

House Engrossed

**FILED**

**KEN BENNETT  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Second Regular Session  
2010

CHAPTER 199

# HOUSE BILL 2707

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.

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

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

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

23 E. The director of the department of public safety or a county, city  
24 or town may enter into a contractual agreement with a towing firm or firms  
25 for towing or storage services, or both. AT THE TIME OF APPLICATION FOR A  
26 CONTRACTUAL AGREEMENT, A TOWING FIRM MUST DISCLOSE IN WRITING THE OWNERS OF  
27 THE TOWING FIRM AND, IF THE OWNERS OWN OTHER TOWING FIRMS THAT ARE ALSO  
28 APPLYING FOR THE SAME CONTRACTUAL AGREEMENT, THE NAMES OF THOSE TOWING FIRMS.  
29 The contractual agreement shall comply with this section and all rules  
30 adopted under this section. Contracts shall be awarded on the basis of  
31 competitive bidding. The director of the department of public safety or a  
32 county, city or town shall reserve the right to reject all bids. If only one  
33 bid is received, the director of the department of public safety or a county,  
34 city or town may reject the bid and negotiate a contract without bidding if  
35 the negotiated contract is at a price lower than the bid price under the  
36 terms and conditions specified in the call for bids.

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

APPROVED BY THE GOVERNOR APRIL 28, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2010.

Passed the House March 18, 20 10

by the following vote: 54 Ayes,

0 Nays, 6 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

Passed the Senate April 21, 20 10

by the following vote: 28 Ayes,

1 Nays, 1 Not Voting

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

22 day of April, 20 10

at 10:00 o'clock A. M.

[Signature]  
Secretary to the Governor

Approved this 28<sup>th</sup> day of

April

at 1:34 o'clock P. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 28<sup>th</sup> day of April, 20 10

at 4:29 o'clock P. M.

[Signature]  
Secretary of State

H.B. 2707