

State of Arizona  
House of Representatives  
Fifty-second Legislature  
First Regular Session  
2015

# HOUSE BILL 2416

AN ACT

AMENDING SECTIONS 28-1095, 28-2153 AND 28-3512, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 12, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 12; AMENDING SECTION 41-1830.51, ARIZONA REVISED STATUTES, AS TRANSFERRED AND RENUMBERED; AMENDING TITLE 41, CHAPTER 12, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 41-1830.52, 41-1830.53 AND 41-1830.54; RELATING TO TOWING SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-1095, Arizona Revised Statutes, is amended to  
3 read:

4 28-1095. Vehicle length; exceptions; permits; rules;  
5 definitions

6 A. A vehicle, including any load on the vehicle, shall not exceed a  
7 length of forty feet extreme overall dimension, including front and rear  
8 bumpers. This subsection does not apply to any of the following:

9 1. A semitrailer when used in combination with a truck or a truck  
10 tractor.

11 2. A truck that is equipped with a conveyor bed, that is used solely  
12 as a fiber and forage module mover and that does not exceed forty-eight feet  
13 in length.

14 3. An articulated bus or articulated trolley coach that does not  
15 exceed a length of sixty feet.

16 4. A bus that is not articulated and that does not exceed a length of  
17 forty-five feet.

18 5. A recreational vehicle, a power unit, a farm vehicle, a horse  
19 trailer or wheeled equipment as defined in section 28-2153 if used in  
20 combination with two units and if the combination does not exceed sixty-five  
21 feet in length.

22 6. A recreational vehicle as defined in section 41-2142, paragraph 30,  
23 subdivision (b) that does not exceed a length of forty-five feet.

24 B. A vehicle transporter may draw only one semitrailer. A combination  
25 of vehicles, excluding a vehicle transporter and the semitrailer it draws,  
26 that is coupled together shall not consist of more than two units, except  
27 that a truck or a truck tractor and semitrailer may draw either one trailer  
28 or a forklift.

29 C. The following restrictions apply:

30 1. The length of a semitrailer operating in a truck  
31 tractor-semitrailer combination or a truck tractor-semitrailer-forklift  
32 combination shall not exceed fifty-seven feet six inches.

33 2. The length of a semitrailer or trailer operating in a truck  
34 tractor-semitrailer-trailer combination shall not exceed twenty-eight feet  
35 six inches.

36 3. The length of a trailer operating in a truck-trailer combination  
37 shall not exceed twenty-eight feet six inches.

38 4. If the length of a semitrailer is more than fifty-three feet, the  
39 overall length of a truck tractor-semitrailer combination shall not exceed  
40 sixty-five feet on all highways, except for the national intercity truck  
41 route network designated by the United States secretary of transportation as  
42 required by the surface transportation assistance act of 1982 or on a system  
43 of highways that is designated by a local authority. In designating the  
44 streets, the local authority shall consider any reasonable restriction

1 including such safety restrictions as structural hazards and street width and  
2 any other safety factors identified by the local authority as a hazard to the  
3 motoring public.

4 5. A vehicle transporter and the semitrailer it draws shall not exceed  
5 a length of seventy-five feet.

6 6. A truck-semitrailer combination shall not exceed an overall length  
7 of sixty-five feet.

8 D. Subsection B and subsection C, paragraphs 1 through 6 of this  
9 section do not apply to damaged, disabled or abandoned vehicles or  
10 combinations of vehicles while being towed by a tow truck in compliance with  
11 section ~~28-1108~~ 41-1830.51.

12 E. Notwithstanding subsections B and C of this section, extensions of  
13 not more than three feet beyond the foremost part and six feet beyond the  
14 rear bed or body of a vehicle or combination of vehicles used to transport  
15 manufactured vehicles or fiber and forage shall not be included in measuring  
16 the length of the vehicle or combination of vehicles when loaded.

