

State of Arizona  
Senate  
Fifty-third Legislature  
Second Regular Session  
2018

# SB 1203

Introduced by  
Senators Worsley: Bowie, Pratt

## AN ACT

AMENDING SECTION 28-1095, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 3, ARTICLE 18, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-1108; AMENDING SECTIONS 28-2153 AND 41-1830.51, 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 28-1095, 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  
12 solely as a fiber and forage module mover and that does not exceed  
13 forty-eight feet 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  
17 of 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  
21 sixty-five feet in length.

22 6. A recreational vehicle as defined in section 41-4001, paragraph  
23 30, subdivision (b) that does not exceed a length of forty-five feet.

24 B. A vehicle transporter may draw only one semitrailer. A  
25 combination of vehicles, excluding a vehicle transporter and the  
26 semitrailer it draws, that is coupled together shall not consist of more  
27 than two units, except that a truck or a truck tractor and semitrailer may  
28 draw either one trailer 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,  
39 the overall length of a truck tractor-semitrailer combination shall not  
40 exceed sixty-five feet on all highways, except for the national intercity  
41 truck route network designated by the United States secretary of  
42 transportation as required by the surface transportation assistance act of  
43 1982 or on a system of highways that is designated by a local  
44 authority. In designating the streets, the local authority shall consider  
45 any reasonable restriction including such safety restrictions as

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

3 5. A vehicle transporter and the semitrailer it draws shall not  
4 exceed a length of eighty feet with a front overhang of not more than four  
5 feet and a rear overhang of not more than six feet.

6 6. A truck-semitrailer combination shall not exceed an overall  
7 length 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  
11 with section ~~41-1830.51~~ 28-1108.

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

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

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

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

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

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

40 1. A motor vehicle may draw one single axle tow dolly on which a  
41 motor vehicle may be transported. A person shall secure the raised end of  
42 any motor vehicle being transported pursuant to this paragraph to the tow  
43 dolly by two separate chains, cables or equivalent devices adequate to  
44 prevent shifting or separation of the drawn vehicle and the tow  
45 dolly. For the purposes of this paragraph, "single axle tow dolly" means

1 a vehicle drawn by a motor vehicle and designed and used exclusively to  
2 transport another motor vehicle by which the front or rear wheels of the  
3 drawn motor vehicle are mounted on the tow dolly while the other wheels of  
4 the drawn motor vehicle remain in contact with the ground.

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

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

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

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

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

20 4. A vehicle transporter may transport cargo or general freight on  
21 a backhaul in compliance with section 28-1100.

22 H. For the purposes of this section:

23 1. "Backhaul" means the return trip of a vehicle transporter  
24 carrying cargo or general freight over all or part of the same route.

25 2. "Farm vehicle" has the same meaning prescribed in section  
26 28-2514.

27 3. "Recreational vehicle" means a motor vehicle that is designed  
28 and customarily used for private pleasure, including vehicles commonly  
29 called motor homes, pickup trucks with campers and pickup trucks with a  
30 fifth wheel trailing device.

31 Sec. 2. Title 28, chapter 3, article 18, Arizona Revised Statutes,  
32 is amended by adding section 28-1108, to read:

33 28-1108. Vehicle towing; definition

34 A. IF A VEHICLE IS TOWING ANOTHER VEHICLE, THE DRAWBAR OR OTHER  
35 CONNECTION SHALL BE OF SUFFICIENT STRENGTH TO PULL ALL WEIGHT TOWED BY THE  
36 VEHICLE, AND THE DRAWBAR OR OTHER CONNECTION MAY NOT EXCEED FIFTEEN FEET  
37 FROM ONE VEHICLE TO THE OTHER, EXCEPT THE CONNECTION BETWEEN ANY TWO  
38 VEHICLES TRANSPORTING POLES, PIPE, MACHINERY OR OTHER OBJECTS OF A  
39 STRUCTURAL NATURE THAT CANNOT READILY BE DISMEMBERED.

