

**TITLE 13. PUBLIC SAFETY**  
**CHAPTER 3. DEPARTMENT OF PUBLIC SAFETY**  
**TOW TRUCKS**

**Supp. 08-2**

(Authority: A.R.S. § 28-1007 et seq.)

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*Article 12, consisting of Section R13-3-1201, made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).*

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*Article 13, consisting of Sections R13-3-1301 through R13-3-1303, made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).*

- R13-3-1301. Waiver
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## **ARTICLE 1. GENERAL PROVISIONS**

### **R13-3-101. Definitions**

Words and phrases not defined hereinafter shall be consistent with definitions in Title 28, Arizona Revised Statute. This Section is automatically repealed on June 1, 2010.

1. "Accident recovery work" means the towing or removal of a vehicle involved in an accident upon any highway or roadway and is damaged to the extent that an investigation by a law enforcement agency is required.
2. "Department" means the Arizona Department of Public Safety.
3. "Director" means the Director of the Department of Public Safety.
4. "Permit" means the Department of Public Safety tow truck permit inspection sticker required on all tow trucks.
5. "Power operated winch" means a winch operated by power including, but not limited to, power take-off, hydraulic, or electric.
6. "Tow truck" means a motor vehicle which is altered or designed for, and used in the business of towing vehicles by means of a flat bed or other specially designed truck that is equipped with a tow sling, tow bar, tow plate or wheel lift apparatus, attached to the rear of the truck; or a crane or hoist that is attached to the bed or frame of the tow truck. Wrecker, garage tow truck, and slide back or roll back car carriers are synonymous and shall be termed "Tow Truck".

7. "Towing service" means the transportation upon the public streets and highways of the state of Arizona of damaged, disabled, unattended or abandoned vehicles together with personal effects and/or cargo by tow trucks. Wrecker service, tow car service, and garage tow truck service are synonymous and shall be termed "Towing Service".

**Historical Note**

Former rules 2.0 - 2.08; Former Section R13-3-01 repealed, former Section R13-3-02 renumbered and amended as Section R13-3-101 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**ARTICLE 2. TOW TRUCK PERMITS**

**R13-3-201. Permit Required**

A permit of authorization must be obtained from the Department before a tow truck is operated for the purpose of towing vehicles. This Section is automatically repealed on June 1, 2010.

**Historical Note**

Former rule 3.0; Former Section R13-3-11 renumbered and amended as Section R13-3-201 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**R13-3-202. Permit Application**

- A. Applications for permits shall be made under oath to the Department of Public Safety in writing upon forms prescribed and furnished by the Department. The application shall contain all information required therein and shall be submitted to the Tow Truck Section, Arizona Department of Public Safety, P.O. Box 6638, Phoenix, Arizona, 85005. The Department shall be notified within ten days of any change of information supplied on the original application.
- B. In filing the application, the applicant expressly agrees, under penalty of suspension or revocation of his/her permit(s), that:
1. All rules and regulations set forth herein will be followed.
  2. Any person operating a tow truck for his/her company will have the necessary experience and qualifications to operate a tow truck in the manner required by these rules and regulations.
- C. The Department shall issue a permit upon determining that the application was made and filed in good faith, that all submitted information is accurate, that the applicant and the applicant's towing equipment have met the minimum requirement established in law and in these rules and regulations. The Department may deny the application if any of the above conditions are not satisfied.
- D. If at any time a tow truck is sold, leased or otherwise disposed of, the tow truck owner shall notify the Department of the disposition of the truck and the permit issued for said truck shall immediately become null and void. Any person having subsequent control over said truck shall make application to the Department before operating said tow truck as a tow truck within the state.
- E. This Section is automatically repealed on June 1, 2010.

### **Historical Note**

Former rules 3.01 - 3.01.03; Former Section R13-3-12 renumbered and amended as Section R13-3-202 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

### **R13-3-203. Inspection by the Department**

- A. As soon as possible after the tow truck application has been filed, the Department may conduct a physical inspection of the tow truck. If the tow truck is found to conform to the minimum standards of the class permit requested and the application meets the requirements set forth in these rules, the Department shall approve the application and the Director shall issue a permanent identification number for the tow truck. The Department inspector shall affix this identification number inside the cab of the tow truck.
- B. In addition to the identification number, the Department shall issue the tow truck an inspection sticker that contains such pertinent information as deemed necessary by the Department. The tow truck owner shall conspicuously display the inspection sticker on the outside lower right-hand corner of the truck's front windshield.
- C. The Department may conduct unannounced, in-service inspections of a tow truck at the roadside, at the company's place of business, or any reasonable time and place to determine the condition of the tow truck.
- D. Nothing in these rules prohibits any peace officer from conducting an inspection without notice to determine the fitness of a tow truck at any reasonable time and place.
- E. If during an inspection, a tow truck is found to be in need of repair to meet the minimum standards for its class, the Department shall suspend the permit and the tow truck owner shall remove the truck from service until the repairs are effected, the tow truck is inspected, and the Department rescinds the permit suspension.
- F. This Section is automatically repealed on June 1, 2010.

### **Historical Note**

Former rules 3.02 - 3.02.05; Former Section R13-3-13 renumbered and amended as Section R13-3-203 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2). Amended by final rulemaking at 14 A.A.R. 713, effective April 5, 2008 (Supp. 08-1).

### **R13-3-204. Permit Suspension and Application Refusal**

- A. A tow truck permit may be suspended or an application may be refused for any one or more of the following conditions:
  - 1. Failure to supply true and accurate information on the permit application and inspection form.
  - 2. Failure to comply with any of these rules and regulations.
  - 3. Failure to submit to a tow truck inspection (refer to R13-3-203).
  - 4. Failure to display on the side of the tow truck, the business name, town and phone number of the tow truck company. The lettering used shall be in bold contrasting colors and at least three inches in height.
- B. This Section is automatically repealed on June 1, 2010.

### **Historical Note**

Former rules 3.02.06 - 3.02.10; Former Section R13-3-14 renumbered and amended as Section R13-3-204 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

### **ARTICLE 3. TOW TRUCK SPECIFICATIONS**

#### **R13-3-301. Capacities and Specifications of Towing Equipment**

- A. The minimum standards for each class of tow truck permits, referred to throughout these rules and regulations, shall be determined solely by the manufacturer's specifications for the capabilities and capacities of the tow trucks and all towing equipment, except that the Department may consider other evidence of such capabilities and capacities when it reasonably believes that the manufacturer's specifications overrate the tow truck's capacity.
- B. Each tow truck shall be equipped with only those winches and cranes that have been produced and constructed by a manufacturer of such equipment, and which regularly produces winches and cranes of guaranteed quality. However, a winch or crane will not be prohibited by this Section if the tow truck owner submits to the Department certification from one reputable testing laboratory, regularly engaged in the testing of such equipment or similar equipment, indicating that the capacity of the winch or crane is not less than the class for which application has been made. All costs of such testing and certification shall be at the expense of the tow truck owner.
- C. This Section is automatically repealed on June 1, 2010.

#### **Historical Note**

Former rules 4.0 - 4.02; Former Section R13-3-21 renumbered and amended as Section R13-3-301 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

#### **R13-3-302. Tow Truck Load Limitations**

No tow truck shall tow another vehicle unless the tow truck has a manufacturer's rating of 3/4 ton or higher, and the tow truck has been issued the appropriate permit required by these rules and regulations. Trucks with a manufacturer's rating of less than one ton shall not be permitted to do accident recovery work. This Section is automatically repealed on June 1, 2010.

#### **Historical Note**

Former rule 5.0; Former Section R13-3-22 renumbered without change as Section R13-3-302 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

#### **R13-3-303. Prohibition of Unauthorized Operation**

- A. No person shall stop at the scene of an accident or at or near a disabled vehicle for the purpose of soliciting an engagement for towing service, either directly or indirectly, nor furnish any towing service, unless he or she has been summoned to such scene by the owner or operator of a disabled vehicle or has been requested to perform such services at the request of a law enforcement officer or agency pursuant to that agency's procedures.
- B. Tow truck operators shall not, without the express authorization of the responsible investigating agency, move any vehicle from a public highway or street or from any

public property when such vehicle is abandoned, stolen, damaged, or left unattended, except that, notwithstanding the conditions imposed in R13-3-303(A) of these rules and regulations, operators may, in emergency cases, slide left, right, or otherwise move a vehicle damaged as the result of an accident, if the removal is for the purpose of extracting a person from the wreckage or to remove an immediate hazard to life and/or property. In no event shall the movement be more than is reasonable and necessary.

