

**Report of Tow Truck Service Rates As Required Under
Utah Code §72-9-603(8)
Utah Department of Transportation**

During the 2013 General Session, the Utah State Legislature adopted H.B. 115, Towing Amendments. As part of that bill, the Utah Department of Transportation (UDOT) was tasked with providing a report to the Transportation Interim Committee regarding:

- a. The methods the Department uses to set maximum rates of fees established by the Department under §72-9-605(7).
- b. The methods used by other entities to set maximum rates of fees equivalent to the fees established by the Department under §72-9-605(7).
- c. Administering state laws and rules pertaining to towing including the procedures for tow truck motor carrier violations.

I. Method to Establish Maximum Rates and Fees

1. Maximum rates and fees that may be charged for non-consent police generated and private property tow services are contained in Rule R909-19ⁱ. Annually in the month of August, tow industry representatives may be invited to attend a regular meeting of the Motor Carrier Advisory Board (MCAB)ⁱⁱ to request needed changes to authorized rates and fees.
2. The Utah Motor Carrier Division (Division) and the MCAB review and discuss the proposed rates. If the MCAB and the Division believe the request is within reason, the Division will survey neighboring states to determine whether the proposed rates are reasonable and consistent for the western region.
3. Through normal rulemaking and as authorized under §72-9-603(7), the Division proposes to amend Rule R909-19 to modify the maximum rates and fees that may be charged for tow services.
4. As required under Utah Code §72-1-303(j), the proposed rule is reviewed by the Utah Transportation Commission.
5. The proposed rule is submitted for public comment and if no comments are received, the rule and new rates become final.

Current Tow Fees for Utah:

Non-Consent Police Generated and Non-Consent (Private Property)

- Tow Fee/Storage Fee –
 - Up to \$145 per hour/Up to \$25 per day for Light Duty Vehicle (*Gross vehicle weight of 10,000 pounds or less*)

- Up to \$240 per hour/Up to \$45 for Medium Duty Vehicle (*Gross vehicle weight between 10,001 and 26,000 pounds*)
- Up to \$300 per day/Up to \$70 per day for Heavy Duty Vehicle (*Gross vehicle weight over 26,000 pounds*)
- Administrative Fee – Up to \$30
- Fuel Surcharge – Percentage of Tow Fee
- See R909-19-14 for specific fuel surcharge rate

II. Method Used by Other Entities to set Maximum Rates and Fees

1. Arizona

- Police generated – State is divided into regions and then a request for proposal (RFP) is solicited to establish the rates for a specified period.
- Private property impounds – Each jurisdiction sets rates, for example:
 - i. City of Phoenix – Towing - \$105 inclusive; Storage - \$12 per day

2. Colorado

- Police generated – No regulation for this fee
- Private property impounds – The Public Utility Commission (PUC) sends out a survey to towing entities of their operating costs. The PUC then hires an economist to analyze the data to determine the appropriate rate to be charged.
 - i. Towing - \$160 plus mileage. Mileage is \$3.80 per mile with a maximum of 16 miles allowed. The mileage fee may increase 1% for every ten cent increase of the price of fuel from a base fee utilizing the Rocky Mountain average.
 - ii. Storage - \$30 - \$37 per day based on the vehicle weight rating or \$1.50 for each foot or partial foot of vehicle length.
 - iii. Fees charged after regular business hours - \$66

3. Idaho

- Jurisdictions are divided into regions. Each jurisdiction will send out a survey to determine the current market rates for consent tows. After compiling rates, they take the average rate and then double it to determine the non-consent police and private property impounds.
- Pocatello
 - i. Towing - \$150 - \$250 plus \$4 per mile
 - ii. Storage - \$35 - \$50 per day
- Idaho Falls and Blackfoot Region
 - i. Towing - \$200 - \$250 plus \$4 per mile
 - ii. Storage - \$35 - \$50 per day