40 B. IF A VEHICLE IS TOWING ANOTHER VEHICLE AND THE CONNECTION  
41 CONSISTS OF A CHAIN, ROPE OR CABLE, A WHITE FLAG OR CLOTH AT LEAST TWELVE  
42 INCHES SQUARE SHALL BE DISPLAYED ON THE CONNECTION.

43 C. A PERSON MAY NOT OPERATE A TOW TRUCK FOR THE PURPOSE OF TOWING  
44 VEHICLES WITHOUT FIRST REGISTERING THE VEHICLE WITH THE DEPARTMENT OF

1 TRANSPORTATION AND OBTAINING A PERMIT PURSUANT TO THE RULES THAT GOVERN  
2 TOW TRUCKS AND THAT ARE ADOPTED BY THE DEPARTMENT OF PUBLIC SAFETY.

3 D. THE TOTAL WEIGHT OF A TOW TRUCK AND THE TOWED VEHICLE IS EXEMPT  
4 FROM THE MAXIMUM TOTAL GROSS WEIGHT LOAD ALLOWED UNDER SECTION 28-1100 IF  
5 A DAMAGED, DISABLED OR ABANDONED VEHICLE OR VEHICLE COMBINATION IS TOWED

6 E. FOR THE PURPOSES OF THIS SECTION, "DRAWBAR" MEANS A RIGID  
7 STRUCTURE THAT CONNECTS A TRAILER AND A TOWING VEHICLE AND THAT  
8 ARTICULATES AT THE POINT OF CONNECTION WITH THE TRAILER AND ARTICULATES AT  
9 THE POINT OF CONNECTION WITH THE TOWING VEHICLE..

10 Sec. 3. Section 28-2153, Arizona Revised Statutes, is amended to  
11 read:

12 28-2153. Registration requirement; exceptions; assessment;  
13 violation; classification

14 A. A person shall not operate, move or leave standing on a highway  
15 a motor vehicle, trailer or semitrailer unless the motor vehicle, trailer  
16 or semitrailer has been registered with the department for the current  
17 registration year or is properly registered for the current registration  
18 year by the state or country of which the owner or lessee is a resident.

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

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

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

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

31 D. This section does not apply to:

32 1. A farm tractor.

33 2. A trailer used solely in the operation of a farm for  
34 transporting the unprocessed fiber or forage products of a farm or any  
35 implement of husbandry designed primarily for or used in agricultural  
36 operations and only incidentally operated or moved on a highway.

37 3. A road roller or road machinery, including a power sweeper, that  
38 is temporarily operating or moved on the highway.

39 4. An owner permitted to operate a vehicle under special provisions  
40 relating to lienholders, manufacturers, dealers and nonresidents.

41 5. Motorized or nonmotorized equipment designed primarily for and  
42 used in mining operations and only incidentally operated or moved on a  
43 highway.

1           6. A motor vehicle that is being towed by a tow truck that has been  
2 registered and for which a permit has been obtained pursuant to section  
3 ~~41-1830.51~~ 28-1108.

4           7. A golf cart used in the operation of a golf course or only  
5 incidentally operated or moved on a highway.

6           8. Wheeled equipment. For the purposes of this paragraph, "wheeled  
7 equipment" means:

8           (a) A compressor.

9           (b) A forklift or a hay squeeze machine that is designed to load  
10 hay in an off-road situation.

11           (c) A portable cement mixer.

12           (d) A single axle tow dolly as defined in section 28-1095.

13           (e) A tar pot.

14           (f) A water trailer used for watering livestock or for agricultural  
15 or domestic purposes.

16           (g) A welder.

17           (h) Any other similar item designed and used primarily for  
18 construction or building trade purposes.