C. This Section is automatically repealed on June 1, 2010.

#### **Historical Note**

Former rules 6.0 - 6.02; Former Section R13-3-23 renumbered and amended as Section R13-3-303 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

#### **R13-3-304. Light-duty Tow Trucks**

- A. At no time shall any light-duty tow truck exceed its manufacturer's gross vehicle weight or the manufacturer's rated capacity for the wrecker assembly.
- B. Light duty minimum specifications:
1. A gross vehicle weight rating of at least 8,000 pounds and rated by the manufacturer as one ton or more.
  2. A four-speed transmission or the equivalent.
  3. A power-assisted service brake system adequate to control the movement of, and to stop and hold the combination of vehicles, under all conditions and on any grade on which they are operated.
  4. A parking brake system separate from the service brake system which shall be maintained in good working order at all times.
  5. At least dual rear wheels and tires or the equivalent.
- C. Wrecker (crane) minimum specifications:
1. Total boom capacity of at least four tons.
  2. Power-operated winch with a capacity of at least four tons.
  3. Hand or electric-powered winches will not be used for accident recovery work.
  4. Winch power is determined by a single line pull.
  5. At least 100 feet of 3/8 inch diameter wire rope with a breaking strength of 12,200 pounds or more.
  6. At least 20 feet of 5/16 inch diameter chain with hooks with a safe working load of 1,750 pounds or more.
- D. Light duty one car carrier minimum specifications:
1. A gross vehicle rating of at least 8,000 pounds and rated by the manufacturer as one ton or more.
  2. A four-speed transmission or the equivalent.
  3. A power-assisted service brake system adequate to control the movement of, and to stop and hold the combination of vehicles, under all conditions and on any grade on which they are operated.
  4. A parking brake system separate from the service brake system which shall be maintained in good working condition.
  5. At least dual rear wheels and tires or the equivalent.
  6. A power-operated winch with a capacity of at least four tons with at least 50 feet of 3/8 inch diameter wire rope with a breaking strength of 12,200 pounds or more.

7. A bed assembly of at least 3/16 inch steel plate or the equivalent and at least 15 feet in length and at least 7 feet in width.
  8. At least 20 feet of 5/16 inch diameter chain with hooks with a safe working load of 1,750 pounds or more.
  9. If a tow plate (stinger) is attached to the rear of the tow truck bed or frame and used to raise the wheels of the towed vehicle off the ground, the stinger must have a tow bar capacity of at least 1,500 pounds.
- E. This Section is automatically repealed on June 1, 2010.

#### **Historical Note**

Former rules 7.0 - 7.03; Former Section R13-3-24 renumbered and amended as Section R13-3-304 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

#### **R13-3-305. Medium-duty Tow Trucks**

- A. At no time shall any medium-duty tow truck exceed its manufacturer's gross vehicle weight or the manufacturer's rated capacity for the wrecker assembly.
- B. Medium duty minimum specifications:
  1. A gross vehicle weight rating of at least 15,000 pounds and rated by the manufacturer as 1 1/2 tons or more.
  2. A four-speed transmission or the equivalent.
  3. A power-assisted service brake system adequate to control the movement of and to stop and hold the combination of vehicles under all conditions and on any grade on which they are operated.
  4. When towing vehicles equipped with an air brake system, shall have the equipment necessary to join the air systems together in order to activate the brakes from the cab of the tow truck.
  5. A parking brake system separate from the service brake system which shall be maintained in good working order at all times.
  6. At least dual rear wheels and tires or the equivalent.
  7. At least 35 feet of 3/8 inch diameter chain with hooks with a safe working load of 2,450 pounds or more.
- C. Double boom wrecker (crane) minimum specifications:
  1. Total boom capacity of at least ten tons.
  2. Double booms and lines, each to operate jointly and/or independently.
  3. Power-operated winches with a combined capacity of at least ten tons.
  4. At least two winches of not less than five tons each.
  5. Winch power is determined by a single line pull.
  6. At least 150 feet of 3/8 inch diameter wire rope per winch drum with a breaking strength of 12,200 pounds or more.
- D. Single boom wrecker (crane) minimum specifications:
  1. Boom capacity of at least ten tons.
  2. Boom line winch with a minimum capacity of at least ten tons, with at least 150 feet of 1/2 inch diameter wire rope with a breaking strength of 21,400 pounds or more.
  3. Deck winch minimum capacity of at least ten tons with at least 150 feet of 1/2 inch diameter wire rope with a breaking strength of 21,400 pounds or more.
- E. Hydraulic wrecker assemblies minimum specifications:

1. Boom capacity of at least ten tons.
2. Boom line(s) which operate jointly and/or independently.
3. Hydraulically operated winches with a combined capacity of at least ten tons, with a deck winch minimum capacity of at least ten tons except that one single boom line winch may be used instead, if it has the capacity of at least ten tons and is used with a deck winch with a minimum capacity of at least ten tons.
4. At least 150 feet of 3/8 inch diameter wire rope per winch drum with a breaking strength of 12,200 pounds or more.
5. At least 35 feet of 3/8 inch diameter chain with hooks with a safe working load of 2,450 pounds or more.

F. Medium duty two car carrier minimum specifications:

1. A gross vehicle weight of at least 15,000 pounds and rated by the manufacturer as two tons or more.
2. A four-speed transmission or the equivalent.
3. A power assisted service brake system adequate to control the movement of, and to stop and hold the combination of vehicles, under all conditions and on any grade on which they are operated.
4. A parking brake system separate from the service brake system which shall be maintained in good working order at all times.
5. At least dual rear wheels and tires or the equivalent.
6. A hydraulically operated winch of at least 6 tons, with at least 50 feet of 3/8 inch diameter wire rope with a breaking strength of 12,200 pounds or more.
7. A bed assembly of at least 1/4 inch steel plate or the equivalent and at least 17 feet in length and at least 7 feet in width.
8. At least 30 feet of 3/8 inch diameter chain with hooks with a safe working load of 2,450 pounds or more.
9. If a tow plate (stinger) is attached to the rear of the tow truck structure and used to raise the wheels of the towed vehicle off the ground, the stinger must have a tow bar capacity of at least 3,500 pounds.

G. Medium duty three car carrier minimum specifications:

1. A gross vehicle weight of at least 22,000 pounds.
2. A four-speed transmission or the equivalent.
3. A power-assisted service brake system adequate to control the movement of, and to stop and hold the combination of vehicles, under all conditions and on any grade on which they are operated.
4. A parking brake system separate from the service brake system which shall be maintained in good working order at all times.
5. At least dual rear wheels and tires or the equivalent.
6. A hydraulically operated winch of at least 6 tons, with at least 50 feet of 3/8 inch diameter wire rope with a breaking strength of 12,200 pounds or more.
7. A bed assembly of at least 1/4 inch steel plate or the equivalent and at least 17 feet in length and at least 7 feet in width, a bed assembly over the cab of at least 3/16 inch steel plate or the equivalent and at least 10 feet in length and at least 7 feet in width.
8. At least 30 feet of 3/8 inch diameter chain with hooks with a safe working load of 2,450 pounds or more.

9. If a tow plate (stinger) is attached to the rear of the tow truck structure and used to raise the wheels of the towed vehicle off the ground, the stinger must have a tow bar capacity of at least 3,500 pounds.

H. This Section is automatically repealed on June 1, 2010.

#### **Historical Note**

Former rules 8.0 - 8.04; Correction, subsection C. Paragraph 4. not included in original publication (Supp. 77-1). Former Section R13-3-25 renumbered and amended as Section R13-3-305 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

#### **R13-3-306. Heavy-duty Tow Trucks**

- A. At no time shall any heavy-duty tow truck exceed its manufacturer's gross vehicle weight or the manufacturer's rated capacity for the wrecker assembly, provided that the manufacturer's weights are not in excess of the legal limitations of A.R.S. §§ 28-1099 and 28-1100.
- B. Heavy duty minimum specifications:
  1. A gross vehicle rating of at least 35,000 pounds (usually rated by the manufacturer as 3 1/2 tons).
  2. Tandem rear axles, equipped with dual rear wheels and tires, or the equivalent.
  3. A five-speed main transmission or the equivalent.
  4. A brake system equipped with a truck-tractor protection valve.
  5. Full air brakes so constructed and controlled as to permit locking of all rear wheels (air lock).
  6. A dependable parking brake system separate from the service brake system which shall be maintained in good working order at all times.
  7. Required accessories:
    - a. Trailer hitch: pintle hook type or the equivalent.
    - b. One semi-trailer converter dolly or fifth-wheel mount. Option: If a converter dolly or fifth-wheel mount is not owned by the wrecker owner, he must have one immediately available at all times. Documentary proof must be filed with the Department for the above option when the application for permit is filed.
    - c. Chain with hooks meeting the following specifications:
      - i. At least 35 feet of 3/8 inch diameter chain with a safe working load of 2,450 pounds or more.
      - ii. At least 20 feet of 5/8 inch diameter chain with a safe working load of 6,375 pounds or more.
    - d. Air lines: At least 75 feet of auxiliary air lines with the necessary fittings in two sections of appropriate length. These sections will connect to the air supply of the towed vehicle for the purpose of brake application.
- C. Double boom wrecker (crane) minimum specifications:
  1. A total capacity of at least 25 tons.
  2. Double booms and lines each to operate jointly and/or independently.
  3. Power-operated winches combined capacity of at least 25 tons.
  4. At least two winches of at least 12 1/2 tons capacity each.
  5. Winch power is determined by a single line pull.

