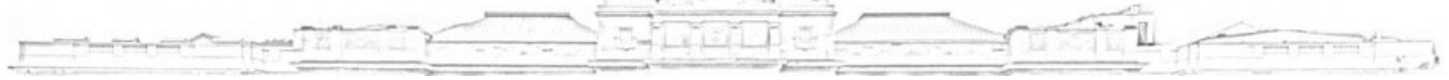




ADMINISTRATIVE RULES OF MONTANA



23.6.113 STATE LAW ENFORCEMENT ROTATION SYSTEM - ADMISSION AND SUSPENSION

- (1) The state law enforcement rotation system consists of lists of the names and telephone numbers of qualified class "A", "B", and "C" tow truck operators in different parts of the state. Operators are called as needed from the rotation lists for different classes of tow trucks in succession, subject to considerations of public safety and (5) .
- (2) Class D and class E towing operations are not part of the state law enforcement rotation system. Pursuant to the definitions of the two classes given in ARM 23.6.101, they are subsumed under class "A", "B", or "C", depending on the weight rating of the tow truck needed.
- (3) An operator seeking to participate in the state law enforcement rotation program must submit a written request to the patrol which includes:
 - (a) the name of the operator's insurance company;
 - (b) the class of the operator's tow truck(s) ;
 - (c) that the operator possesses a unique business name and telephone number.
- (4) In administering the state rotation system, the department:
 - (a) is subject to all requirements of 61-8-908, MCA; and
 - (b) shall reexamine the rotation system as needed to ensure compliance with the statute.
- (5) In order to be eligible to participate in the state rotation system an operator must meets the safety standards of the patrol, as set forth in ARM 23.6.109 and 23.6.110.
- (6) An operator participating in the state rotation system must respond to or decline any call from the rotation area; he or she may not authorize any other operator or satellite operation to respond to that call. Violation of this rule may result in suspension (permanent or temporary) from the rotation system. An operator responding under this section must respond to the call with the class of equipment requested by the patrol.
- (7) Section (6) does not apply to a qualified operator who, with the approval of the officer at the scene, subcontracts with another operator for temporary assistance in the interest of public safety.

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

Implementing statute(s): 61-8-908, MCA

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