17 F. Pursuant to a permit issued pursuant to section 28-1103, a truck or  
18 a truck tractor-semitrailer may draw not more than two additional trailers or  
19 semitrailers. The department shall adopt rules governing the movement and  
20 safety of a combination of vehicles under this subsection and authorizing the  
21 issuance in advance of prepaid permits. The rules shall include the adoption  
22 of minimum speeds on grades, lighting, signing, identification and braking  
23 requirements and any other rules the department deems necessary. The permit  
24 issued pursuant to this subsection is limited to the following highways:

25 1. An interstate highway that connects with two states if both states  
26 allow such combinations of trailers or semitrailers and if the interstate  
27 highway does not exceed forty miles between the connecting states.

28 2. A state route or highway that is located within four miles of and  
29 extends to the border of this state and an adjacent state that allows such  
30 combinations of trailers or semitrailers.

31 3. A state route or highway that extends at least ten miles through an  
32 Indian reservation, that does not cross the Colorado river and that is  
33 located within twenty miles of and extends to the border of this state and an  
34 adjacent state that allows such combinations of trailers or semitrailers.

35 G. Notwithstanding subsections B and C of this section:

36 1. A motor vehicle may draw one single axle tow dolly on which a motor  
37 vehicle may be transported. A person shall secure the raised end of any  
38 motor vehicle being transported pursuant to this paragraph to the tow dolly  
39 by two separate chains, cables or equivalent devices adequate to prevent  
40 shifting or separation of the drawn vehicle and the tow dolly. For the  
41 purposes of this paragraph, "single axle tow dolly" means a vehicle drawn by  
42 a motor vehicle and designed and used exclusively to transport another motor  
43 vehicle by which the front or rear wheels of the drawn motor vehicle are

1 mounted on the tow dolly while the other wheels of the drawn motor vehicle  
2 remain in contact with the ground.

3 2. A truck or a truck tractor may draw a trailer or semitrailer that  
4 does not exceed a length of fifty-seven feet only on an interstate highway or  
5 on a highway that is within ten miles of an interstate highway if the trailer  
6 or semitrailer is manufactured in this state and is traveling with or without  
7 a load from its place of manufacture to be delivered for use outside this  
8 state.

9 3. A recreational vehicle may pull two units if all of the following  
10 conditions are met:

11 (a) The middle unit is equipped with a fifth wheel and brakes. The  
12 middle unit may be a farm vehicle or a horse trailer and shall have a weight  
13 equal to or greater than the rear unit.

14 (b) If the rear unit has a gross weight of three thousand pounds or  
15 more, it is equipped with brakes.

16 (c) The total combined gross weight of the towed units does not exceed  
17 the manufacturer's stated gross vehicle weight of the towing unit.

18 H. For the purposes of this section:

19 1. "Farm vehicle" has the same meaning prescribed in section 28-2514.

20 2. "Recreational vehicle" means a motor vehicle that is designed and  
21 customarily used for private pleasure, including vehicles commonly called  
22 motor homes, pickup trucks with campers and pickup trucks with a fifth wheel  
23 trailing device.

24 Sec. 2. Section 28-2153, Arizona Revised Statutes, is amended to read:

25 28-2153. Registration requirement; exceptions; assessment;  
26 violation; classification

27 A. A person shall not operate, move or leave standing on a highway a  
28 motor vehicle, trailer or semitrailer unless the motor vehicle, trailer or  
29 semitrailer has been registered with the department for the current  
30 registration year or is properly registered for the current registration year  
31 by the state or country of which the owner or lessee is a resident.

32 B. A resident shall not operate, move or leave standing on a highway a  
33 motor vehicle, trailer or semitrailer that is:

34 1. Owned by a nonresident and that is primarily under the control of a  
35 resident of this state for more than seven months unless the motor vehicle,  
36 trailer or semitrailer has been registered with the department for the  
37 current registration year.