6. At least 200 feet of 9/16 inch diameter wire rope with a breaking strength of 27,000 pounds or more.
- D. Single boom wrecker (crane) minimum specifications:
1. Boom line winch with a minimum capacity of at least 25 tons with at least 200 feet of 3/4 inch diameter wire rope with a breaking strength of at least 51,200 pounds or more.
  2. Deck winch with a minimum capacity of at least 15 tons with at least 200 feet of 5/8 inch diameter wire rope with a breaking strength of at least 33,400 pounds or more.
- E. Hydraulic wrecker assemblies minimum specifications:
1. Boom capacity of at least 25 tons.
  2. Boom line(s) which operate jointly and/or independently.
  3. Hydraulically operated winches with a combined capacity of at least 25 tons, except that one single boom line winch may be used instead if it has a capacity of at least 25 tons and is used with a deck winch with a minimum capacity of 15 tons.
  4. Double winches on a single boom with a minimum of 200 feet of 5/8 inch diameter wire rope per winch with a breaking strength of 27,000 pounds or more.
  5. A single winch on a single boom with a minimum of 200 feet of 3/4 inch diameter wire rope with a breaking strength of 33,400 pounds or more.
- F. Heavy duty car carrier minimum specifications:
1. Gross vehicle weight of at least 35,000 pounds, rated by the manufacturer as 3 1/2 tons or more.
  2. Tandem rear axles equipped with dual rear wheels and tires or the equivalent.
  3. A five-speed main transmission or the equivalent.
  4. Full air brakes.
  5. Air brakes so constructed and controlled as to permit locking of all rear wheels (air lock).
  6. A brake system equipped with truck-tractor protection valve.
  7. A dependable parking brake system.
  8. A hydraulically operated winch with a minimum capacity of ten tons, and at least 50 feet of 7/16 inch wire rope with a breaking strength of 33,400 pounds or more.
  9. A bed assembly of at least 3/8 inch steel plate or the equivalent, and at least 21 feet in length and at least 7 feet in width. A bed assembly over the cab of at least 3/16 inch steel plate or the equivalent and at least 10 feet in length and at least 7 feet in width.
  10. At least 40 feet of 1/2 inch diameter chain with hooks with a safe working load of 4,240 pounds or more.
  11. If a tow plate (stinger) is attached to the rear of the tow truck structure and used to raise the wheels of the towed vehicle off the ground, the tow plate (stinger) must have a tow bar capacity of at least 5,000 pounds.
- G. This Section is automatically repealed on June 1, 2010.

#### **Historical Note**

Former rules 9.0 - 9.05.03; Correction, subsection (C)(3) and (4) not included in original publication (Supp. 77-1). Former Section R13-3-26 renumbered and amended as Section R13-3-306 effective September 26, 1985 (Supp. 85-5).

Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**R13-3-307. Class "X" Tow Trucks**

- A. Class "X" tow trucks shall not be used to render assistance or for accident recovery work but may be used for the purpose of towing vehicles from one location to another.
- B. At no time shall any Class "X" tow truck exceed its manufacturer's gross vehicle weight or the rated capacity of the wrecker assembly.
- C. Class "X" truck minimum specifications:
  - 1. A gross vehicle weight rating of at least 7,500 pounds and rated by the manufacturer as a 3/4 ton or more.
  - 2. A four-speed transmission or the equivalent.
  - 3. Dual rear wheels or the equivalent.
  - 4. A boom (crane) with a boom capacity of at least three tons and a single line winch capacity of at least three tons.
  - 5. Wire rope of at least 5/16 inch diameter with a breaking strength of 8,520 pounds or more.
  - 6. At least 20 feet of 5/16 inch diameter chain with hooks, with a safe working load of 1,750 pounds or more.
  - 7. Any class X roll back or slideback car carriers must meet the minimum specifications consistent with light, medium or heavy duty classes.
  - 8. Equipment required is that contained in R13-3-401(E) through (P), (R), (V), (X), (Z), (AA) and R13-3-402.
- D. This Section is automatically repealed on June 1, 2010.

**Historical Note**

Former rules 10.0 - 10.04; Former Section R13-3-27 renumbered and amended as Section R13-3-307 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**R13-3-308. Service Trucks**

- A. Service trucks (Class S) shall not be used for accident recovery work but may be used to render assistance to vehicles.
- B. At no time shall any service truck exceed its manufacturer's gross vehicle weight or the manufacturer's rated capacity for the wrecker assembly.
- C. Service truck minimum specifications:
  - 1. A gross vehicle weight rating of at least 7,500 pounds and rated by the manufacturer as a three-quarter ton or more.
  - 2. A four-speed transmission or the equivalent.
  - 3. Dual rear wheels or the equivalent.
  - 4. A boom (crane) with a:
    - a. Boom capacity of at least three tons and single line winch capacity of at least three tons.
    - b. Wire rope shall be at least 5/16 inch diameter with a breaking strength of at least 8,520 pounds or more.
    - c. At least 20 feet of 5/16 inch diameter chain with hooks with a safe working load of 1,750 pounds or more.

5. Accessories. Refer to R13-3-401 and R13-3-402 under General Tow Truck Lighting & Equipment Specifications for complete list of accessories required.
- D. This Section is automatically repealed on June 1, 2010.

**Historical Note**

Former rules 11.0 - 11.06; Former Section R13-3-28 renumbered as Section R13-3-308 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**ARTICLE 4. TOW TRUCK EQUIPMENT SPECIFICATIONS**

**R13-3-401. General Tow Truck Lighting and Equipment**

- A. Tow trucks shall comply with lighting and equipment requirements for trucks contained in Title 28, A.R.S. Additional equipment requirements relating specifically to tow trucks are contained in the following pages. If more detailed information is needed, a copy of Title 28, A.R.S. may be purchased from the Motor Vehicle Division of the Arizona Department of Transportation.
- B. Warning lamps & lights required: Warning lights are to be used only at the scene of the service or in towing a vehicle which is damaged to the extent that it presents a hazard to other users of the street or highway. No red light shall be visible from in front of a vehicle.
1. Flashing type lamps. (Emergency top mount lights):
    - a. The color shall be amber to the front, amber or red to the rear with at least two lamps of at least 6 inches in diameter having a lens surface of at least 28.26 square inches each.
    - b. These lamps are to be mounted as high as practical and with their light visible from the front and rear for a distance of 500 feet under normal atmospheric conditions.
  2. Warning lamps may be wired independently or in conjunction with stop and signal lamps. If tail lamps are also incorporated, then either a separate bulb or a double contact-type bulb shall be used.
- C. A rotating beacon may be used in lieu of the two flashing lamps.
1. At least one beacon is required with amber lens or amber to the front and red to the rear.
  2. The beacon shall be mounted as high as practical with its light visible for 360 degrees for a distance of 500 feet under normal atmospheric conditions.
  3. Each beacon shall have at least four seal beams or at least two beacons with two seal beams each.
  4. The lens size of the beacon shall be at least 9 inches in diameter at its narrowest point, and 5 inches in height with a lens surface of 141.2 square inches. Two smaller beacons may be used only if the total square inches of both at least equal that required of the one above.
  5. Beacons shall be wired independently of all other electrical circuits.
  6. Strobe lights may be used in lieu of rotating beacons or flashing lights.
- D. Work lamps:
1. The lens shall be clear.
  2. The lens' diameter shall be at least four inches in diameter.

3. There shall be at least two work lamps used in the system.
4. Lamps shall be mounted so as to illuminate the area directly behind the tow truck for a distance of at least 50 feet.
5. Work lamps shall be wired so they are not dependent on the position of the gear shift.
6. Work lamps shall not be in operation while the tow truck is in forward motion.

E. Portable tail, stop and signal lamps required:

1. At least two separate lamps with mounting brackets or mounting clips.
  - a. The lens shall be red in color.
  - b. The lens' diameter shall be at least three inches each.
2. Connections shall be made with suitable male and female connectors and flexible rubber or plastic cord. The portable lamps may be wired permanently to the truck's electrical system if a suitable bracket for both cord and lamp is provided.
  - a. All cord shall be measured from rear of tow truck.
    - i. Light duty, service duty, and Class "X": cord length of at least 25 feet.
    - ii. Medium duty: cord length of at least 30 feet.
    - iii. Heavy duty: cord length of at least 75 feet.
  - b. Lamp cords shall be flexible rubber or plastic containing at least four conductors of at least 16 gauge in a single manufactured cable. Single wires taped together are prohibited.
3. Additional portable lamps required on heavy-duty tow trucks.
  - a. Clearance lamps shall be incorporated with the portable lamp system and shall be mounted on the sides at the rear of a towed vehicle.
  - b. Clearance lamps shall have red lens and shall be of the type with a visibility range of at least 180 degrees.
  - c. Clearance lamps may be permanently wired to the portable lamp system or may be connected with suitable male and female electrical connectors to the tow truck system.
  - d. Electrical ground connections shall be made through the power supply cable in all portable lamp systems. Systems dependent on a towed vehicle for grounding are not acceptable.

F. Use of portable lamps:

1. Tow truck operators are required to affix two tail lights, two stop lights and two signal lights to the rear-most vehicle of any train of vehicles any time of day or night that the vehicles are towed or operated, on any street or highway.
2. When a combination of vehicles is operated during the time that lighted lamps are required, there shall be exhibited on the rear of any towed vehicles at least two red tail lights.

G. Head lamps: See A.R.S. § 28-924.

H. Tail lamps: See A.R.S. § 28-925.

I. Reflectors: See A.R.S. §§ 28-926, 28-929, and 28-932.

1. All tow trucks shall have reflectors and clearance lamps on the front, sides and rear as required as by A.R.S §§ 28-926, 28-929, and 28-932.
2. Color mounting and visibility of reflectors, clearance lamps and sidemarker lamps shall be consistent with A.R.S. §§ 28-931, 28-932, and 28-933.