4. Nevada

- The Nevada Transportation Authority regulates all fees in relation to non-consent towing. To calculate the fees, the Authority divided the state into four areas and took a survey of the tow operators to determine the highest fee that was being charged. Any fee is acceptable as long as it doesn't exceed the highest rate by 50%. Each company is required to file their current charges.
 - Las Vegas area
 - i. Towing - \$158 - \$201 flat rate
 - ii. Storage - \$30 per day
 - Las Vegas Metro Police Department – A bid process is conducted and the three lowest bidders are selected:
 - i. Towing - \$155 - \$195 flat rate
 - ii. Storage - \$20 - \$40 per day
 - Reno
 - i. Towing - \$260 per hour with a two hour minimum.
 - ii. Storage - \$30 per day
5. New Mexico
- The New Mexico Public Regulation Commission regulates all non-consent tows.
 - i. Towing - \$100 - \$225
 - ii. Storage - \$10 - \$30 per day
 - iii. After hours fee - \$50
 - iv. Administration fee - \$25
 - v. Fuel surcharge – Formula utilizing the Rocky Mountain fuel average
6. Wyoming – No current regulations

III. Methods Used to Address Violations of State Laws and Rule

- *Consumer complaints.* The UDOT Motor Carrier Division (Division) investigates consumer complaints by obtaining a copy of all documentation associated with a tow and determines whether the tow complied with the law.
- *Certification.* Every two years a tow truck company must be certified by the Division. Tow truck company certification requirements include the completed certification of all company tow trucks and drivers and a successful audit of the company's towing receipts. In recent years, certification has been completed online. However, the Division is in the process of transitioning to onsite reviews, which includes an inspection of tow receipts to ensure compliance with authorized tow rates.
- *Penalties.* When violations are discovered, tow truck carriers are given a warning by the Division. If serious violations are discovered during an onsite review, certification visit, or compliance investigation, the carrier may be subject to additional penalties as appropriate and as authorized under Utah Code §72-9-704 and Rules R909-19-6. In

the case of a civil penalty, §72-9-703 requires a penalty of not less than \$500, not to exceed more than \$2,000 for each offense. Once the penalty is issued, the tow truck operator is required to demonstrate what corrective action has been taken to ensure violations don't reoccur in the future. Typically, a suspension or revocation of the certification is utilized before a civil penalty is issued.

IV. Recommendations

The UDOT Motor Carrier Division recommends that the legislature considers studying tow fee structures that are based on competitive market forces.

ⁱ Rules R909-19. Safety Regulations for Tow Truck Operations – Tow Truck Requirements for Equipment, Operation and Certification
R909-19-1. Authority.

This rule is enacted under the authority of Sections 72-9-601, 72-9-602, 72-9-603, 72-9-604, 53-1-106, 41-6a-1405, Utah Code.

R909-19-2. Applicability.

All tow truck motor carriers and employees must comply and observe all rules, including R909-1, regulations, traffic laws and guidelines as prescribed by State Law, including Sections 41-6a-1404, 41-6a-1405, 41-6a-1406, 72-9-301, 72-9-303, 72-9-601, 72-9-602, 72-9-603, 72-9-604, 72-9-701, 72-9-702, and 72-9-703.

R909-19-3. Definitions.

(1) "Consent Tow" means any tow truck service that is done at the vehicle, vessel, or outboard motor owner's, or its legal operator, knowledge and/or approval.

(2) "Department" means the Utah Department of Transportation.

(3) "Division" means the Motor Carrier Division.

(4) "Gross Combination Weight Rating (GCWR)" means the value specified by the manufacturer as the loaded weight of a combination (articulated) motor vehicle. In the absence of a value specified by the manufacturer, GVCR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon.

(5) "Gross Vehicle Weight Rating (GVWR)" means the value specified by the manufacturer as the loaded weight of a single motor vehicle.

(6) "Life-Essential personal property" includes those items essential to sustain life or health including: prescription medication, medical equipment, essential clothing (e.g. shoes, coat), food and water, child safety seats, and government issued photo-identification.

(7) "Non-Consent Police Generated Tow" means tow truck service that was ordered by a peace officer, or a person acting on behalf of a law enforcement agency, or a highway authority, as defined in Section 72-1-102.

(8) "Non-consent Non Police Generated Tow" means towing services performed without the prior consent or knowledge of the owner of the vehicle or the person authorized by the owner to operate the vehicle from private property. The tow truck service must be from private property, at the request of the property landowner or agent for the landowner.

(9) "Normal Office Hours" means hours of operation where the office or yard shall be staffed and open for public business during normal business hours Monday thru Friday, except for designated state and federal holidays.

(10) "Recovery Operation" means a towing service that may require charges in addition to the normal one-truck/one-driver towing service requirements. The additional charges may include charges for manpower, extra equipment, traffic control, and special recovery equipment and supplies.

