

SUPPLEMENTAL DRAFT

INFORMAL OUTLINE OF ATTORNEY GENERAL'S PROPOSED RULES

NOTICE: This represents an Informal Draft of proposed rules to the Administrative Rules of Montana 23.6.105. The proposed rules would be drafted pursuant to **Mont. Code Ann. § 61-8-911** and once drafted and formalized, opportunities for public comment will occur. Please be advised that the language within this Draft does not mean it will be the language contained within the proposed rules. THIS DRAFT IS A SUPPLEMENT TO THE DRAFT OF PROPOSED RULES BEING DRAFTED PURSUANT TO MCA § 61-8-912.

I. Definitions

“Committee” means the Tow Truck Complaint Resolution Committee

II. General Requirements of Tow Truck Operators

- A. Tow Truck Operators must accurately represent their prices to the public. This includes, but is not limited to, posting on or having written policies within each tow truck regarding the tow truck operator's rates.
- B. Tow Truck Operators must clearly and conspicuously display the name of the Operator's business on each of their tow trucks and is prohibited from misrepresenting the name and legal name of the Operator's business.
- C. Tow Truck Operators cannot charge different rates based on an individual's ethnicity, gender, race, or state residency.
- D. Tow Truck Operators must act in a professional manner when doing business with the public, the highway patrol, or anyone else.

III. Rotation Requirements

- A. Tow Truck Operators must charge commercially reasonable rates for a rotation tow and if the Operator issues a surcharge, it shall also be commercially reasonable.
- B. Tow Truck Operators must take rotation calls and calls for abandoned vehicles. The Highway Patrol shall state whether the request is for an abandoned vehicle.

IV. Violations. A violation of any of the above shall be referred to the Committee for determination of the appropriate sanction(s). The Committee's decision is final.