- J. Stop lamps: two See A.R.S. § 28-927. Meeting with specifications outlined under A.R.S. § 28-93(A)(1).
- K. Directional signals: See A.R.S. § 28-939.
1. All tow trucks are required to be equipped with electrical flashing directional signals.
  2. Directional signals shall be connected in a manner so as to permit "4-way" flash.
- L. Horns: See A.R.S. § 28-954.
- M. Mufflers: See A.R.S. § 28-955.
- N. Mirrors: See A.R.S. § 28-956.
1. All tow trucks are to be equipped with two side rear-vision mirrors, one at each side.
  2. The minimum size per mirror surface is 24 square inches.
- O. Windshield and windshield wipers: See A.R.S. § 28-957 and 28-957.01.
- P. Certain vehicles must carry flares or other warning devices, i.e. three red fuses (15 minutes), three electric lanterns or three portable reflectors. See A.R.S. § 28-960.
- Q. Clearance lamps and side reflectors:
1. All tow truck assemblies, regardless of their width, shall have clearance lamps and side reflectors as described in A.R.S. § 28-929(2).
  2. Two amber cab clearance lamps are required, showing amber to the front and mounted on the outside edge of the cab.
  3. Color, mounting, and visibility of reflectors, clearance lamps, and sidemarker lamp shall be consistent with A.R.S. §§ 28-931, 28-932, and 28-933.
- R. Rear fender splash guards: See A.R.S. § 28-958.01.
- S. Shovel and broom:
1. All tow trucks shall have as part of their equipment a shovel and a broom, kept in good condition.
  2. The shovel shall be at least a No. 2 and shall be a square point type.
  3. The broom shall be a push broom and have at least a 14- inch head.
- T. Oil-absorbing material: All trucks operated in metropolitan areas shall have the following: Sand or a commercial oil and grease absorbent, or at least 1155 cubic inches of material or the equivalent of a five-gallon can of material which can be carried in a weatherproof container.
- U. Electric lantern or flashlight: All tow trucks shall have at all times in good working condition a battery-powered electric lantern, or a two-cell flashlight in lieu of an electric lantern.
- V. Fire extinguishers: Each tow truck shall be equipped with either:
1. A fire extinguisher having an Underwriters Laboratories rating of 5 B:C or more,  
or
  2. Two fire extinguishers, each of which has an Underwriters Laboratories rating of 4 B:C or more.
- W. Steering wheel clamp: A steering wheel clamp or its equivalent shall be of sufficient strength to adequately lock the steering mechanism of a towed vehicle in a straight forward position.
- X. Tow sling or tow plate:

1. Every tow truck shall be equipped with a tow sling, plate or bar, that is structurally adequate for any weight drawn. Slings or plates shall be properly and securely mounted on the tow truck without excessive slack.
2. The tow plates, slings and tow-bears shall be securely attached to the tow vehicle by means of chains and hooks. Attachment chains will have a capacity equal to the weight of the towed vehicle. At least two chains shall be used.
3. There shall be one snatch block of matched size to the rating of the wrecker assembly.

Y. Attachment chains ("J" hooks):

1. Every towed vehicle shall be coupled to the tow truck with attachment chains of a structural strength equal to the gross weight of the towed vehicle.
2. Attachment chains shall be securely attached to the towing and towed vehicle with no more slack left in the chain or cable than is necessary to permit proper turning.

Z. Tire chains (skid chains):

1. Tow trucks are to be equipped with one set of tire chains for at least one driving wheel on each side whenever ice or snow makes driving conditions hazardous.
2. Chains shall be maintained in good condition.

AA. Tire equipment:

1. Tires supporting the tow truck should be of such size and ply that the sum of their capacity as shown by the particular manufacturer shall at least equal the gross laden weight of the tow truck.
2. Tire wear and replacement:
  - a. No tow truck shall be operated on any tire that has fabric exposed through the tread or sidewall.
  - b. Any tire on the front wheels of the tow truck shall have a tread groove pattern depth of at least 4/32 of an inch when measured at any point on a major tread groove.
  - c. Except as provided in subparagraph (b) of this Section, tires shall have a tread groove pattern depth of at least 2/32 of an inch when measured at any point on a major tread groove.
  - d. The Department tow truck inspector shall make the final decision concerning any question arising under this Section.

AB. This Section is automatically repealed on June 1, 2010.

**Historical Note**

Former rules 12.0 - 12.17.02.02; Former Section R13-3-35 renumbered and amended as Section R13-3-401 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**R13-3-402. Tow Truck Components Must be in Good Operating Condition**

All tow truck components (i.e., winches, booms, cables, cable clamps, thimbles, sheaves, guides, controls, blocks, slings, chains, hooks, and hydraulic components), are to be maintained in good condition at all times. Cable fittings for hooks, slings, etc., shall be assembled by factory recommendations and specifications. All portable equipment (i.e., shovel, broom, reflectors, flashlights, fire extinguisher, etc.), shall be permanent accessories and be available on the truck at all times. This Section is automatically repealed on June 1, 2010.

### **Historical Note**

Former rule 12.18; Former Section R13-3-36 renumbered and amended as Section R13-3-402 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

## **ARTICLE 5. QUALIFICATIONS OF TOW TRUCK OPERATORS**

### **R13-3-501. Chauffeurs License, Skills, and Knowledge Required**

- A. No tow truck owner shall operate or permit anyone to operate a tow truck until the following requirements are fulfilled:
1. Tow truck operators shall have a valid Class "A","B","C","D", or "G" Arizona Drivers License. A.R.S. § 28-3101.
  2. Every operator shall be competent by reason of experience or training to safely operate the type of tow truck or tow trucks allowed by permit.
  3. Every operator shall possess the knowledge and ability to rig, move, pick up and transport vehicles without increasing the original damage insofar as possible.
  4. Every operator shall be free from the influence of alcoholic beverages, narcotics, or dangerous drugs when on duty.
  5. No tow truck company or individual shall operate a tow truck without displaying proof of current insurance in accordance with A.R.S. §§ 28-4031, 28-4135. The tow truck company shall submit proof of current insurance to the Department of Public Safety upon demand.
- B. Every owner and operator shall be familiar with the laws and rules and regulations pertaining to tow trucks.
- C. This Section is automatically repealed on June 1, 2010.

### **Historical Note**

Former rules 13.0 - 13.05; Former Section R13-3-40 renumbered and amended as Section R13-3-501 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

## **ARTICLE 6. ENFORCEMENT OF RULES AND REGULATIONS**

### **R13-3-601. Revocation or Suspension of Permit**

- A. Any person who violates any rule or Regulation herein may have his or her tow truck permit(s) revoked or suspended by the Director or his authorized subordinate. Such action shall be pursuant to the provisions of A.R.S. § 41-1092 et seq.
- B. In cases where, in the opinion of the Director or his representative, there is a compelling public necessity, the Director or his authorized representative may waive the enforcement of any of these rules and regulations, but all such waivers shall be treated separately for each party and each rule or regulation, and there shall be no collective waivers.
- C. This Section is automatically repealed on June 1, 2010.

### **Historical Note**

Former rules 14.0 - 14.02; Former Section R13-3-45 renumbered and amended as Section R13-3-601 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**R13-3-602. Grounds for Suspension of Permit**

- A. A tow truck permit may be suspended for up to one year under the following conditions:
1. If the owner or operator violates any rule or regulation herein which does not warrant revocation. The period of suspension shall be determined according to the severity and frequency of the violation.
  2. If the owner knowingly continues to employ an operator who has been convicted of more than two moving violations under A.R.S. Title 28 during a one-year period. The suspension shall be for a period of one year from the date of the third conviction. There shall be no suspension for a violation of this Section unless it is proven that the owner knew or should have known of the operator's convictions.
- B. This Section is automatically repealed on June 1, 2010.

**Historical Note**

Former rules 15.0 - 15.01; Former Section R13-3-46 renumbered and amended as Section R13-3-602 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**R13-3-603. Grounds for Revocation of Permit**

- A. A tow truck permit may be revoked under the following conditions:
1. If, while engaged in the operation of a tow truck, an owner or operator is convicted of A.R.S. §§ 28-1381, 28-1382, 28-1383 (driving while under the influence of narcotics, dangerous drugs or intoxicating beverages) or A.R.S. § 28-693 (reckless driving), or has had his or her license to drive suspended under A.R.S. § 28-1321 (Implied Consent Law), A.R.S. § 28-3473 (License Suspension or Revocation) or A.R.S. § 28-4135(E) (Suspended, No Insurance, FR).
  2. If it is discovered that a permit was issued on information supplied by the applicant that the applicant knew or should have reasonably known was false or inaccurate.
  3. If the owner or operator refuses to make prompt restitution for any avoidable damage caused by his failure to comply with R13-3-501(A)(3) of these rules and regulations.
  4. If the owner or an operator habitually violates any rule or Regulation herein or A.R.S. § 9-499.05.
- B. This Section is automatically repealed on June 1, 2010.

**Historical Note**

Former rules 16.0 - 16.01.05; Former Section R13-3-47 renumbered and amended as Section R13-3-603 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**R13-3-604. Appeals from Tow Truck Enforcement Action**

- A. Any person who has had a permit denied, or who has suffered any penalty under these rules and regulations, shall have the right to a hearing. A temporary suspension of operation pursuant to Section R13-3-203(E) is not a penalty, and no hearing shall be provided for the persons affected.
- B. The hearing shall be conducted pursuant to A.R.S. § 41-1092 et seq.

- C. The Director or his authorized representative may, at his discretion, combine requests for hearings into one hearing where there are common parties or issues.
- D. The hearing shall be conducted by the Office of Administrative Hearings pursuant to A.R.S. § 41-1092, et seq.
- E. Any notice required to be given to any party or person shall be in writing pursuant to A.R.S. § 41-1092.04. Such notice shall be deemed sufficient and complete when deposited in the United States mail, addressed to the last known address of the party to receive the notice as evidenced by the most recent application on file with the Department.
- F. Within 35 days after the date of the final decision rendered in any hearing, an appeal may be taken to the Superior Court of the county in which any of the conditions of A.R.S. § 12-905(B) apply. Appeals to the Superior Court shall be governed by the provisions of A.R.S. § 12-901 et seq.
- G. This Section is automatically repealed on June 1, 2010.

