



ADMINISTRATIVE RULES OF MONTANA



23.6.101 DEFINITIONS

In addition to the definitions contained in 61-8-903, MCA, and unless the context requires otherwise, the following definitions apply to this subchapter:

- (1) "Cargo" means the contents inside or on a towed or hauled vehicle or any unit attached to a towed vehicle.
- (2) "Certified" means having passed the annual tow truck safety inspection administered by the Montana highway patrol pursuant to 61-8-907, MCA.
- (3) "Class 'D' towing" means, for purposes for the state law enforcement rotation system, that a class "A" or "B" tow truck has been called from the rotation system, but the operator finds that the call involves only retrieving an inoperable vehicle from a roadway or its immediate vicinity, so that the use of a rollback or car carrier would be more appropriate.
- (4) "Class 'E' towing" means, for purposes of the state law enforcement rotation system, that a class "A", "B", or "C" tow truck has been called from the rotation system, but the operator finds, upon inspection of the scene, that it cannot perform the recovery and towing without at least one more tow truck and access to supportive equipment.
- (5) "Classified" means having been placed in one of the classes of commercial tow trucks, pursuant to 61-8-905, MCA.
- (6) "Committee" means the tow truck complaint resolution committee.
- (7) "CVSA" means the commercial vehicle safety alliance.
- (8) "Garage keeper's legal liability or on-hook insurance" means insurance coverage for loss or damage to motor vehicles (as defined in the policy) which are in the care of the insured, an entity that keeps customers' motor vehicles for storage or repair, which loss or damage is caused by the insured's failure to exercise the degree of care required by law.
- (9) "Independent classification" means a classification from an independently qualified person or entity approved by the patrol to classify tow trucks pursuant to ARM 23.6.103.
- (10) "Independent rating" means the weight rating set forth on the vehicle's nomenclature plate or in a written communication from an independently qualified person or entity approved by the patrol to rate tow trucks.
- (11) "Manufacturer's rating" means the weight rating set forth on the vehicle's nomenclature plate or in a written communication from the manufacturer.

- (12) "Noncommercially modified tow truck equipment" means tow truck equipment that has been noncommercially modified in a way that the operational characteristics of the equipment have been affected.
- (13) "Patrol" means the highway patrol division of the Montana department of justice.
- (14) "State rotation system" means the state law enforcement rotation system established in 61-8-908, MCA.

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

Implementing statute(s): 61-8-903, MCA

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