(11) "Tow Truck" means a motor vehicle constructed, designed, altered, or equipped primarily for the purpose of towing or removing damaged, disabled, abandoned, seized, repossessed or impounded vehicles from highway or other place by means of a crane, hoist, tow bar, tow line, dolly tilt bed, or other similar means of vehicle transfer without its own power or control.

(12) "Tow Truck Certification Program" means a program to authorize and approve tow truck motor carrier owners, operators, and vehicles is the process by which the Department, acting under Section 72-9-602, shall verify compliance with the State and Federal Motor Carriers Safety Regulations.

(13) "Tow Truck Motor Carrier" means any company that provides for-hire, private, salvage, or repossession towing services. It includes the company's agents, officers, and representatives as well as employees responsible for hiring, training, supervisory, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of equipment and/or accessories.

(14) "Tow Truck Service" means the functions and any ancillary operations associated with recovering, removing, and towing a vehicle and its load from a highway or other place by means of a tow truck.

(a) Tow Truck Service, with regards to authorized towing fees, is determined by the type and size of the towed vehicle, not the type and size of the tow truck performing the service.

(b) Towed Vehicle Classifications will be used when determining authorized fees. Information regarding the GVWR to determine classification category of towed vehicle can be found on the identification plate on the vehicle driver side doorframe. Towed vehicle classifications are as follows:

(i) "Light Duty" means any towed vehicle with a GVWR 10,000 pounds or less;

(ii) "Medium Duty" means any towed vehicle with a GVWR between 10,001 and 26,000 pounds;

(iii) "Heavy Duty" means any towed vehicle with a GVWR or GCWR 26,001 pounds and greater.

(15) "Tow Truck Motor Carrier Steering Committee" means a committee established by the Motor Carrier Division and will include enforcement personnel, industry representatives and other persons as deemed necessary.

R909-19-4. Duties - Enforcement - Compliance Audits, Inspections and Right of Entry.

The Department shall administer and in cooperation with the Department of Public Safety, Utah Highway Patrol Division as specified under Section 53-8-105, shall administer and enforce state and federal laws related to the operation of tow truck motor carriers within the state. In addition, a tow truck motor carrier shall submit its lands, property, buildings, equipment for inspection and examination and shall submit its accounts, books, records, or other documents for inspection and copying to verify compliance as authorized by Section 72-9-301.

R909-19-5. Insurance.

(1) Non-consent police generated tows are required to maintain at least \$750,000 of liability insurance.

(2) Tow Truck Motor Carriers performing non-consent non-police generated tows or consent tows are required to maintain at least \$1,000,000 of liability insurance plus the MCS-90 endorsement for environmental restoration as required in 49 CFR Part 387 - Minimum Levels of Financial Responsibility for Motor Carriers.

(3) Evidence of required insurance will be maintained at the principal place of business and made available to the Department and/or Investigator upon request and prior to the Tow Truck Motor Carrier certification.

R909-19-6. Penalties and Fines.

(1) Any tow truck motor carrier that fails or neglects to comply with State or Federal Motor Carrier Safety Regulations, other statutes, any part of this rule, any term or condition of the permit or any materials that it incorporates either by reference or attachment, or a Departmental order, is subject to:

(a) a civil penalty as authorized by Section 72-9-701, and 72-9-703;

(b) suspension or revocation of a carrier or tow truck certification (suspension or revocation will be based upon the severity of violations to this rule, Sections 41-6a-1406 and 72-9-603);

(c) issuance of a cease-and-desist order as authorized by Section 72-9-303; and

(d) the revocation or suspension of registration by the Utah State Tax Commission pursuant to Section 72-9-303.

R909-19-7. Towing Notice Requirements.

(1) All non-consent police generated and non-consent non-police generated tows conducted by Tow Truck Motor Carriers must input required information in electronic form on the Division of Motor Vehicles Utah State Tax Commission's website, at "<https://secure.utah.gov/ivs/ivs>" as required by 41-6a-1406(11).

(a) Tow Truck Motor Carriers may charge an administrative fee up to but not exceeding \$30.00 per vehicle notification for reporting non-consent tows to the Department of Motor Vehicles.