#### **Historical Note**

Former rules 17.0 - 17.08; Former Section R13-3-48 renumbered and amended as Section R13-3-604 effective September 26, 1985 (Supp. 85-5). Amended by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

## **ARTICLE 7. DEFINITIONS, SCOPE, AND ENFORCEMENT DATES**

### **R13-3-701. Definitions**

- A. The definitions in A.R.S. §§ 28-101 and 41-1701 apply to this Chapter.
- B. In this Chapter:
  - 1. "Alter" means adding, modifying, or removing any equipment or component after a tow truck has received a permit decal from the Department, in a manner that may affect the operation of the tow truck, compliance with A.R.S. § 28-1108 and this Chapter, or the health, safety, or welfare of any individual.
  - 2. "Bed assembly" means the part of a tow truck that is located behind the cab, is attached to the frame, and is used to mount a boom assembly, hoist, winch, or equipment for transporting vehicles.
  - 3. "Boom assembly" means a device, consisting of sheaves, one or more winches, and wire rope, that is attached to a tow truck and used to lift or tow another vehicle.
  - 4. "Collision" means an incident involving one or more moving vehicles resulting in damage to a vehicle or its load that requires the completion of a written report of accident under A.R.S. § 28-667(A).
  - 5. "Collision recovery" means initial towing or removing a vehicle involved in a collision from the collision scene.
  - 6. "Denial" means refusal to satisfy a request.
  - 7. "Department" means the Arizona Department of Public Safety.
  - 8. "Director" means the Director of the Arizona Department of Public Safety or the Director's designee.
  - 9. "Emergency brake" means the electrical, mechanical, hydraulic, or air brake components used to slow or stop a vehicle after a failure of the service brake system.

10. "Flatbed" means an open platform that is located behind the cab and attached to the frame of a truck.
11. "G.V.W.R." means Gross Vehicle Weight Rating, the value specified by the manufacturer as the fully assembled weight of a single motor vehicle.
12. "Hook" means a steel hook attached to an end of a wire rope or chain.
13. "Parking brake system" means the electrical, mechanical, hydraulic, or air brake components used to hold the tow truck or combination under any condition of loading to prevent movement when parked.
14. "Permit decal" means the non-transferable decal that a tow truck company is required to obtain from the Department before operating a tow truck for the purpose of towing a vehicle.
15. "Person" means the same as in A.R.S. § 1-215.
16. "Power-assisted service brake system" means a service-brake system that is equipped with a booster to supply additional power to the service-brake system by means of air, vacuum, electric, or hydraulic pressure.
17. "Power-operated winch" means a winch that is operated by electrical, mechanical, or hydraulic power.
18. "Service-brake system" means the electrical, mechanical, hydraulic, or air brake components used to slow or stop a vehicle in motion.
19. "Snatch block" means a metal case that encloses one or more pulleys and can be opened to receive a wire rope and redirect energy from a winch.
20. "State" means the state of Arizona.
21. "Steering wheel clamp" means a device used to secure in a fixed position the steering wheel of a vehicle being towed.
22. "Suspension" is the temporary withdrawal of the tow truck permit decal because the Department determines the tow truck or tow truck agent is not in compliance with one or more requirements of this Chapter.
23. "Tow bar" means a device attached to the rear of a tow truck to secure a towed vehicle to the tow truck by chains, straps, or hooks.
24. "Tow plate" means a solid metal support attached to the rear of a tow truck to secure a towed vehicle to the tow truck by chains, straps, or hooks.
25. "Tow sling" means two or more flexible straps attached to the wire rope or boom assembly of a tow truck to hoist a towed vehicle by chains, straps, or hooks.
26. "Tow truck" means a motor vehicle designed, manufactured, or altered to tow or transport one or more vehicles. The following are tow trucks:
  - a. A truck with a flatbed equipped with a winch;
  - b. A truck drawing a semi-trailer or trailer equipped with a winch;
  - c. A motor vehicle that has a boom assembly or hoist permanently attached to its bed or frame;
  - d. A motor vehicle that has a tow sling, tow plate, tow bar, under-lift, or wheel-lift attached to the rear of the vehicle; and
  - e. A truck-tractor drawing a semi-trailer equipped with a winch.
27. "Tow truck agent" means an individual who operates a tow truck on behalf of a tow truck company, and includes owners, individuals employed by the tow truck company, and independent contractors.

28. "Tow truck company" means a person that owns, leases, or operates a tow truck that travels on a street or highway to transport a vehicle, including, but not limited to a vehicle that is damaged, disabled, unattended, repossessed, or abandoned.
29. "Truck-tractor protection valve" means a device that supplies air to the service brake system of a trailer to release the service brakes while the trailer is being towed by a truck- tractor, or to activate the service brakes if the supply of air from the truck-tractor to the trailer is disconnected or depleted.
30. "Under-lift" means an electrical, mechanical, or hydraulic device attached to the rear of a tow truck used to lift the front or rear of a vehicle by its axles or frame.
31. "Vehicle" means the same as in A.R.S. § 28-101.
32. "Wheel lift" means an electrical, hydraulic, or mechanical device attached to the rear of a tow truck used to lift the front or rear of a vehicle by its tires or wheels.
33. "Winch" means a device used for winding or unwinding wire rope.
34. "Wire rope" means flexible steel or synthetic strands that are twisted or braided together and may surround a hemp or wire core.
35. "Work lamp" means a lighting system that is mounted on a tow truck capable of illuminating an area to the rear of the tow truck.

#### **Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

#### **R13-3-702. Scope of Chapter**

This Chapter applies only to a tow truck company in the business of towing and a tow truck agent.

#### **Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

#### **R13-3-703. Enforcement Dates**

As of the effective date of Articles 7 through 13, a tow truck agent shall ensure that a tow truck:

1. Introduced into the state on or after the effective date of Articles 7 through 13 meets the requirements of Articles 7 through 13;
2. Registered and operating as a tow truck in the state before the effective date of Articles 7 through 13, either meets the requirements of Articles 7 through 13 or Articles 1 through 6 until June 1, 2010, at which time the tow truck shall meet the requirements of Articles 7 through 13;
3. Sold to a new owner meets the requirements of Articles 7 through 13 before operating as a tow truck within this state; or
4. Not included in the definition of "tow truck" in R13-3-701 before the effective date of Articles 7 through 13, meets the requirements of Articles 7 through 13 within six months of the effective date of Articles 7 through 13 when operating as a tow truck in this state.

#### **Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

## **ARTICLE 8. TOW TRUCK COMPANY REGISTRATION**

### **R13-3-801. Tow Truck Company Registration**

- A. A person shall not operate a tow truck to tow a vehicle unless a tow truck agent registers the tow truck company with the Department. The tow truck agent shall:
1. Obtain a tow truck company application from the Department and complete the application form by including the following information:
    - a. The name, address, and telephone number of the tow truck company;
    - b. The tow truck owner's name, address, telephone number and date of birth. If the owner is a corporation, the corporation's name, address, and telephone number;
  2. Obtain and keep in effect at all times the minimum limits of financial responsibility required by A.R.S. §§ 28-4009, 28-4032, 28-4033, 28-4131, and 28-4135, as applicable, for each tow truck owned, leased, or operated by the company; and
  3. Sign the application in the presence of a Notary Public or Department Officer certifying under penalty of suspension of the permit decal that the tow truck company and the tow truck agent shall:
    - a. Comply with this Chapter; and
    - b. Have the necessary experience and qualifications to operate a tow truck in the manner required by this Chapter;
  4. Include with a completed application, proof of financial responsibility that indicates:
    - a. Name of the insured;
    - b. Name, address, and telephone number of the insurance carrier;
    - c. Policy number;
    - d. Date on which the policy expires; and
    - e. Amount of coverage; and
  5. Submit the completed application form and proof of financial responsibility in person to the Department.
- B. If information provided on the original application form changes, the tow truck agent shall submit a new application form to the Department within 10 calendar days of the change. The Department may suspend a tow truck permit decal for failure to notify the Department of a change.
- C. If it is discovered that a tow truck permit decal was issued on information supplied by the applicant that the applicant knew or should have reasonably known was false or inaccurate, the Department may suspend the tow truck permit decal.

#### **Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

## **ARTICLE 9. TOW TRUCK REGISTRATION AND COMPLIANCE INSPECTION**

### **R13-3-901. Tow Truck Registration**

- A. A tow truck company shall register each tow truck by obtaining an identification number and permit decal before operating the tow truck to tow a vehicle.