38 2. Leased by the resident for more than twenty-nine days unless the  
39 motor vehicle, trailer or semitrailer has been registered with the department  
40 for the current registration year.

41 C. This section applies to a trailer or semitrailer without motive  
42 power unless the vehicle is disabled or is being towed as an abandoned  
43 vehicle at the direction of a law enforcement agency.

44 D. This section does not apply to:

- 1           1. A farm tractor.
- 2           2. A trailer used solely in the operation of a farm for transporting
- 3 the unprocessed fiber or forage products of a farm or any implement of
- 4 husbandry designed primarily for or used in agricultural operations and only
- 5 incidentally operated or moved on a highway.
- 6           3. A road roller or road machinery, including a power sweeper, that is
- 7 temporarily operating or moved on the highway.
- 8           4. An owner permitted to operate a vehicle under special provisions
- 9 relating to lienholders, manufacturers, dealers and nonresidents.
- 10          5. Motorized or nonmotorized equipment designed primarily for and used
- 11 in mining operations and only incidentally operated or moved on a highway.
- 12          6. A motor vehicle that is being towed by a tow truck that has been
- 13 registered and for which a permit has been obtained pursuant to section
- 14 ~~28-1108~~ 41-1830.51.
- 15          7. A golf cart used in the operation of a golf course or only
- 16 incidentally operated or moved on a highway.
- 17          8. Wheeled equipment. For the purposes of this paragraph, "wheeled
- 18 equipment" means:
- 19           (a) A compressor.
- 20           (b) A forklift or a hay squeeze machine that is designed to load hay
- 21 in an off-road situation.
- 22           (c) A portable cement mixer.
- 23           (d) A single axle tow dolly as defined in section 28-1095.
- 24           (e) A tar pot.
- 25           (f) A water trailer used for watering livestock or for agricultural or
- 26 domestic purposes.
- 27           (g) A welder.
- 28           (h) Any other similar item designed and used primarily for
- 29 construction or building trade purposes.
- 30          9. An all-terrain vehicle or an off-road recreational motor vehicle
- 31 operating on a dirt road that is located in an unincorporated area of this
- 32 state. For the purposes of this paragraph, "dirt road" means an unpaved or
- 33 ungraveled road that is not maintained by this state or a city, town or
- 34 county of this state.
- 35          10. A person operating an off-highway vehicle who is participating in
- 36 an off-highway vehicle special event as defined in section 28-1171.
- 37          11. An all-terrain vehicle or an off-highway vehicle as defined in
- 38 section 28-1171 that is only incidentally operated or moved on a highway.
- 39          E. A person who owns or operates a trailer that is exempt from
- 40 registration pursuant to subsection D, paragraph 2 of this section shall
- 41 notify the county assessor of the exemption, and the assessor shall assess
- 42 the trailer.
- 43          F. A person who violates subsection E of this section is guilty of a
- 44 class 2 misdemeanor.

1           Sec. 3. Section 28-3512, Arizona Revised Statutes, is amended to read:  
2           28-3512. Release of vehicle; civil penalties; definition

3           A. An immobilizing or impounding agency shall release a vehicle to the  
4 registered owner before the end of the thirty day immobilization or  
5 impoundment period under any of the following circumstances:

6           1. If the vehicle is a stolen vehicle.

7           2. If the vehicle is subject to bailment and is driven by an employee  
8 of a business establishment, including a parking service or repair garage,  
9 who is subject to section 28-3511, subsection A, B or C.

10          3. If the owner was operating the vehicle at the time of removal and  
11 either immobilization or impoundment and presents proof satisfactory to the  
12 immobilizing or impounding agency that the owner's driving privilege has been  
13 reinstated.

14          4. If all of the following apply:

15           (a) The owner or the owner's agent was not the person driving the  
16 vehicle pursuant to section 28-3511, subsection A.

17           (b) The owner or the owner's agent is in the business of renting motor  
18 vehicles without drivers.