(2) Tow Truck Motor Carriers must notify the local enforcement agency having jurisdiction over the area from where the vehicle, vessel, or outboard motor was removed on all non-consent non-police generated tows immediately upon arrival at the impound or storage yard.

(a) For tows conducted on vehicles, vessels, and outboard motors and the owner information does not appear in the IVS or TLR (Title License Registration) systems, a Tow Truck Motor Carrier has met this requirement if they can provide proof that a certified letter has been sent to the Utah State Tax Commission Division of Motor Vehicle or the appropriate state where the vehicle, vessel, and outboard motor is registered, within two business days requesting the needed information to send the letter.

(3) If required notifications to the Division of Motor Vehicles and local law enforcement is not completed as required by Sections 41-6a-1406 and 72-9-603, the Tow Truck Motor Carrier or operator may not collect any fees associated with the removal or begin charging storage fees as authorized under Sections 41-6a-1406 and 72-9-603 until the removal has been reported to the Motor Vehicle Division and the local law enforcement agency.

(4) If notification to the last known owner and lien holder is not made as required by this rule, the Tow Truck Motor Carrier may be subject to penalties as outlined in this rule.

R909-19-8. Certification.

There are three (3) certifications required by the Department.

(1) Tow Truck Driver Certification.

(a) Effective July 1, 2004 all tow truck drivers will be tested and certified in accordance with National Driver Certification Procedure (NDCP) standards and carry evidence of certification for the appropriate level of vehicle they are operating. These standards of conduct and proficiency may be tested and certified through an accepted program approved by the Department.

(i) Towing and Recovery Association of America (TRAA) Testing Program;

(ii) Wreckmaster Certification Program;

(iii) AAA Certification Program;

(iv) Utah Safety Council; or

(v) Other driver testing certification programs approved by the Department to meet certification requirements however; the Tow Truck Motor Carrier must obtain prior approval in writing from the Motor Carrier Division Administrator or Division representative by calling (801) 965-4892.

(b) Information on qualified certification programs may be obtained by contacting the Motor Carrier Division at (801) 965-4892.

(c) Tow Truck Motor Carriers shall ensure that all drivers are:

(i) properly trained to operate tow truck equipment;

(ii) licensed, as required under Sections 53-3-101, through 53-3-909 Uniform Driver License Act; and

(iii) properly certified.

(2) Tow Truck Vehicle Certification.

(a) All tow trucks shall be inspected and certified biannually.

(b) All tow trucks must be equipped with required safety equipment. Safety Equipment List can be found at <http://www.udot.utah.gov/index.php/m=c/tid=396> or by calling 801-965-4892.

(c) Upon vehicle certification, a UDOT safety sticker will be issued and shall be affixed on the driver's side rear window.

(d) Documentation of UDOT tow truck vehicle inspection certification shall be kept in the vehicle files and be available upon request by Department personnel.

(3) Tow Truck Motor Carrier Certification.

(a) Tow Truck Motor Carriers shall be certified biannually to ensure compliance as required by the Federal Motor Carrier Safety Regulations, Utah Code Annotated, and local laws where applicable.

R909-19-9. Certification Fees.

The Department may charge Tow Truck Motor Carriers a fee biannually as authorized by Section 72-9-603 to cover costs associated with driver, vehicle, and carrier certifications.

R909-19-10. Information Required on Towing Receipt.

Charges for services provided must be clearly reflected on a company receipt and a copy shall be provided to the customer. The receipt must include the following information:

- (a) company name;
- (b) address;
- (c) phone number;
- (d) transportation, administration, fuel surcharge, and storage fees charged;
- (e) name of company driver;
- (f) unit number;
- (g) license plate of the towed vehicle;
- (h) make, model, Vehicle Identification Number, and year of the towed vehicle; and
- (i) start and end time with total hours for services provided.

R909-19-11. Maximum Towing Rates. Non-Consent Police Generated Tows.

(1) \$145 per hour, per unit, when towing a "Light Duty" vehicle.

(a) An additional 15% per hour may be charged if the towed vehicle is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations, 49 CFR Part 172, subpart F.

(2) \$240 per hour, per unit, when towing a "Medium Duty" vehicle.

(a) An additional 15% per hour may be charged if the towed vehicle is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations, 49 CFR Part 172, subpart F.

(3) \$300 per hour, per unit, when towing a "Heavy Duty" vehicle.

