

1 HOUSE BILL NO. 48
 2 INTRODUCED BY GRADY
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING
 5 SPECIFICATIONS FOR COMMERCIAL TOW CAR WARNING SIGNS AND FIRE
 6 EXTINGUISHERS; AND AMENDING SECTION 61-9-416, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 61-9-416, MCA, is amended to read:

10 "61-9-416. Commercial tow car requirements. (1) Every A
11 commercial tow car used to tow a vehicle by means of a
12 crane, hoist, towbar, towline, or dolly shall must be:

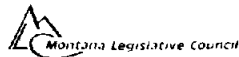
13 (a) equipped with and carry not less than two red
14 flares, or two red lanterns, or two warning lights or
15 reflectors, ~~which.~~ The reflectors shall must be of a type
16 approved by the department,

17 (b) equipped with at least two highway warning signs of
18 a uniform type, with dimensions of 3 x 3 feet, lettering 5
19 inches high, and reflectorized orange background and black
20 border, as prescribed by the department, ~~and shall~~ The signs
21 must be so designed as to be visible both day and night. The
22 warning signs must bear the words "wreck ahead", "low truck
23 ahead", or "wrecker ahead", as prescribed by the department.
24 The operator of a commercial tow car used for the purpose of
25 rendering assistance to other vehicles shall, when the

1 rendering of assistance necessitates the obstruction of any
2 portion of the roadway outside a business or residence
3 district, place a highway warning sign 200-feet not less
4 than 8 feet 2 inches for each mile an hour of the posted
5 speed limit in the area of operation in advance of the
6 disabled vehicle and 200-feet an equal distance to the rear
7 of the disabled vehicle, except as otherwise provided in
8 this section. When a motor vehicle is disabled on the
9 highway, ~~such~~ the tow car operator called to render
10 assistance during the hours of darkness shall immediately
11 upon arrival place warning signs upon the highway as
12 prescribed in this section and ~~in-addition-thereto~~ shall
13 also place not less than one red flare, red lantern, or
14 warning light or reflector in close proximity to each
15 warning sign.

16 (c) equipped with and carry a dry chemical fire
17 extinguisher of at least 2-quart 5 pound capacity ~~of-a-type~~
18 ~~capable of-extinguishing a-fire~~ or an equivalent alternative
19 type of fire extinguisher, approved by the department;

20 (d) equipped with a lamp emitting a flashing or steady
21 red light mounted on top of the cab of the tow car or on the
22 top of the crane or hoist if ~~such~~ the light can be seen from
23 the front of the tow car. The light from ~~such~~ the lamp must
24 be visible for a distance of 1,000 feet under normal
25 atmospheric conditions, ~~and shall must~~ be mounted in such a



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1 manner that it can be securely fastened with the lens of the
 2 lamp facing the rear of the tow car upon which it is
 3 mounted. When standing at the location from which the
 4 disabled vehicle is to be towed, the operator of the tow car
 5 may unfasten the red light and place it in any position
 6 deemed considered advisable to warn approaching drivers.
 7 When the disabled vehicle is ready for towing, the red light
 8 must be turned to the rear of the tow car upon which it is
 9 mounted and securely locked in this position. Additional red
 10 lights of an approved type may be displayed at either side
 11 or both sides of the tow car as the case may warrant during
 12 the period of preparation at the location from which the
 13 disabled vehicle is to be towed.

14 (e) equipped with one or more brooms, and the operator
 15 of the tow car engaged to remove a disabled vehicle from the
 16 scene of an accident shall remove all glass and debris
 17 deposited upon the roadway by the disabled vehicle which
 18 that is to be towed;

19 (f) equipped with and carry a shovel, and whenever
 20 practical the tow car operator engaged to remove any
 21 disabled vehicle shall spread dirt upon that portion of the
 22 roadway where oil or grease has been deposited by such the
 23 disabled vehicle;

24 (g) equipped with and carry a portable electrical
 25 extension cord for use in displaying a light on the rear of

1 the disabled vehicle. The length of such the extension cord
 2 shall may not be less than the length of the combined
 3 vehicles, and whenever a disabled vehicle is towed during
 4 the hours of darkness and the rear lamp or lamps on the
 5 disabled vehicle cannot be lighted, the tow car operator
 6 shall provide for such the rear light by means of the
 7 extension cord ~~herein~~ referred to in this subsection.

8 (2) The owner or operator of a commercial tow car who
 9 complies with the requirements of this section may stop or
 10 park such the tow car upon a highway for the purpose of
 11 rendering assistance to a disabled vehicle, notwithstanding
 12 other provisions of this code."

-End-

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

52nd Legislature

HB 0048/02

HB 0048/02

1 HOUSE BILL NO. 48

2 INTRODUCED BY GRADY

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5 SPECIFICATIONS FOR COMMERCIAL TOW CAR TRUCK WARNING SIGNS
6 AND FIRE EXTINGUISHERS; AND AMENDING SECTION 61-9-416, MCA;
7 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 61-9-416, MCA, is amended to read:

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12 Every A commercial tow car TRUCK used to tow a vehicle by
13 means of a crane, hoist, towbar, towline, or dolly shall
14 must be:

15 (a) equipped with and carry not less than two red
16 flares, or two red lanterns, or two warning lights or
17 reflectors, which, The reflectors shall must be of a type
18 approved by the department,.

19 (b) equipped with at least two highway warning signs of
20 a uniform type, with dimensions of 3 x 3 feet, lettering 5
21 inches high, and reflectorized orange background and black
22 border, as prescribed by the department, and shall The signs
23 must be so designed as to be visible both day and night. The
24 warning signs must bear the words "wreck ahead", "tow truck
25 ahead", or "wrecker ahead", as prescribed by the department.

