

3rd Sub. H.B. 228

TOWING REVISIONS

Representative A. Cory Maloy proposes the following amendments:

1. Page 17, Line 520 through Page 18, Line 525:

520 ~~{(1)(a)}~~ "Central office" means a central place of business of a tow truck motor carrier
521 located within a 10 mile radius of each state impound yard owned or operated by the tow truck
522 motor carrier.
523 ~~—— (b) "Central office" does not include a remote state impound yard owned or operated~~
524 by the tow truck motor carrier. }
525 {+} (1) {+} ~~{(2)}~~ (a) "Commercial vehicle" includes:

2. Page 18, Line 540:

540 {+} (2) {+} ~~{(3)}~~ "Interstate commercial vehicle" means a self-propelled or towed motor
vehicle

3. Page 18, Line 552 through Page 19, Line 553:

552 {+} (3) {+} ~~{(4)}~~ " Intrastate commercial vehicle" means a motor vehicle, vehicle, trailer,
or
553 semitrailer used or maintained for business, compensation, or profit to transport passengers or

4. Page 19, Lines 560 through 581:

560 {+} (4) {+} ~~{(5)}~~ "Motor carrier" means a person engaged in or transacting the business
of
561 transporting passengers, freight, merchandise, or other property by a commercial vehicle on a
562 highway within this state and includes a tow truck business.
563 ~~{(6)}~~ {(5)} "Owner" as pertaining to a vehicle, vessel, or outboard motor, means the same as
564 that term is defined in Section 41-1a-102.
565 ~~{(7)}~~ {(6)} "Property owner" means the owner or lessee of real property.
566 ~~{(8)}~~ {(7)} "State impound yard" means the same as that term is defined in Section 41-1a-102.
567 ~~{(9)}~~ ~~{(9)}~~ {(8)} "Tow truck" means a motor vehicle constructed, designed, altered, or
568 equipped primarily for the purpose of towing or removing damaged, disabled, abandoned,
569 seized, or impounded vehicles from a highway or other place by means of a crane, hoist, tow
570 bar, tow line, dolly, tilt bed, or other means.
571 ~~{(10)}~~ {(9)} "Tow truck motor carrier" means a motor carrier that is engaged in or transacting

572 business for tow truck services.

573 ~~{(11)}~~ (10) "Tow truck operator" means an individual that performs operations related to a
574 tow truck service as an employee or as an independent contractor on behalf of a tow truck
575 motor carrier.

576 ~~[(6)]~~ ~~{(12)}~~ (11) "Tow truck service" means the functions and any ancillary operations
577 associated with recovering, removing, and towing a vehicle and its load from a highway or
578 other place by means of a tow truck.

579 ~~[(7)]~~ ~~{(13)}~~ (12) "Transportation" means the actual movement of property or passengers by
580 motor vehicle, including loading, unloading, and any ancillary service provided by the motor
581 carrier in connection with movement by motor vehicle, which is performed by or on behalf of

5. *Page 25, Lines 743 through 747:*

743 (2) A tow truck motor carrier that has a county or municipal business license for a
744 ~~{+}~~ place of business ~~{+}~~ ~~{-central office-}~~ located within that county or municipality may not be
745 required to obtain another business license in order to perform a tow truck service in another
746 county or municipality if there is not a ~~{+}~~ business location ~~{+}~~ ~~{-central office-}~~ in the other
747 county or
748 municipality.

6. *Page 25, Lines 759 through 760:*

759 (6) ~~{A}~~ Beginning on January 1, 2021, a political subdivision or state agency may not
760 charge an applicant a fee or charge
761 related to dispatch costs in order to be part of the towing rotation.