(a) An additional 15% per hour may be charged if the towed vehicle is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations, 49 CFR Part 172, subpart F.

(4) If a tow truck apparatus is mechanically connected to a vehicle, the tow truck will be considered in possession of the vehicle.

(a) If the owner, authorized operator, or authorized agent of the owner of a motor vehicle, is attempting to retrieve said vehicle before the tow truck is mechanically connected, no fee(s) will be charged to the vehicle owner.

(b) If the owner, authorized operator, or authorized agent of the owner of the vehicle, is attempting to retrieve said vehicle before the vehicle is removed from the property or scene, the maximum fee shall not exceed 50% of the posted rate schedule.

(5) Charges for recovery operations, as defined by R909-19-3, shall be coordinated with the towed vehicle owner prior to initiating the additional charges relating to the recovery operation. Coordination with the towed vehicle owner should result in an agreement between the tow vehicle owner and Tow Truck Motor Carrier.

(6) Pursuant to Section 72-9-603 it is illegal for a Tow Truck Motor Carrier to require the owner of an impounded vehicle to pay any money other than the appropriate amount listed in this rule. Any tow truck service charging more than the maximum approved rates may be assessed civil penalties determined by the Department, as authorized under Section 72-9-303.

(7) Tow Truck Motor Carriers shall obey all local city and county laws, when applicable, pertaining to placement of signs, notification, and other towing related ordinances. Strobe lights are not allowed on Tow Trucks. The acceptable color for tow truck lights is amber.

R909-19-12. Maximum Non-Consent Non Police Generated Towing Rate.

(1) The maximum rate for a "Light Duty" vehicle is \$145 per tow.

(2) The maximum rate for a "Medium Duty" vehicles is \$240 per tow.

(3) The maximum rate for a "Heavy Duty" vehicle is \$300 per tow.

(4) If a tow truck apparatus is mechanically connected to a vehicle, the tow truck will be considered in possession of the vehicle.

(a) If the owner, authorized operator, or authorized agent of the owner of a motor vehicle, is attempting to retrieve said vehicle before the tow truck is mechanically connected, no fee(s) will be charged to the vehicle owner.

(b) If the owner, authorized operator, or authorized agent of the owner of the vehicle, is attempting to retrieve said vehicle before the vehicle is removed from the property or scene, the maximum fee shall not exceed 50% of the posted rate schedule.

(5) Pursuant to Section 72-9-603, it is illegal for a Tow Truck Motor Carrier to require the owner of an impounded vehicle to pay any money other than the appropriate amount listed in this rule. Any tow truck service charging more than the maximum approved rates may be assessed civil penalties determined by the Department, as authorized under Section 72-9-303.

(6) Tow Truck Motor Carriers shall obey all local city and county laws, when applicable, pertaining to placement of signs, notification, and other towing related ordinances.

R909-19-13. Maximum Storage Rates. Non-Consent Tows.

(1) \$25 Maximum per day, per unit, for outside storage of "Light Duty" vehicles.

(2) \$30 Maximum per day, per unit may be charged for inside storage of "Light Duty" vehicles only at the owner's request, or at the order of a law enforcement agency or highway authority.

(3) \$45 Maximum per day, per unit for outside storage of "Medium/Heavy Duty" vehicles.

(4) \$70 Maximum per day, per unit may be charged for inside storage of "Medium/Heavy Duty" vehicles only at the owner's request, or at the order of a law enforcement agency or highway authority.

(5) \$100 Maximum per day, per unit for outside storage of vehicles used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations, 49 CFR Part 172, subpart F.

(6) \$150 Maximum per day, per unit may be charged for inside storage of vehicles used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations, 49 CFR Part 172, subpart F, only at the owner's request, or at the order of a law enforcement agency or highway authority.

(7) Pursuant to Section 72-9-603, it is illegal for a Tow Truck Motor Carrier to require the owner of an impounded vehicle to pay any money other than the appropriate amount listed in this rule. Any tow truck service charging more than the maximum approved rates may be assessed civil penalties determined by the Department, as authorized under Section 72-9-303.

(8) For the purpose of calculating storage rates, if the first six (6) hours of storage for a vehicle includes more than one day, the authorized storage fee is only the charge for one day.

R909-19-14. Fuel Surcharge for Non-Consent Police and Non-Consent Non-Police Generated Tows.

