House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-ninth Legislature
Second Regular Session
2010

CHAPTER 199

HOUSE BILL 2707

AN ACT

AMENDING SECTION 28-1108, ARIZONA REVISED STATUTES; RELATING TO VEHICLE TOWING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 28-1108, Arizona Revised Statutes, is amended to read:

28-1108. Vehicle towing; rules; contractual agreement for towing services; weight exemption

A. If a vehicle is towing another vehicle, the drawbar or other connection shall be of sufficient strength to pull all weight towed by the vehicle and the drawbar or other connection shall not exceed fifteen feet from one vehicle to the other, except the connection between any two vehicles transporting poles, pipe, machinery or other objects of a structural nature that cannot readily be dismembered.

B. If a vehicle is towing another vehicle and the connection consists of a chain, rope or cable, a white flag or cloth at least twelve inches square shall be displayed on the connection.

C. The director of the department of public safety shall adopt and enforce rules that are not inconsistent with this chapter to govern the design and operation of all tow trucks.

D. A person may not operate a tow truck for the purpose of towing vehicles without first registering with the director of the department of public safety, obtaining a bond and obtaining a permit pursuant to the rules that govern tow trucks and that are adopted by the department of public safety.

E. The director of the department of public safety or a county, city or town may enter into a contractual agreement with a towing firm or firms for towing or storage services, or both. AT THE TIME OF APPLICATION FOR A CONTRACTUAL AGREEMENT, A TOWING FIRM MUST DISCLOSE IN WRITING THE OWNERS OF THE TOWING FIRM AND, IF THE OWNERS OWN OTHER TOWING FIRMS THAT ARE ALSO APPLYING FOR THE SAME CONTRACTUAL AGREEMENT, THE NAMES OF THOSE TOWING FIRMS. The contractual agreement shall comply with this section and all rules adopted under this section. Contracts shall be awarded on the basis of competitive bidding. The director of the department of public safety or a county, city or town shall reserve the right to reject all bids. If only one bid is received, the director of the department of public safety or a county, city or town may reject the bid and negotiate a contract without bidding if the negotiated contract is at a price lower than the bid price under the terms and conditions specified in the call for bids.

F. The total weight of a tow truck and the towed vehicle is exempt from the maximum total gross weight load allowed under section 28-1100 if a damaged, disabled or abandoned vehicle or vehicle combination is towed.

APPROVED BY THE GOVERNOR APRIL 28, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2010.