

3 Senate Bill No. 533

4 SENATE BILL NO. 533 - By: RABON of the Senate and OSTRANDER of the
5 House.

6 An Act relating to motor vehicles; amending 47 O.S. 1991,
7 Sections 1-181, and 951, as amended by Section 1, Chapter
8 50, O.S.L. 1995 (47 O.S. Supp. 1998, Section 951), which
9 relates to the Highway Safety Code, and wreckers and towing
10 services; modifying certain definitions; and providing an
11 effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 47 O.S. 1991, Section 1-181, is
14 amended to read as follows:

15 Section 1-181. Every person engaged in the business of
16 delivering vehicles of a type required to be registered hereunder
17 from a manufacturing, assembling or distributing plant to dealers or
18 sales agents of a manufacturer or from the place of business of a
19 dealer, sales agent or auto auction to a place of business of the
20 same or another dealer, sales agent or auto auction.

21 SECTION 2. AMENDATORY 47 O.S. 1991, Section 951, as
22 amended by Section 1, Chapter 50, O.S.L. 1995 (47 O.S. Supp. 1998,
23 Section 951), is amended to read as follows:

24 Section 951. As used in Section 951 et seq. of this title:

25 1. "Wrecker or wrecker vehicle" means any motor vehicle that is
26 equipped with any device designed to tow another vehicle or

1 combination of vehicles. The use of the term "wrecker" or "wrecker
2 vehicle" shall be construed to include a combination wrecker or
3 combination wrecker vehicle, as defined in paragraph 2 of this
4 subsection, unless a specific differentiation is otherwise
5 described;

6 2. "Combination wrecker" or "combination wrecker vehicle" means
7 any wrecker vehicle which is designed and equipped with two separate
8 and distinct devices to tow simultaneously two or more other
9 vehicles or combinations of vehicles, whether or not both devices
10 are in use simultaneously. One of the devices shall allow another
11 vehicle to be loaded onto and transported upon the wrecker vehicle,
12 and one of the devices shall allow another vehicle to be attached to
13 and pulled by the wrecker vehicle;

14 3. "Tow" or "towing" means the use of a wrecker vehicle to
15 lift, pull, move, haul or otherwise transport any other vehicle by
16 means of:

- 17 a. attaching the vehicle to and pulling the vehicle with
18 the wrecker vehicle, or
- 19 b. loading the vehicle onto and transporting the vehicle
20 upon the wrecker vehicle;

21 4. "Rollback equipment" means a towing device or equipment upon
22 which the towed vehicle is loaded and transported, removing the

1 towed vehicle completely from the surface of the roadway. The term
2 "rollback equipment" shall include car haulers;

3 5. "Dolly" means a towing device or equipment which lifts and
4 suspends one axle of the towed vehicle above the surface of the
5 roadway. ~~The term "dolly" shall include slings and staybars;~~

6 6. "Wrecker or towing service" means engaging in the business
7 of or performing the act of towing or offering to tow any vehicle,
8 except:

9 a. where the operator owns the towed vehicle and displays
10 on both sides of the wrecker vehicle in plainly
11 visible letters not less than two (2) inches in height
12 the words "NOT FOR HIRE",

13 b. where the service is performed by a transporter as
14 defined in Section 1-181 of this title, ~~or~~

15 c. where service is performed in conjunction with the
16 transportation of household goods and property, or

17 d. where the wrecker vehicle is owned or operated by the
18 United States government, the State of Oklahoma, or
19 any department or political subdivision thereof;

20 7. "Commissioner" means the Commissioner of Public Safety;

21 8. "Department" means the Department of Public Safety;

22 9. "Operator" means any person owning or operating a wrecker
23 vehicle or wrecker or towing service;

1 10. "Officer" means any duly authorized law enforcement
2 officer;

3 11. "Roadway" means any public street, road, highway or
4 turnpike or the median, easement or shoulder of a roadway; and

5 12. "Service call" means the act of responding to a request for
6 service with a wrecker vehicle in which a service is performed.

7 SECTION 3. This act shall become effective November 1, 1999.

8 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS & LABOR, dated 2-8-99 -
9 DO PASS, As Coauthored.