined boom
22 rating of ~~16~~25 tons and must be mounted on a straight truck chassis ~~that has~~ with a minimum manufacturer's
23 rating of ~~32,000 pounds~~ 46,000 pound gross vehicle weight rating.

24 (d) Class D tow truck equipment includes manufactured rollbacks ~~and car carriers~~ with manufacturer's
25 gross vehicle weight ratings of ~~40,000~~ 19,500 pounds and over. The rollbacks ~~and car carriers~~ must be
26 mounted on a ~~truck-trailer chassis that, at a minimum, is equal to the minimum gross weight of the rollback or~~
27 ~~car-carrier~~ straight truck chassis. Class D also includes: ~~any piece of towing equipment without a boom~~

28 (i) a class A tow truck with only an under reach/lift that is mounted on a straight truck chassis with a

1 minimum manufacturer's rating of 16,000 pound gross vehicle weight rating; and
2 (ii) a class C tow truck with only a chassis-mounted or detachable under reach/lift that is mounted on a
3 straight truck chassis with a minimum manufacturer's rating of 46,000 pound gross vehicle weight rating.

4 (e) Class E includes two or more tow trucks working together ~~with a combined manufacturer's rating~~
5 ~~of a minimum of 80,000 pounds~~ from different companies with access to supportive equipment, such as
6 forklifts, banders, and air bags, for the recovery of rollovers and wrecked, disabled, and abandoned vehicles
7 ~~whose~~ when cargo requires special handling. Class E refers to tow truck companies and not to tow truck
8 equipment.

9 (2) An operator of noncommercially manufactured or modified tow truck equipment in use on
10 October 1, 1995, that wishes to participate in the law enforcement rotation system must have its equipment
11 classified by the department within a time period set by the department. Once the equipment is classified,
12 further modifications may not be made.

13 (3) An operator of new noncommercially manufactured or modified tow truck equipment must have its
14 equipment independently certified before participating in the law enforcement rotation system. Once the
15 equipment is classified, further modifications to the equipment must be recertified.

16 (4) A commercial tow truck operator whose equipment was classified under this section before [the
17 effective date of this act] may continue under the existing classification. Equipment that is acquired or upgraded
18 on or after [the effective date of this act] must be classified in accordance with this section."

19 - END -