

SENATE BILL NO. 296

INTRODUCED BY E. BUTTREY

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE CLASSIFICATION STANDARDS FOR TOW TRUCKS; ALLOWING A TOW TRUCK OPERATOR TO CONTINUE TO OPERATE WITH EXISTING CLASSIFIED EQUIPMENT UNTIL EQUIPMENT IS REPLACED; AND AMENDING SECTION 61-8-905, MCA."

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

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

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

(a) Class A tow truck equipment must have a minimum manufacturer's boom or combined boom rating of 4 tons and must be mounted on a straight truck chassis with a minimum manufacturer's gross vehicle weight rating of ~~40,000~~ 14,500 pounds ~~gross vehicle weight~~.

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

(c) Class C tow truck equipment must have a minimum manufacturer's boom or combined boom rating of ~~4~~ 20 tons and must be mounted on a straight truck chassis that has a minimum manufacturer's gross vehicle weight rating of 32,000 pounds ~~gross vehicle weight~~.

(d) Class D tow truck equipment includes manufactured rollbacks ~~and car carriers~~ with a manufacturer's gross vehicle weight ratings of ~~40,000~~ 18,000 pounds and over. The rollbacks ~~and car carriers~~ must be mounted on a ~~truck-trailer~~ straight truck chassis that, at a minimum, is equal to the minimum gross weight of the rollback ~~or car carrier~~. ~~Class D also includes any piece of towing equipment without a boom.~~

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

(2) An operator of noncommercially manufactured or modified tow truck equipment in use on October

1 1, 1995, that wishes to participate in the law enforcement rotation system must have its equipment classified by
2 the department within a time period set by the department. Once the equipment is classified, further modifications
3 may not be made.

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

7 (4) A commercial tow truck operator whose equipment is classified under this section before [the
8 effective date of this act] may continue to operate with the existing classified equipment. Equipment acquired on
9 or after [the effective date of this act] must be classified in accordance with subsection (1)."

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- END -