- B. A tow truck company shall apply for an identification number and permit decal by completing the Department's tow truck inspection application. The company may obtain the application from the Department. The signature on the application of the owner or a tow truck agent shall be notarized or signed in the presence of a Department officer.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-902. Inspection by the Department**

- A. The Department shall inspect a tow truck for compliance with this Chapter as soon as possible after the tow truck inspection application form is filed and no later than seven days after the application form is filed.
- B. The Department may conduct unannounced, in-service inspections of a tow truck at the roadside, at the company's place of business, or any reasonable time and place to determine the condition of the tow truck.
- C. The Department shall issue tow truck permit decals and identification number decals individually for each approved tow truck.
- D. When a tow truck inspection is conducted under subsection (A) or (B), the following apply:
1. Department inspectors shall examine the tow truck for compliance with the safety requirements and specifications for the tow truck class under this Chapter.
  2. If the Department finds that the tow truck complies with this Chapter, the Department shall issue an inspection report and if applicable, a permit decal.
  3. If the Department finds that the tow truck does not comply with this Chapter, but has no deficiency listed in R13-3-1201(C)(7), the Department shall issue an inspection report that:
    - a. Specifies the deficiencies found,
    - b. Requires corrective measures, and
    - c. Allows five calendar days for the tow truck agent to correct the deficiencies.
  4. If the Department finds that the tow truck does not comply with this Chapter because of deficiencies listed in R13-3-1201(C)(7), the Department shall not issue a permit decal but shall issue an inspection report that:
    - a. Specifies the deficiencies found, and
    - b. Requires corrective measures.
- E. A tow truck agent shall ensure that a legible copy of the most recent tow truck inspection report is kept in the driver's compartment area of the tow truck and is produced upon demand to any peace officer. The Department may suspend a tow truck permit decal for failure to comply with this subsection.
1. A tow truck agent shall ensure that:
    - a. A permit decal is affixed to the lower outside right corner of the tow truck's windshield, and
    - b. An identification number decal is permanently affixed to the driver's compartment area.
  2. The Department may suspend a permit decal for failure to maintain the permit decal or identification number decal in compliance with subsection (E)(1).

3. If a tow truck inspection report, permit decal, or identification number decal is lost, damaged, destroyed, or stolen, the tow truck company shall immediately notify the Department.
  - a. The tow truck company shall provide notification in writing to Arizona Department of Public Safety, P.O. Box 6638, Phoenix, AZ 85005-6638, and include the name of the tow truck agent who registered the tow truck and the number of the lost, damaged, destroyed, or stolen inspection report, permit decal, or identification number decal.
  - b. Upon receipt of the notification, the Department shall issue the replacement inspection report, permit decal, or identification number decal.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2). Amended by final rulemaking at 14 A.A.R. 713, effective April 5,  
2008 (Supp. 08-1).

**R13-3-903. Changes in Ownership**

If a tow truck is sold, leased, or otherwise disposed of, the permit decal issued to the tow truck immediately becomes void.

1. Before sale, lease, or other disposal of a tow truck, a tow truck agent shall remove and destroy the permit decal.
2. Within 10 calendar days following the sale, lease, or other disposal of the tow truck, a tow truck agent shall notify the Department in writing of the action. The notice shall include:
  - a. Date on which ownership changed or the tow truck was disposed of;
  - b. Whether the tow truck was sold, leased, or the method and reason for other disposal;
  - c. Name of person who sold, leased, or disposed of the tow truck;
  - d. If applicable, name and address of the person that purchased or leased the tow truck; and
  - e. Vehicle identification number of tow truck that was sold, leased, or disposed of.
3. A person to whom a tow truck is sold, leased, or otherwise disposed of shall complete the registration and inspection process before operating the tow truck to tow a vehicle within this state.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**ARTICLE 10. TOW TRUCK SPECIFICATIONS BY CLASS**

**R13-3-1001. Light-duty Tow Truck**

A light-duty tow truck has a minimum of:

1. A G.V.W.R. of 10,000 pounds;
2. A boom assembly with a rated capacity of 8,000 pounds, if so equipped;
3. A power-operated winch with a line pull capacity of 8,000 pounds and a 3/8-inch diameter wire rope with a breaking strength of 12,200 pounds, if so equipped;

4. A tow sling, tow plate, or tow bar that meets the requirements of R13-3-1201(C)(16), or a wheel-lift or under-lift with a lifting capacity of 2,500 pounds when fully extended;
5. Chains or straps and hooks that meet the requirements of R13-3-1104;
6. Axles, wheels, and tires that meet the requirements of R13-3-1102; and
7. Brakes that meet the requirements of R13-3-1103.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**R13-3-1002. Light-duty Tow Truck with Collision Recovery Capabilities**

A light-duty tow truck with collision recovery capabilities has a minimum of:

1. A G.V.W.R. of 14,001 pounds;
2. A boom assembly with a rated capacity of 8,000 pounds;
3. A power-operated winch with a line pull capacity of 8,000 pounds and a 3/8-inch diameter wire rope with a breaking strength of 12,200 pounds;
4. A tow sling, tow plate, or tow bar that meets the requirements of R13-3-1201(C)(16), or a wheel-lift or under-lift with a lifting capacity of 3,000 pounds when fully extended;
5. Chains or straps and hooks that meet the requirements of R13-3-1104;
6. Axles, wheels, and tires that meet the requirements of R13-3-1102; and
7. Brakes that meet the requirements of R13-3-1103.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

**R13-3-1003. Light-duty Flatbed Tow Truck**

A light-duty flatbed tow truck has a minimum of:

1. A G.V.W.R. of 10,000 pounds;
2. A power-operated winch with a line pull capacity of 8,000 pounds and a 3/8-inch diameter wire rope with a breaking strength of 12,200 pounds;
3. A bed assembly with a distributed load capacity of 7,500 pounds;
4. A wheel-lift or under-lift with a lifting capacity of 2,000 pounds when fully extended, if so equipped;
5. A tow plate or tow bar that meets requirements of R13-3-1201(C)(16), if so equipped;
6. Chains or straps and hooks that meet the requirements of R13-3-1104;
7. Axles, wheels, and tires that meet the requirements of R13-3-1102; and
8. Brakes that meet the requirements of R13-3-1103.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2). Amended by final rulemaking at 14 A.A.R. 713, effective April 5, 2008 (Supp. 08-1).

**R13-3-1004. Light-duty Flatbed Tow Truck with Collision Recovery Capabilities**

A light-duty flatbed tow truck with collision recovery capabilities has a minimum of:

1. A G.V.W.R. of 14,001 pounds;

2. A power-operated winch with a line pull capacity of 8,000 pounds and a 3/8-inch diameter wire rope with a breaking strength of 12,200 pounds;
3. A bed assembly with a distributed load capacity of 7,500 pounds;
4. A wheel-lift or under-lift with a lifting capacity of 2,500 pounds when fully extended, if so equipped;
5. A tow plate or tow bar that meets requirements of R13-3-1201(C)(16), if so equipped;
6. Chains or straps and hooks that meet the requirements of R13-3-1104;
7. Axles, wheels, and tires that meet the requirements of R13-3-1102; and
8. Brakes that meet the requirements of R13-3-1103.

#### **Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2). Amended by final rulemaking at 14 A.A.R. 713, effective April 5, 2008 (Supp. 08-1).

#### **R13-3-1005. Light-duty Tow Truck-tractor and Semi-trailer Combination**

A light-duty tow truck-tractor and semi-trailer combination has a minimum of:

1. A G.V.W.R. of 8,600 pounds for a truck-tractor;
2. A G.V.W.R. of 7,500 pounds for a semi-trailer;
3. A power-operated winch with a line pull capacity of 8,000 pounds and a 3/8-inch diameter wire rope with a breaking strength of 12,200 pounds;
4. Chains or straps and hooks that meet the requirements of R13-3-1104;
5. Axles, wheels, and tires that meet the requirements of R13-3-1102; and
6. Brakes that meet the requirements of R13-3-1103 and A.R.S. § 28-952(A).

#### **Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

#### **R13-3-1006. Medium-duty Tow Truck with Collision Recovery Capabilities**

A medium-duty tow truck has a minimum of:

1. A G.V.W.R. of 23,500 pounds;
2. A boom assembly with a rated capacity of 24,000 pounds;
3. A power-operated winch with a line-pull capacity of 20,000 pounds and a 1/2-inch diameter wire rope with a breaking strength of 21,400 pounds, or two power-operated winches each with a line-pull capacity of 10,000 pounds and a 7/16-inch diameter wire rope with breaking strength of 16,540 pounds;
4. A tow sling, tow plate, or tow bar that meets the requirements of R13-3-1201(C)(16), or a wheel-lift or under-lift with a lifting capacity of 5,000 pounds when fully extended;
5. Chains or straps and hooks that meet the requirements of R13-3-1104;
6. Axles, wheels, and tires that meet the requirements of R13-3-1102; and
7. Brakes that meet the requirements of R13-3-1103.

#### **Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006 (Supp. 06-2).

#### **R13-3-1007. Medium-duty Flatbed Tow Truck with Collision Recovery Capabilities**

A medium-duty flatbed tow truck has a minimum of:

1. A G.V.W.R. of 23,500 pounds;
2. A power-operated winch with a line pull capacity of 10,000 pounds and a 7/16-inch diameter wire rope with a breaking strength of 16,540 pounds;
3. A bed assembly with a distributed load capacity of 15,000 pounds;
4. A wheel-lift or under-lift with a lifting capacity of 3,000 pounds when fully extended, if so equipped;
5. A tow plate or tow bar that meets the requirements of R13-3-1201(C)(16), if so equipped;
6. Chains or straps and hooks that meet the requirements of R13-3-1104;
7. Axles, wheels, and tires that meet the requirements of R13-3-1102; and
8. Brakes that meet the requirements of R13-3-1103.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1008. Medium-duty Tow Truck-tractor and Semi-trailer Combination**

A medium-duty tow truck-tractor and semi-trailer combination has a minimum of:

1. A G.V.W.R. of 23,500 pounds for a truck-tractor;
2. A G.V.W.R. of 17,000 pounds for a semi-trailer;
3. A power-operated winch with a line pull capacity of 10,000 pounds and a 7/16-inch diameter wire rope with a breaking strength of 16,540 pounds;
4. Chains or straps and hooks that meet the requirements of R13-3-1104;
5. Axles, wheels, and tires that meet the requirements of R13-3-1102; and
6. Brakes that meet the requirements of R13-3-1103 and A.R.S. § 28-952(A)(3).