19           (c) The vehicle is registered pursuant to section 28-2166.

20           (d) There was a rental agreement in effect at the time of the  
21 immobilization or impoundment.

22          5. For the spouse of the owner or any person who is identified as an  
23 owner of the vehicle on the records of the department at the time of removal  
24 and either immobilization or impoundment, if the spouse or person was not the  
25 driver of the vehicle at the time of removal and either immobilization or  
26 impoundment and the spouse or person enters into an agreement with the  
27 immobilizing or impounding agency that stipulates that if the spouse or  
28 person allows a driver who does not have a valid driving privilege or a  
29 driver who commits a violation that causes the spouse's or person's vehicle  
30 to be removed and either immobilized or impounded pursuant to this article  
31 within one year after any agreement is signed by an immobilizing or  
32 impounding agency, the spouse or person will not be eligible to obtain  
33 release of the spouse's or person's vehicle before the end of the thirty day  
34 immobilization or impoundment period.

35          B. A vehicle shall not be released pursuant to subsection A of this  
36 section except pursuant to an immobilization or a poststorage hearing under  
37 section 28-3514 or if all of the following are presented to the immobilizing  
38 or impounding agency:

39           1. The owner's or owner's spouse's currently valid driver license  
40 issued by this state or the owner's or owner's spouse's state of domicile.

41           2. Proof of current vehicle registration or a valid salvage or  
42 dismantle certificate of title.

43           3. Proof that the vehicle is in compliance with the financial  
44 responsibility requirements of chapter 9, article 4 of this title.

1           4. If the person is required by the department to install a certified  
2 ignition interlock device on the vehicle, proof of installation of a  
3 functioning certified ignition interlock device in the vehicle. The  
4 impounding agency, storage yard, facility, person or agency having physical  
5 possession of the vehicle shall allow access during normal business hours to  
6 the impounded vehicle for the purpose of installing a certified ignition  
7 interlock device. The impounding agency, storage yard, facility, person or  
8 agency having physical possession of the vehicle shall not charge any fee or  
9 require compensation for providing access to the vehicle or for the  
10 installation of the certified ignition interlock device.

11           C. The owner or the owner's spouse if the vehicle is released to the  
12 owner's spouse is responsible for paying all immobilization, towing and  
13 storage charges related to the immobilization or impoundment of the vehicle  
14 and any administrative charges established pursuant to section 28-3513,  
15 unless the vehicle is stolen and the theft was reported to the appropriate  
16 law enforcement agency. If the vehicle is stolen and the theft was reported  
17 to the appropriate law enforcement agency, the operator of the vehicle at the  
18 time of immobilization or impoundment is responsible for all immobilization,  
19 towing, storage and administrative charges.

20           D. Before the end of the thirty day immobilization or impoundment  
21 period, the immobilizing or impounding agency shall release a vehicle to a  
22 person, other than the owner, identified on the department's record as having  
23 an interest in the vehicle immediately before the immobilization or  
24 impoundment if all of the following conditions are met:

25           1. The person is either of the following:

26           (a) In the business of renting motor vehicles without drivers and the  
27 vehicle is registered pursuant to section 28-2166.

28           (b) A motor vehicle dealer, bank, credit union or acceptance  
29 corporation or any other licensed financial institution legally operating in  
30 this state or is another person who is not the owner and who holds a security  
31 interest in the vehicle immediately before the immobilization or impoundment.

32           2. The person pays all immobilization, towing and storage charges  
33 related to the immobilization or impoundment of the vehicle and any  
34 administrative charges established pursuant to section 28-3513 unless the  
35 vehicle is stolen and the theft was reported to the appropriate law  
36 enforcement agency. If the vehicle is stolen and the theft was reported to  
37 the appropriate law enforcement agency, the operator of the vehicle at the  
38 time of immobilization or impoundment is responsible for all immobilization,  
39 towing, storage and administrative charges.

