



State of Utah

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Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

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Tow Truck Motor Carriers and Tow Truck Operators

During the 2017 legislative session, HB393 was passed into law, and Effective July 1, 2017 changes and/or additions to Utah law affected Utah Tow Truck Motor Carriers (TTMC) and Tow Truck Operators (TTO). Details of HB393 can be viewed online at <https://le.utah.gov/~2017/bills/static/HB0393.html>.

UCA **72-9-601(b)** requires all TTMC to ensure all TTO have cleared a criminal background check as required in subsections 72-9-602(2) and (3), and (ii) obtain and maintain a valid medical examiner's certificate under 49 C.F.R. Sec. 391.45. Compliance with new law must be met to qualify for, or maintain qualification for a TTMC Certification and/or TTO Certification issued by UDOT Motor Carrier Division.

This new law requires TTO to have a criminal background check before performing tow truck operations. Before a TTMC may allow an individual to function as a TTO, the TTMC shall require the individual to undergo the criminal background check through the Utah Bureau of Criminal Identification (BCI). However, prior to submitting the required documentation, the TTMC must become a qualifying entity and establish an account through the bureau by following the instructions found at:

<https://bci.utah.gov/wp-content/uploads/sites/15/2017/03/Applicationtobecomeaqualifiedentityforbackgroundchecks03152017.pdf>

Print out the application. The following instructions will be helpful:

- Every TTMC must complete the application pages 2 thru 4.
- On Pg. 2 by the Authorizing Statute line, write in "Tow Truck".
- On pg. 3, first paragraph, only 1 document is required.
- On the type of Transactions requested, check (WIN only and WIN Rap Back - add).
- Submit the completed application to BCI by fax (801-969-7072) or by email at dpsabc@utah.gov (encryption recommended).
- Upon completion of the application, you will be notified by BCI as to the process of submitting the required fingerprints. If there are additional questions in regards to the background checks, please contact BCI at 801 965-4445 and at the prompt, press #6.

Also per HB 393, Tow Truck Motor Carriers who are certified will be displayed to the public at <http://www.udot.utah.gov/main/?p=100:pg:0::1:T.V:396>. As a TTMC, please ensure your business is listed. If not listed, please contact UDOT Motor Carrier Division for further information on certifying. Until compliance is met with Utah Towing rules and law, including the above, TTMC or TTO certifications may not be issued. Those TTMC and TTO with current certifications and fail to comply with new law may have their certification revoked if compliance is not met. Non-compliance can result in penalty, revocation, or denial of towing certifications.

Thanks,
Courtney Minchey
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