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1009. Heavy-duty Tow Truck**

A heavy-duty tow truck has a minimum of:

1. A G.V.W.R. of 35,000 pounds;
2. Tandem rear axles;
3. A boom assembly with a rated capacity of 50,000 pounds, if so equipped;
4. Two power-operated winches with a line pull capacity of 25,000 pounds each and a 9/16-inch diameter wire rope with a breaking strength of 27,000 pounds, if so equipped;
5. A tow sling, tow plate, or tow bar that meets the requirements of R13-3-1201(C)(16), or a wheel-lift or under-lift with a lifting capacity of 12,000 pounds when fully extended;
6. Chains or straps and hooks that meet the requirements of R13-3-1104;
7. Axles, wheels, and tires that meet the requirements of R13-3-1102;
8. Air brakes that meet the requirements of R13-3-1103; and
9. Seventy-five feet of air line configured so the ends can be connected between the tow truck and the towed unit, allowing the air supply of the tow truck's brake system to be transmitted to the towed unit's service brake system.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1010. Heavy-duty Tow Truck with Collision Recovery Capabilities**

A heavy-duty tow truck has a minimum of:

1. A G.V.W.R. of 35,000 pounds;
2. Tandem rear axles;
3. A boom assembly with a rated capacity of 50,000 pounds;
4. Two power-operated winches with a line pull capacity of 25,000 pounds each and a 9/16-inch diameter wire rope with a breaking strength of 27,000 pounds;
5. A tow sling, tow plate, or tow bar that meets the requirements of R13-3-1201(C)(16), or a wheel-lift or under-lift with a lifting capacity of 12,000 pounds when fully extended;
6. Chains or straps and hooks that meet the requirements of R13-3-1104;
7. Axles, wheels, and tires that meet the requirements of R13-3-1102;
8. Air brakes that meet the requirements of R13-3-1103; and
9. Seventy-five feet of air line configured so the ends can be connected between the tow truck and the towed unit, allowing the air supply of the tow truck's brake system to be transmitted to the towed unit's service brake system.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1011. Heavy-duty Flatbed Tow Truck with Collision Recovery Capabilities**

A heavy-duty flatbed tow truck has a minimum of:

1. A G.V.W.R. of 33,000 pounds;
2. A power-operated winch with a line pull capacity of 20,000 pounds and a 1/2-inch diameter wire rope with a breaking strength of 21,400 pounds;
3. A bed assembly with a distributed load capacity of 20,000 pounds;
4. A wheel-lift or under-lift with a lifting capacity of 4,000 pounds when fully extended, if so equipped;
5. A tow plate or tow bar that meets the requirements of R13-3-1201(C)(16), if so equipped;
6. Chains or straps and hooks that meet the requirements of R13-3-1104;
7. Axles, wheels and tires that meet the requirements of R13-3-1102; and
8. Air brakes that meet the requirements of R13-3-1103.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1012. Heavy-duty Tow Truck-tractor and Semi-trailer Combination**

A heavy-duty tow truck-tractor and semi-trailer combination has a minimum of:

1. A truck tractor with a G.V.W.R. of 35,000 pounds;
2. Tandem rear axles for both a truck-tractor and semi-trailer;
3. A G.V.W.R. of 30,000 pounds on the semi-trailer;
4. A power-operated winch with a single line pull capacity of 20,000 pounds and a 1/2-inch diameter wire rope with a breaking strength of 21,400 pounds;
5. Chains or straps and hooks that meet the requirements of R13-3-1104;

6. Axles, tires, and wheels that meet the requirements of R13-3-1102; and
7. Air brakes that meet the requirements of R13-3-1103 for both a truck-tractor and semi-trailer.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**ARTICLE 11. TOW TRUCK EQUIPMENT REQUIREMENTS**

**R13-3-1101. Compliance with Chapter and Identification Requirements**

- A. At all times a tow truck agent shall display on both sides of each tow truck the company name, full name of the town or city in which the company is located, and ten digit telephone number. Letters shall contrast sharply in color with the background on which the letters are placed, be readily legible during daylight hours from a distance of 50 feet while the tow truck is stationary, and be maintained in a manner that retains the legibility.
- B. A tow truck agent shall ensure that all tow trucks meet the requirements of this Chapter. The Department may suspend a permit decal for failure to meet the requirements of this Chapter.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1102. Axle, Wheel, and Tire Requirements**

- A. A tow truck agent shall ensure that a tow truck has:
  1. Axles, wheels, and tires with a manufacturer's capacity rating equal to or greater than the tow truck's G.V.W.R.; and
  2. At all points on major tread grooves, a tread-groove pattern depth of at least 4/32 of an inch on all tires on the steering axle, and 2/32 of an inch on all other tires.
- B. A tow truck agent shall ensure that a tow truck does not have:
  1. Fabric or cord exposed through the tire tread or sidewall;
  2. A tire contacting another tire, suspension, or any other part of the vehicle; or
  3. A tire visibly under-inflated or flat.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1103. Brake Requirements**

- A. A tow truck shall have a power-assisted service brake system, separate from the parking brake system, capable of stopping and holding the tow truck and its load under all conditions and on any grade on which the tow truck is operated. If a tow truck's service brake system is actuated by air, the tow truck shall be equipped with:
  1. A truck-tractor protection valve; and
  2. An audible or visible low air warning device that actuates at a minimum of 55 psi.

- B. A tow truck shall have a parking brake system, separate from the service brake system, which is capable of holding the tow truck and its load. If the tow truck's parking brake system is actuated by air, the tow truck shall be equipped with:
1. A truck-tractor protection valve; and
  2. An audible or visible low air warning device that actuates at a minimum of 55 psi.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1104. Required Equipment**

- A. A light-duty tow truck shall be equipped with a minimum of 20 feet of recovery straps or 5/16-inch diameter chains with a hook on each end of each section. The straps or chains shall have an identifiable mark indicating a minimum working load limit strength of 3,900 pounds.
- B. A medium-duty tow truck shall be equipped with a minimum of 20 feet of recovery straps or 3/8-inch diameter chains with a hook on each end of each section. The straps or chains shall have an identifiable mark indicating a minimum working load limit strength of 7,100 pounds.
- C. A heavy-duty tow truck shall be equipped with a minimum of 20 feet of recovery straps or 1/2-inch diameter chains with a hook on each end of each section. The straps or chains shall have an identifiable mark indicating a minimum working load limit strength of 12,000 pounds.
- D. A semi-trailer or flatbed shall be equipped with "T" slots, eye bolts, "D" rings, or other means for attaching chains or straps, and four tie-down chains or straps with appropriate attachment hooks.
- E. All tow trucks shall be equipped with:
1. Appropriate load securement devices if equipped with a wheel-lift, under-lift, tow bar, tow plate, or tow sling.
  2. A warning light assembly with a minimum of two light emitting sources. The lights shall:
    - a. Be mounted on the tow truck as high as practical and be visible from the front and rear of the tow truck for a distance of 100 feet under normal atmospheric conditions;
    - b. Show amber to the front and amber or red to the rear; and
    - c. Be wired independently of all other electrical circuits.
  3. A minimum of two work lamps. The lamps shall:
    - a. Have clear lenses;
    - b. Be capable of illuminating the area directly behind the tow truck for a distance of 50 feet; and
    - c. Be wired independently of all other electrical circuits.
  4. Two portable lamps consisting of tail lights, brake lights, turn signals, and emergency flashers, if a tow truck is equipped with a wheel-lift, under-lift, tow bar, tow plate or tow sling. Each portable lamp shall be visible from 100 feet under normal atmospheric conditions and comply with A.R.S. §§ 28-925(A), 28-927, and 28-939.
  5. One rear-vision mirror on each side of the tow truck. Each mirror shall have a minimum surface area of 24 square inches.

