



## ADMINISTRATIVE RULES OF MONTANA



### 23.6.108 VEHICLE TOW AND STORAGE REQUIREMENTS - INSURANCE

- (1) For purposes of compliance with the insurance standards of 61-8-906, MCA, an operator's storage facility is deemed to be part of its business premises.
- (2) A representative of the Montana Highway Patrol or of a local law enforcement agency may request that a qualified operator in the state rotation system improve its storage facility so as to comply with 61-8-906, MCA. If the operator wishes to contest the request, he or she may file a written complaint with the committee.
- (3) Pursuant to 69-12-102, MCA, each and every commercial tow truck operator shall cause proof of insurance coverage to be filed with the Montana Highway Patrol, notwithstanding the fact that any individual operator may be a subsidiary of another operator and may be covered by the parent operator's insurance.
- (4) A tow operator must comply with applicable insurance laws at all times, including 61-8-906 and 61-6-302, MCA. If the Montana Highway Patrol is advised at any time that an operator's insurance is expired or cancelled, the operator must immediately cease towing and must take all trucks out of service. The operator must not resume commercial towing until the operator provides proof of valid insurance to the Montana Highway Patrol. If the operator holds a current letter of appointment, the operator will also be reinstated to the rotation list. Such placement on the rotation list is not retroactive.
- (5) Proof of insurance, through the submission of the MV-5 form to the Montana Highway Patrol, must be filed prior to the annual safety inspection.
- (6) The inspector must confirm proof of vehicle insurance during the annual safety inspection, evidenced by an insurance card as required by 61-6-302, MCA. An operator need not furnish a copy of the MV-5 form to the inspector.

**Authorizing statute(s):** 61-8-911, MCA

**Implementing statute(s):** 61-8-906, MCA

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**History:** NEW, 1996 MAR p. 3134, Eff. 12/6/96; AMD, 2003 MAR p. 2628, Eff. 11/27/03; AMD, 2011 MAR p. 2396, Eff. 11/11/11.