19           9. An all-terrain vehicle or an off-road recreational motor vehicle  
20 operating on a dirt road that is located in an unincorporated area of this  
21 state. For the purposes of this paragraph, "dirt road" means an unpaved  
22 or ungraveled road that is not maintained by this state or a city, town or  
23 county of this state.

24           10. A person operating an off-highway vehicle who is participating  
25 in an off-highway vehicle special event as defined in section 28-1171.

26           11. An all-terrain vehicle or an off-highway vehicle as defined in  
27 section 28-1171 that is only incidentally operated or moved on a highway.

28           E. A person who owns or operates a trailer that is exempt from  
29 registration pursuant to subsection D, paragraph 2 of this section shall  
30 notify the county assessor of the exemption, and the assessor shall assess  
31 the trailer.

32           ~~F.~~ A person who violates THIS subsection ~~E of this section~~ is  
33 guilty of a class 2 misdemeanor.

34           Sec. 4. Section 41-1830.51, Arizona Revised Statutes, is amended to  
35 read:

36           41-1830.51. Vehicle towing; rules; contractual agreement for  
37 towing services; definition

38           ~~A. If a vehicle is towing another vehicle, the drawbar or other~~  
39 ~~connection shall be of sufficient strength to pull all weight towed by the~~  
40 ~~vehicle and the drawbar or other connection shall not exceed fifteen feet~~  
41 ~~from one vehicle to the other, except the connection between any two~~  
42 ~~vehicles transporting poles, pipe, machinery or other objects of a~~  
43 ~~structural nature that cannot readily be dismembered. For the purposes of~~  
44 ~~this subsection, "drawbar" means a rigid structure that connects a trailer~~  
45 ~~and a towing vehicle and that articulates at the point of connection with~~

1 ~~the trailer and articulates at the point of connection with the towing~~  
2 ~~vehicle.~~

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

6 ~~C.~~ A. The director shall:

7 1. Adopt and enforce rules that are not inconsistent with this  
8 article to govern the design and operation of all tow trucks.

9 2. Adopt guidelines to protect consumers against being overcharged  
10 for towing services. The guidelines shall specify that a larger class of  
11 tow vehicle used for lighter tows must be billed at the lighter duty  
12 towing service rates.

13 ~~D. A person may not operate a tow truck for the purpose of towing~~  
14 ~~vehicles without first registering with the director and obtaining a~~  
15 ~~permit pursuant to the rules that govern tow trucks and that are adopted~~  
16 ~~by the department.~~

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

30 ~~F.~~ C. Except as provided in subsection ~~G.~~ D of this section, a  
31 towing firm may only have one contractual agreement per geographic towing  
32 area with the department or a county, city or town for towing or storage  
33 services, or both. If an owner of a towing firm has a common ownership  
34 interest in another towing firm or the assets, or shared use of the  
35 assets, of another towing firm, the owner may not participate in any other  
36 application for a contractual agreement within the same geographic towing  
37 area for that application. The department or a county, city or town must  
38 determine that each towing firm is in compliance with this subsection.  
39 The director or a county, city or town must review any complaints that are  
40 submitted with supporting documentation and that allege a violation of  
41 this subsection.

42 ~~G.~~ D. If a towing firm that has a contractual agreement pursuant  
43 to this section acquires another towing firm that has a contractual  
44 agreement pursuant to this section, both contractual agreements remain

1 valid for one year after the date of the acquisition or until the end of  
2 the contractual agreement, whichever is shorter.

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

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

10 ~~J.~~ F. If towing companies share any employees or staff, the  
11 companies shall be considered as one company for the purposes of the  
12 rotation list in that geographically contracted towing area.

13 ~~K.~~ G. For the purposes of this section, "asset" means any property  
14 that has a value, including financial, intangible and physical assets, and  
15 includes:

- 16 1. Vehicles.
- 17 2. Equipment.
- 18 3. Stock.
- 19 4. A membership in a limited liability company.
- 20 5. A partnership interest.
- 21 6. A beneficial interest in a trust or another like item.