40           3. The person presents foreclosure documents or an affidavit of  
41 repossession of the vehicle.

42           4. The person requesting release of the vehicle was not the person  
43 driving the vehicle at the time of removal and immobilization or impoundment.

1 E. Before a person described in subsection D of this section releases  
2 the vehicle to the owner who was operating the vehicle at the time of removal  
3 and immobilization or impoundment, the person described in subsection D of  
4 this section shall require the owner to present and shall retain for a period  
5 of at least three years from the date of releasing the vehicle a copy of all  
6 of the following:

7 1. A driver license issued by this state or the owner's or owner's  
8 agent's state of domicile.

9 2. A current vehicle registration or a valid salvage or dismantle  
10 certificate of title.

11 3. Evidence that the vehicle is in compliance with the financial  
12 responsibility requirements of chapter 9, article 4 of this title.

13 F. The person described in subsection D of this section may require  
14 the owner to pay charges that the person incurred in connection with  
15 obtaining custody of the vehicle, including all immobilization, towing and  
16 storage charges that are related to the immobilization or impoundment of the  
17 vehicle and any administrative charges that are established pursuant to  
18 section 28-3513.

19 G. A vehicle shall not be released after the end of the thirty day  
20 immobilization or impoundment period unless the owner or owner's agent  
21 presents all of the following to the impounding or immobilizing agency:

22 1. A valid driver license issued by this state or by the owner's or  
23 owner's agent's state of domicile.

24 2. A current vehicle registration or a valid salvage or dismantle  
25 certificate of title.

26 3. Evidence that the vehicle is in compliance with the financial  
27 responsibility requirements of chapter 9, article 4 of this title.

28 4. If the person is required by the department to install a certified  
29 ignition interlock device on the vehicle, proof of installation of a  
30 functioning certified ignition interlock device in the vehicle. The  
31 impounding agency, storage yard, facility, person or agency having physical  
32 possession of the vehicle shall allow access during normal business hours to  
33 the impounded vehicle for the purpose of installing a certified ignition  
34 interlock device. The impounding agency, storage yard, facility, person or  
35 agency having physical possession of the vehicle shall not charge any fee or  
36 require compensation for providing access to the vehicle or for the  
37 installation of the certified ignition interlock device.

38 H. The storage charges relating to the impoundment of a vehicle  
39 pursuant to this section shall be subject to a contractual agreement between  
40 the impounding agency and a towing firm for storage services pursuant to  
41 section ~~28-1108~~ 41-1830.51 and shall be fifteen dollars for each day of  
42 storage, including any time the vehicle remains in storage after the end of  
43 the thirty day impoundment period.

1 I. The immobilizing or impounding agency shall have no lien or  
2 possessory interest in a stolen vehicle if the theft was reported to the  
3 appropriate law enforcement agency. The immobilizing or impounding agency  
4 shall release the vehicle to the owner or person other than the owner as  
5 identified in subsection D of this section even if the operator at the time  
6 of immobilization or impoundment has not paid all immobilization, towing,  
7 storage and administrative charges.

8 J. A person who enters into an agreement pursuant to subsection A,  
9 paragraph 5 of this section and who allows another person to operate the  
10 vehicle in violation of the agreement is responsible for a civil traffic  
11 violation and shall pay a civil penalty of at least two hundred fifty  
12 dollars.

13 K. A person described in subsection D, paragraph 1 of this section who  
14 violates subsection E of this section is responsible for a civil traffic  
15 violation and shall pay a civil penalty of at least two hundred fifty  
16 dollars.

17 L. For the purposes of this section, "certified ignition interlock  
18 device" has the same meaning prescribed in section 28-1301.

