

# Montana Code Annotated 2023

## TITLE 61. MOTOR VEHICLES

### CHAPTER 8. TRAFFIC REGULATION

#### Part 9. Professional Tow Trucks

## Definitions

**61-8-903. Definitions.** As used in this part, the following definitions apply:

(1) "Boom" means an engineered structure that is either mechanically or hydraulically operated and that is capable of lifting and supporting an overhead, vertical load.

(2) "Commercial tow truck operator" or "operator" means an individual, partnership, corporation, or other business entity that owns or operates a commercial tow truck as defined in **61-9-416**.

(3) "Department" means the department of justice provided for in **2-15-2001**.

(4) "Letter of appointment" means a letter granted by the department pursuant to **61-8-920** that authorizes the holder to participate in the law enforcement rotation system provided for in **61-8-908**.

(5) "Local government" means a county, a municipality, or other local board or body that has authority to enact laws relating to traffic.

(6) (a) "Qualified tow truck operator" means a commercial tow truck operator:

(i) that has equipment that:

(A) meets the requirements of **61-8-906**, **61-8-907**, and **61-9-416**; and

(B) has been classified in accordance with **61-8-905**;

(ii) that participates in the law enforcement rotation system provided for in **61-8-908**;

(iii) that meets the requirements of subsection (6)(b); and

(iv) that has been issued a letter of appointment pursuant to **61-8-920**.

(b) (i) If the operator is a firm or other entity, at least 75% of the employees who operate a tow truck must hold a certification from a nationally recognized certification program for tow truck operators or have a minimum of 1 year of experience in the towing business for hire in Montana.

(ii) If the operator is an individual, the individual must hold a certification from a nationally recognized certification program for tow truck operators or have a minimum of 1 year of experience in the towing business for hire in Montana.

(7) "Rotation area" means the base area where a qualified tow truck operator is dispatched and operates.

**History:** En. Sec. 3, Ch. 283, L. 1995; amd. Sec. 1, Ch. 88, L. 2003; amd. Sec. 1, Ch. 136, L. 2011; amd. Sec. 2, Ch. 143, L. 2011.