6. An operational battery-powered electric lantern or a two-cell flashlight.
7. A fire extinguisher having an Underwriter's Laboratories rating of 10 B:C or higher. The fire extinguisher shall be filled, readily accessible for use, and mounted securely to the tow truck.
8. A steering wheel securement device of sufficient strength to lock the steering mechanism in a straight, forward position, if a tow truck is equipped with a wheel-lift, under-lift, tow bar, tow plate or tow sling.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1105. Collision Recovery Equipment Requirements**

A tow truck with collision recovery capabilities shall be equipped with at least:

1. One #2 or larger square-point shovel;
2. One 14-inch wide or larger push broom;
3. Five gallons or 20 pounds of fluid absorbent material stored in a weatherproof container; and
4. One snatch block for each installed winch on the tow truck. Each snatch block shall be of a size and rating compatible with the size and rating of the installed wire rope.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1106. Wire Rope Restrictions**

A tow truck agent shall ensure that a wire rope is not used in a tow truck if it:

1. Has kinks, bird caging, or knots;
2. Is crushed more than 33% of original diameter;
3. Has core protrusion along the length of the rope;
4. Has more than 11 broken wires in six diameters of length;
5. Has more than three broken wires in any one strand; or
6. Has more than two broken wires at the end connection or fitting.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1107. Wire Rope End Specifications and Installation**

A tow truck agent shall ensure that:

1. All wire rope eye loops used on a tow truck are protected by a thimble;
2. Cable clamps are not used on a wire rope; and
3. Thimbles are not cracked, deformed, worn, loose, or have a strand of wire that slips.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

## **ARTICLE 12. REQUIREMENTS FOR TOW TRUCK AGENTS AND COMPANIES**

### **R13-3-1201. Tow Truck Agent and Company Requirements**

- A. A tow truck company shall ensure that each tow truck agent:
1. While operating a tow truck possesses and carries a valid driver's license for the class of tow truck operated;
  2. While operating a tow truck possesses and carries a current medical examination certificate in accordance with 49 CFR 391.45 (October 1, 2003) as incorporated by reference in A.A.C. R17-5-202;
  3. Does not operate a tow truck if the agent has more than two moving violation convictions within the previous 12 months;
  4. Possesses the skill and knowledge to rig, move, pick up, and transport a vehicle without causing avoidable damage to the vehicle or other property;
  5. Has not consumed any alcoholic beverage within four hours of operating the tow truck;
  6. Is not using or under the influence of alcohol or any of the following substances as defined in A.R.S. § 13-3401 while operating a tow truck:
    - a. Peyote;
    - b. Vapor-releasing substance containing a toxic substance;
    - c. Marijuana;
    - d. Dangerous drugs;
    - e. Narcotic drugs; or
    - f. Prescription-only drug unless the tow truck agent obtains the prescription-only drug pursuant to a valid prescription.
  7. Has not been convicted of committing a crime involving fraud, embezzlement, or theft in the five years before operating a tow truck and has never been convicted of committing a felony homicide, felony kidnapping, felony assault, felony sexual offense, or felony robbery;
  8. Has not been convicted under A.R.S. § 28-1381 (driving while under the influence of narcotics, dangerous drugs, or intoxicating beverages) or A.R.S. § 28-693 (reckless driving) while engaged in the operation of a tow truck; and
  9. Does not operate a tow truck while the agent's license to drive is suspended under A.R.S. § 28-1321 (Implied Consent Law), A.R.S. § 28-3473 (license suspension or revocation), or A.R.S. § 28-4141 (suspended license, no insurance).
- B. A tow truck agent shall:
1. Comply with A.R.S. § 28-1108;
  2. Permit a peace officer or other duly authorized agent of a law enforcement agency to inspect a tow truck to determine compliance with the requirements of this Chapter. The inspection may be conducted without notice at any reasonable time and place; and
  3. Have a certification from a licensed testing facility certifying the tested line-pull of the winch or the tested lifting capacity of the boom assembly, if the tow truck is equipped with a homemade boom assembly or homemade winch.
- C. A tow truck agent shall not:
1. Operate a tow truck without an identification number and a legible copy of a tow truck inspection report, as required by this Chapter;

2. Transfer a permit decal or tow truck inspection report from one tow truck to another;
3. Tow or move a vehicle from a highway, street, or public property without prior authorization from the owner or operator of the vehicle, the owner's agent, a person responsible for maintaining the public property, or a law enforcement officer. The tow truck agent may move, but shall not tow, a vehicle to extract an individual from wreckage or to remove a hazard to life or property at a collision scene;
4. Use a hand-operated or electric winch for collision recovery work;
5. Operate a tow truck for collision recovery work unless certified for collision recovery;
6. Use a flatbed tow truck with a G.V.W.R. of less than 14,001 pounds to transport more than one vehicle unless the additional vehicle is a golf cart, a motor-driven cycle, or a trailer that weighs less than 1,500 pounds;
7. Operate a tow truck that has one or more of the following defects;
  - a. Both warning light assembly lights missing or inoperative;
  - b. All load securement devices missing or defective;
  - c. A portable lamp not in compliance with A.R.S. §§ 28-925(A), 28-927 or 28-939, if a portable lamp is required;
  - d. Any steering axle tire with less than 4/32-inch tread depth in one major groove;
  - e. For an axle other than a steering axle, a tire with less than 2/32-inch tread depth and for a dual wheel axle, both tires on the same side with less than 2/32-inch tread depth;
  - f. Any flat tire or tire with cord exposed by cut or wear;
  - g. Any tow plate, tow bar, tow sling, wheel-lift, or under-lift exhibiting wear in excess of manufacturer standards at any pivot point or any crack in a structural component;
  - h. Wire rope in violation of R13-3-1106;
  - i. Any component not maintained within manufacturer standards; or
  - j. A deficiency noted on an inspection report after the time-frame available to the tow truck agent to correct deficiencies has elapsed;
8. Equip a tow truck with homemade boom assembly or homemade winch, unless the tow truck company has a certification from a licensed testing facility certifying the tested line pull of the winch or the tested lifting capacity of the boom assembly;
9. Tow a vehicle using a tow sling, tow plate, or tow bar unless appropriate load securement devices are attached;
10. Transport a vehicle by flatbed or truck, truck-tractor, or semi-trailer unless the vehicle is secured with a minimum of a four-point tie-down, not including the winch;
11. Tow a vehicle with a wheel-lift, under-lift, tow plate, tow bar, or tow sling unless two safety chains are attached by crossing the chains with one end of each chain attached to a major structural member of the tow truck and the other end attached to a major structural member of the towed vehicle, with no attachments to the bumpers;

12. Tow a vehicle using a tow plate, tow bar, tow sling, wheel-lift, or under-lift unless a portable lamp is affixed to the rear of the rear-most towed vehicle, in plain view, and when activated, visible to traffic traveling in the same direction;
  13. Activate warning light assembly except at the scene of service, or when transporting a vehicle that presents a hazard from a collision scene;
  14. Use any vehicle towed or article stored in the towed vehicle, unless it is the property of the tow truck company or tow truck agent;
  15. Operate a tow truck that exceeds the manufacturer's G.V.W.R. without a load or the manufacturer's rated capacity for the boom or bed assembly;
  16. Operate a tow truck that is equipped with a tow plate, tow bar, or tow sling unless the tow plate, tow bar, or tow sling has a manufacturer weight rating that exceeds any load carried on it; or
  17. Refuse to make prompt restitution for any damage for which the tow truck company is legally liable.
- D. The Department may suspend a permit decal for failure to comply with these standards.

#### **Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

### **ARTICLE 13. ENFORCEMENT**

#### **R13-3-1301. Waiver**

If the Director determines there is a compelling public necessity, the Director may waive the enforcement of this Chapter.

1. A person shall make a waiver request in writing.
2. The Director shall separately consider and decide each request for a waiver and each waiver shall only apply to the person requesting the waiver.
3. The Director shall provide the decision in writing.

#### **Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

#### **R13-3-1302. Suspension or Denial of Tow Truck Permit Decal**

- A. The Director may deny or suspend a permit decal for up to one year if a person violates this Chapter.
- B. The Department shall provide a written notice of a permit decal suspension to a tow truck company that includes the information specified in A.R.S. § 41-1092.03(A) and lists:
  1. The effective date of the suspension;
  2. The tow truck affected by the suspension;
  3. The specific violation; and
  4. The actions necessary for compliance and for the Department to end the suspension.
- C. Beginning on the effective date of the suspension, the tow truck company shall not operate the identified tow truck to tow.

- D. The tow truck company shall submit a corrective action plan to the Department that lists the steps the tow truck company will take to reach compliance.
  - 1. A tow truck agent shall sign the plan and submit the plan to the Department for approval and signature.
  - 2. Failure to submit a plan within 90 days of written notice of suspension by the Department constitutes withdrawal from the permit process and requires the tow truck company to reapply under Article 9 of this Chapter.
- E. If the tow truck company complies with the corrective action plan, the Department shall reinstate the tow truck permit decal.
- F. The Department shall not suspend a permit decal for a violation of R13-3-1201(A)(3) unless the tow truck company owner knew or should have known of the tow truck agent's convictions.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).

**R13-3-1303. Appeals**

- A. A person that has had issuance of a tow truck permit decal denied or suspended has a right to a hearing.
  - 1. The Director or designee may combine requests for hearings into one hearing where there are common parties or issues.
  - 2. The hearing shall be conducted by the Office of Administrative Hearings pursuant to A.R.S. § 41-1092, et seq.
- B. A person shall make a request for a hearing in writing to the Department within 30 calendar days from receipt of the notice of denial or suspension. If the request for a hearing is not received within the 30-day period, the person's right to a hearing is waived, unless the person shows that failure to timely request a hearing was beyond the person's control.
- C. If a hearing is requested, the Department shall notify the person in writing at least 30 calendar days before the date set for hearing and include the following in the notice:
  - 1. A statement of the time, place, and nature of the hearing;
  - 2. A statement of the legal authority and jurisdiction under which the hearing is to be held;
  - 3. A reference to the particular sections of the statutes and rules involved; and
  - 4. A short and plain statement of the matters asserted.
- D. A final administrative decision shall be issued pursuant to A.R.S. § 41-1092.08.
  - 1. A copy of the decision shall be mailed to each party.
  - 2. Within 35 calendar days after the date of service of the final decision rendered in the hearing, an appeal may be taken to the Superior Court of the county in which any of the conditions in A.R.S. § 12-905 apply. Appeals to the Superior Court are governed by the provisions of A.R.S. § 12-901 et seq.

**Historical Note**

New Section made by final rulemaking at 12 A.A.R. 1735, effective July 1, 2006  
(Supp. 06-2).