19 Sec. 4. Title 41, chapter 12, Arizona Revised Statutes, is amended by  
20 adding article 12, to read:

21 ARTICLE 12. TOWING SERVICES

22 Sec. 5. Transfer and renumber

23 Section 28-1108, Arizona Revised Statutes, is transferred and  
24 renumbered for placement in title 41, chapter 12, article 12, Arizona Revised  
25 Statutes, as section 41-1830.51 and, as so renumbered, is amended to read:

26 41-1830.51. Vehicle towing; rules; contractual agreement for  
27 towing services; weight exemption

28 A. If a vehicle is towing another vehicle, the drawbar or other  
29 connection shall be of sufficient strength to pull all weight towed by the  
30 vehicle and the drawbar or other connection shall not exceed fifteen feet  
31 from one vehicle to the other, except the connection between any two vehicles  
32 transporting poles, pipe, machinery or other objects of a structural nature  
33 that cannot readily be dismembered. For the purposes of this subsection,  
34 "drawbar" means a rigid structure that connects a trailer and a towing  
35 vehicle and that articulates at the point of connection with the trailer and  
36 articulates at the point of connection with the towing vehicle.

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

40 C. The director ~~of the department of public safety~~ shall:

41 1. Adopt and enforce rules that are not inconsistent with this ~~chapter~~  
42 ARTICLE to govern the design and operation of all tow trucks.

1           2. ADOPT GUIDELINES TO PROTECT CONSUMERS AGAINST BEING OVERCHARGED FOR  
2 TOWING SERVICES. THE GUIDELINES SHALL SPECIFY THAT A LARGER CLASS OF TOW  
3 VEHICLE USED FOR LIGHTER TOWS MUST BE BILLED AT THE LIGHTER DUTY TOWING  
4 SERVICE RATES.

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

10          E. The director ~~of the department of public safety~~ or a county, city  
11 or town may enter into a contractual agreement with a towing firm or firms  
12 for towing or storage services, or both. At the time of application for a  
13 contractual agreement, a towing firm must disclose in writing the owners of  
14 the towing firm and, if the owners own other towing firms that are also  
15 applying for the same contractual agreement, the names of those towing firms.  
16 The contractual agreement shall comply with this section and all rules  
17 adopted under this section. Contracts shall be awarded on the basis of  
18 competitive bidding. The director ~~of the department of public safety~~ or a  
19 county, city or town shall reserve the right to reject all bids. If only one  
20 bid is received, the director ~~of the department of public safety~~ or a county,  
21 city or town may reject the bid and negotiate a contract without bidding if  
22 the negotiated contract is at a price lower than the bid price under the  
23 terms and conditions specified in the call for bids.

24          F. Except as provided in subsection G of this section, a towing firm  
25 may only have one contractual agreement per geographic towing area with the  
26 department ~~of public safety~~ or a county, city or town for towing or storage  
27 services, or both. If an owner of a towing firm has a common ownership  
28 interest in another towing firm or the assets of another towing firm, the  
29 owner may not participate in any other application for a contractual  
30 agreement within the same geographic towing area.

31          G. If a towing firm that has a contractual agreement pursuant to this  
32 section acquires another towing firm that has a contractual agreement  
33 pursuant to this section, both contractual agreements remain valid for one  
34 year after the date of the acquisition.

35          H. Notwithstanding subsection F of this section, an agency may allow a  
36 towing firm to use resources from another towing firm if an agency deems the  
37 use of those resources is necessary for traffic incident management.

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

1           Sec. 6. Title 41, chapter 12, article 12, Arizona Revised Statutes, is  
2 amended by adding sections 41-1830.52 and 41-1830.53 to read:

3           41-1830.52. Department of public safety contractual agreements;  
4                                   towing; maximum allowable rates

5           A. THE DIRECTOR SHALL ESTABLISH THE MAXIMUM ALLOWABLE RATES FOR TOWING  
6 VEHICLE CLASSIFICATIONS USED IN DEPARTMENT AGREEMENTS WITH A TOWING FIRM FOR  
7 TOWING OR STORAGE SERVICES, OR BOTH.

