

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

CHAPTER 307
HOUSE BILL 2422

AN ACT

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

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

4 28-1108. Vehicle towing; rules; contractual agreement for
5 towing services; weight exemption

6 A. If a vehicle is towing another vehicle, the drawbar or other
7 connection shall be of sufficient strength to pull all weight towed by the
8 vehicle and the drawbar or other connection shall not exceed fifteen feet
9 from one vehicle to the other, except the connection between any two vehicles
10 transporting poles, pipe, machinery or other objects of a structural nature
11 that cannot readily be dismembered. For the purposes of this subsection,
12 "drawbar" means a rigid structure that connects a trailer and a towing
13 vehicle and that articulates at the point of connection with the trailer and
14 articulates at the point of connection with the towing vehicle.

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

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

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

26 E. The director of the department of public safety or a county, city
27 or town may enter into a contractual agreement with a towing firm or firms
28 for towing or storage services, or both. At the time of application for a
29 contractual agreement, a towing firm must disclose in writing the owners of
30 the towing firm and, if the owners own other towing firms that are also
31 applying for the same contractual agreement, the names of those towing firms.
32 The contractual agreement shall comply with this section and all rules
33 adopted under this section. Contracts shall be awarded on the basis of
34 competitive bidding. The director of the department of public safety or a
35 county, city or town shall reserve the right to reject all bids. If only one
36 bid is received, the director of the department of public safety or a county,
37 city or town may reject the bid and negotiate a contract without bidding if
38 the negotiated contract is at a price lower than the bid price under the
39 terms and conditions specified in the call for bids.

40 F. Except as provided in subsection G of this section, a towing firm
41 may only have one contractual agreement per geographic towing area with the
42 department of public safety or a county, city or town for towing or storage
43 services, or both. If an owner of a towing firm has a common ownership
44 interest in another towing firm or the assets of another towing firm, the
45 owner may not participate in any other application for a contractual
46 agreement within the same geographic towing area.

1 G. If a towing firm that has a contractual agreement pursuant to this
2 section acquires another towing firm that has a contractual agreement
3 pursuant to this section, both contractual agreements remain valid for one
4 year after the date of the acquisition OR UNTIL THE END OF THE CONTRACTUAL
5 AGREEMENT, WHICHEVER IS SHORTER.

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

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

APPROVED BY THE GOVERNOR APRIL 10, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 14, 2015.