(1) When the daily Rocky Mountain Average, as determined by the Department of Energy, for the price of fuel raises \$0.50 from the base rate of \$3.00 to \$3.50 per gallon, a tow truck motor

carrier may charge a 10% surcharge of the base tow rate. An additional 10% shall be allowed for each \$0.50 per gallon increase. Conversely, as the price of fuel drops, the fuel surcharge shall decrease by the same rate.

TABLE

Fuel Surcharge	Fuel Price				
	Base Rate	\$3.50	\$4.00	\$4.50	\$5.00
Light Duty	\$145.00	\$14.50	\$29.00	\$43.50	\$58.00
Medium Duty	\$240.00	\$24.00	\$48.00	\$72.00	\$96.00
Heavy duty	\$300.00	\$30.00	\$60.00	\$90.00	\$120.00

(a) To determine the Rocky Mountain daily average per gallon diesel cost, refer to <http://tonto.eia.doe.gov/oog/info/wohdp/diesel.sap>.

(b) The fuel surcharge may be charged on non-consent police generated tow when the vehicle is being used in the function of a tow vehicle i.e. travel to and from the scene and during the operation of equipment for recovery operation. Non-consent non-police tows may charge a one time fee.

(c) Surcharge fee shall be listed as a separate fee on the tow bill.

R909-19-15. Towing and Storage Rates. Public Consent Tows.

Towing rates for public consent tows are the responsibility of the consumer and the tow truck motor carrier as contracted for services rendered and are not regulated by the Department.

R909-19-16. Rates and Storage Posting Requirements.

Pursuant to Section 72-9-603, a tow truck motor carrier or impound yard shall clearly and conspicuously post and disclose all its current non-consent fees and rates for towing and storage of a vehicle.

R909-19-17. Federal Motor Carrier Safety Requirements.

All tow truck motor carriers that meet the definition of a commercial motor carrier shall comply with all State and Federal Motor Carrier Safety Regulations, in addition to any other legal requirements established in statute, rule, or permit.

R909-19-18. Consumer Protection Information.

Pursuant to Section 72-9-602, the Department shall make consumer protection information available to the public that may use a tow truck motor carrier. To obtain such information, the public can call the Motor Carrier Division at (801) 965-4892.

R909-19-19. Establishment of Tow Truck Steering Committee and Work Group.

(1) The Administrator for the Motor Carrier Division will establish a Steering Committee to provide advisory information and input.

(2) The Motor Carrier Advisory Board, established by the Governor, will serve as the steering body for regulatory guidance and the Department's certification process.

R909-19-20. Annual Review of Rates, Fees and Certification Process.

(1) During the regularly scheduled Motor Carrier Advisory Board meeting in August of each year, the board will review rates, fees, tow truck motor carrier procedures, and the certification process. The board is not required to review each of these items every year.

(2) This meeting will provide a forum for interested parties to provide evidence in support of any rate or fee increase or issues related to procedures regarding the certification process.

(3) All interested parties must notify the Department of these issues by August 1 of each year to ensure placement on the agenda.

(4) An annual report will be issued by the Department regarding any rate, fees, tow truck motor carrier procedures and certification process changes will be made available at the Motor Carrier Division office.

R909-19-21. Ability to Petition for Review.

Any Tow Truck Carrier who believes the Division has acted wrongfully in denying or suspending certification or in imposing a cease-and-desist order may petition the Department for review of that action pursuant to Utah Admin. Code R907-1, Appeal of Departmental Actions.

R909-19-22. Record Retention.

Tow Truck Motor Carriers shall retain records relating to rates charged for services for a period of six months after the service has been provided. However, if the Division or the vehicle owner have notified the carrier that it disputes its ability to charge a particular fee, the carrier shall retain the record until six months after the dispute has concluded or a court rule or order requires a longer retention period.

R909-19-23. Life Essential Property.

Property which is deemed as life essential shall be given to the vehicle owner regardless of payment for rendered services.

ⁱⁱ The Motor Carrier Advisory Board (Board), created in Utah Code §72-9-201, consists of five members appointed by the governor with expertise in motor carrier transportation, commerce, agriculture, economics, shopping or highway safety. The Board advises the Utah Department of Transportation and the Utah Transportation Commission on motor carrier related issues. As elected by the Board, the current chair is Chairman Don Ipson.