8           B. THE DIRECTOR SHALL CONSULT EVERY EVEN-NUMBERED YEAR WITH A  
9 STATEWIDE TOWING INDUSTRY ASSOCIATION AND PROVIDERS OF TOWING SERVICES FROM  
10 EACH GEOGRAPHICAL TOWING AREA, TO REVIEW INFORMATION, INCLUDING CONTRACT  
11 RATES AND THE CURRENT INDUSTRY RETAIL RATES. THE DIRECTOR MAY CONSULT  
12 ADDITIONAL STAKEHOLDERS AS NEEDED.

13           C. PRIOR TO THE EXPIRATION OF AN EXISTING CONTRACT THE DEPARTMENT MAY  
14 ADJUST THE TOWING SERVICE FEES TO REFLECT INFORMATION RECEIVED PURSUANT TO  
15 SUBSECTION B OF THIS SECTION OR ANY OTHER RELEVANT INFORMATION.

16           41-1830.53. Heavy duty rotator recovery vehicle classification;  
17                                   rates and guidelines; definition

18           A. THE DEPARTMENT SHALL ESTABLISH A HEAVY DUTY ROTATOR RECOVERY  
19 VEHICLE CLASSIFICATION FOR TOWING SERVICES AND ESTABLISH RATES AND GENERAL  
20 GUIDELINES FOR THE USE OF HEAVY DUTY ROTATOR RECOVERY VEHICLES.

21           B. FOR THE PURPOSES OF THIS SECTION, "HEAVY DUTY ROTATOR RECOVERY  
22 VEHICLE" MEANS A TOW VEHICLE THAT HAS ALL OF THE FOLLOWING:

23           1. A MANUFACTURER'S GROSS VEHICLE WEIGHT RATING IN EXCESS OF FIFTY-TWO  
24 THOUSAND POUNDS.

25           2. A BOOM THAT IS CAPABLE OF MOVING ITS POSITION TO THE SIDE OF THE  
26 VEHICLE TO PERFORM RECOVERIES AND THAT HAS A BOOM RATING OF AT LEAST FORTY  
27 TONS.

28           3. AIR BRAKES THAT ARE CAPABLE OF PROVIDING AIR TO THE TOWED VEHICLE'S  
29 BRAKES.

30           Sec. 7. Department of public safety rules; towing services

31           The director of the department of public safety shall adopt rules  
32 establishing a heavy duty rotator recovery vehicle classification for towing  
33 services. The rules shall include rates and general guidelines for the use  
34 of heavy duty rotator recovery vehicles and shall define "heavy duty rotator  
35 recovery vehicle" as a tow vehicle that has all of the following:

36           1. A manufacturer's gross vehicle weight rating in excess of fifty-two  
37 thousand pounds.

38           2. A boom that is capable of moving its position to the side of the  
39 vehicle to perform recoveries and that has a boom rating of at least forty  
40 tons.

41           3. Air brakes that are capable of providing air to the towed vehicle's  
42 brakes.

1           Sec. 8. Conditional repeal; notice

2           A. Section 41-1830.53, Arizona Revised Statutes, and section 7 of this  
3 act are repealed as of the date the department of public safety adopts rules  
4 establishing a heavy duty rotator recovery vehicle classification for towing  
5 services and rates and general guidelines for the use of heavy duty rotator  
6 recovery vehicles, including defining "heavy duty rotator recovery vehicle"  
7 as a tow vehicle that has all of the following:

8           1. A manufacturer's gross vehicle weight rating in excess of fifty-two  
9 thousand pounds.

10           2. A boom that is capable of moving its position to the side of the  
11 vehicle to perform recoveries and that has a boom rating of at least forty  
12 tons.

13           3. Air brakes that are capable of providing air to the towed vehicle's  
14 brakes.

15           B. The department of public safety shall notify in writing the  
16 director of the Arizona legislative council of this date.