1 ~~The operator of a commercial tow car used for the purpose of~~
2 ~~rendering assistance to other vehicles shall, when the~~
3 ~~rendering of assistance necessitates the obstruction of any~~
4 ~~portion of the roadway outside a business or residence~~
5 ~~district, place a highway warning sign 200 feet not less~~
6 ~~than 8 feet 2 inches for each mile an hour of the posted~~
7 ~~speed limit in the area of operation in advance of the~~
8 ~~disabled vehicle and 200 feet an equal distance to the rear~~
9 ~~of the disabled vehicle, except as otherwise provided in~~
10 ~~this section. When a motor vehicle is disabled on the~~
11 ~~highway, such the tow car TRUCK operator called to render~~
12 ~~assistance during the hours of darkness shall immediately~~
13 ~~upon arrival place warning signs upon the highway as~~
14 ~~prescribed in this section and in addition thereto shall~~
15 ~~also place not less than one red flare, red lantern, or~~
16 ~~warning light or reflector in close proximity to each~~
17 ~~warning sign.~~

18 (c) equipped with and carry a dry chemical fire
19 extinguisher of at least 2-quart 5 pound capacity ~~of a type~~
20 ~~capable of extinguishing a fire or an equivalent alternative~~
21 type of fire extinguisher, approved by the department;

22 (d) equipped with a lamp emitting a flashing or steady
23 red light mounted on top of the cab of the tow car TRUCK or
24 on the top of the crane or hoist if such the light can be
25 seen from the front of the tow car TRUCK. The light from

SECOND READING

1 such the lamp must be visible for a distance of 1,000 feet
 2 under normal atmospheric conditions, and ~~shall~~ must be
 3 mounted in such a manner that it can be securely fastened
 4 with the lens of the lamp facing the rear of the tow car
 5 TRUCK upon which it is mounted. When standing at the
 6 location from which the disabled vehicle is to be towed, the
 7 operator of the tow car TRUCK may unfasten the red light and
 8 place it in any position deemed considered advisable to warn
 9 approaching drivers. When the disabled vehicle is ready for
 10 towing, the red light must be turned to the rear of the tow
 11 car TRUCK upon which it is mounted and securely locked in
 12 this position. Additional red lights of an approved type may
 13 be displayed at either side or both sides of the tow car
 14 TRUCK as the case may warrant during the period of
 15 preparation at the location from which the disabled vehicle
 16 is to be towed.

17 (e) equipped with one or more brooms, and the operator
 18 of the tow car TRUCK engaged to remove a disabled vehicle
 19 from the scene of an accident shall remove all glass and
 20 debris deposited upon the roadway by the disabled vehicle
 21 which that is to be towed;

22 (f) equipped with and carry a shovel, and whenever
 23 practical the tow car TRUCK operator engaged to remove any
 24 disabled vehicle shall spread dirt upon that portion of the
 25 roadway where oil or grease has been deposited by such the

1 disabled vehicle;

2 (g) equipped with and carry a portable electrical
 3 extension cord for use in displaying a light on the rear of
 4 the disabled vehicle. The length of such the extension cord
 5 shall may not be less than the length of the combined
 6 vehicles, and whenever a disabled vehicle is towed during
 7 the hours of darkness and the rear lamp or lamps on the
 8 disabled vehicle cannot be lighted, the tow car TRUCK
 9 operator shall provide for such the rear light by means of
 10 the extension cord herein referred to in this subsection.

11 (2) THE OPERATOR OF A COMMERCIAL TOW TRUCK USED FOR THE
 12 PURPOSE OF RENDERING ASSISTANCE TO OTHER VEHICLES SHALL,
 13 WHEN THE RENDERING OF ASSISTANCE NECESSITATES THE
 14 OBSTRUCTION OF ANY PORTION OF THE ROADWAY OUTSIDE A BUSINESS
 15 OR RESIDENCE DISTRICT, PLACE A HIGHWAY WARNING SIGN AS
 16 REQUIRED IN SUBSECTION (1)(B):

17 (A) IN AN AREA IN WHICH THE POSTED SPEED LIMIT IS 45
 18 MILES AN HOUR OR LESS, NOT LESS THAN 450 FEET IN ADVANCE OF
 19 THE DISABLED VEHICLE AND AN EQUAL DISTANCE TO THE REAR OF
 20 THE DISABLED VEHICLE; AND

21 (B) IN AN AREA IN WHICH THE POSTED SPEED LIMIT IS MORE
 22 THAN 45 MILES AN HOUR, 600 FEET IN ADVANCE OF THE DISABLED
 23 VEHICLE AND AN EQUAL DISTANCE TO THE REAR OF THE DISABLED
 24 VEHICLE.

25 ~~{2}~~(3) The owner or operator of a commercial tow car

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1 TRUCK who complies with the requirements of this section may
2 stop or park ~~such the~~ tow ~~car~~ TRUCK upon a highway for the
3 purpose of rendering assistance to a disabled vehicle,
4 notwithstanding other provisions of this code."

5 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS
6 EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

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19 (b) equipped with at least two highway warning signs of
 20 a uniform type, with dimensions of 3 x 3 feet, lettering 5
 21 inches high, and reflectorized orange background and black
 22 border, as prescribed by the department, and ~~shall~~ The signs
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 20 capable of extinguishing a fire or an equivalent alternative
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22 (d) equipped with a lamp emitting a flashing or steady
 23 red light mounted on top of the cab of the tow car TRUCK or
 24 on the top of the crane or hoist if ~~such the~~ light can be
 25 seen from the front of the tow car TRUCK. The light from



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 24 VEHICLE DOES NOT CAUSE DISRUPTION OF TRAFFIC TRAVELING ON
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REFERENCE BILL

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