NOTICE OF SUBSTANTIVE CHANGE	
TYPE OF FILING: Amendment	**Filing ID: 58219**
Rule or section number:	**R909-19**

1. Agency Information

Title catchline:	Transportation, Motor Carrier
Building:	Calvin Rampton
Street address:	4501 S 2700 W
City, state:	Taylorsville, UT
Mailing address:	PO Box 148455
City, state and zip:	Salt Lake City, UT 84114-8455

2. Contact Persons

Name:	Phone:	Email:
Leif Elder	801-580-8296	lelder@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov

Please address questions regarding information on this notice to the persons listed above.

3. General Information

A. Rule or section catchline:

R909-19. Safety Regulations for Tow Truck Operations – Tow Truck Requirements for Equipment, Operation, and Certification

B. Purpose of the new rule or reason for the change:

The Legislature passed approximately seven bills affecting towing provisions in the 2025 and 2026 sessions.

These bills changed policies relating to removing personal property from a towed vehicle, complex recovery tows, credit card fees, the role and authority of the operator of a towed vehicle that may not be the owner, the general authority of the Utah Department of Transportation (UDOT) to enforce towing provisions, and other issues.

In turn, UDOT is required to amend Rule R909-19 to be consistent with these legislative changes.

C. Summary of the new rule or change:

The following are a selection of substantive changes in this rule as a result of the recent legislation.

The proposed amendment:
1) removes mention of "life essential" personal property because this issue is now addressed in statute;
2) adds definitions that were previously missing from this rule such as highway authority, motor vehicle, outboard motor, vehicle owner, towing operation, vehicle, and vessel;
3) replaces the definition of recovery operation with a new definition adopted by the legislature;
4) requires towers to quarterly provide the list of tow rotations in which the tower participates;
5) except under certain circumstances, prohibits a tower from towing a vehicle for having an expired registration;
6) specifies reason for which UDOT may suspend or revoke a towers license;
7) clarifies that a tow must be reported before storage fees may be charged;
8) requires towers to submit and maintain documentation for a tow;
9) clarifies UDOT's obligation when a towing complaint is submitted;
10) requires towers to have an internet presence as prescribed in statute;
11) clarifies requirements for a towing receipt that shows towing charges;
12) clarifies charges for a recovery operation, including establishing fees for additional laborers, supervisors, tow rotators, truck and dump trailers;
13) clarifies how a tow truck service fee is calculated;
14) establishes a flat fee for non-consent police generated tows;
15) amends the fuel surcharge fee; and
16) clarifies UDOT authority to inspect and examine towers accounts, books, records, and documents.

4. Legislative Action Information

A. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
B. If yes, any bill number and session:	HB 261 (2025 General Session) and SB 242, SB 191, SB 120, HB 336, HB 268, and HB 136 (2026 General Session)

5. Fiscal Information

Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

The amendments in this rule related to certain costs and fees address outlier situations, or situations where UDOT cannot readily quantify anticipated costs or savings to the state budget.

In any event, UDOT anticipates there will be no measurable fiscal impact on the state budget.

B. Local governments:

The amendments in this rule related to certain costs and fees address outlier situations, or situations where UDOT cannot readily quantify anticipated costs or savings on local governments.

In any event, UDOT anticipates there will be no measurable fiscal impact on local governments.

C. Small businesses ("small business" means a business employing 1-49 persons)**:**

The amendments in this rule related to certain costs and fees address outlier situations, or situations where UDOT cannot readily quantify anticipated costs or savings on small businesses.

In any event, UDOT anticipates there will be no measurable fiscal impact on the average small business.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons)**:**

The amendments in this rule related to certain costs and fees address outlier situations, or situations where UDOT cannot readily quantify anticipated costs or savings on non-small businesses.

In any event, UDOT anticipates there will be no measurable fiscal impact on the average non-small business.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an ***agency***)**:**

The amendments in this rule related to certain costs and fees address outlier situations, or situations where UDOT cannot readily quantify anticipated costs or savings to persons.

In any event, UDOT anticipates there will be no measurable fiscal impact on the average person.

F. Compliance costs for affected persons:

UDOT anticipates that it will not cost an affected person anything to comply with this rule.

6. Regulatory Impact Summary Table

Enter the cost or savings in the relevant cell. If there is no cost or savings, enter, "$0." If a cost or savings is inestimable, enter, "inestimable."

Fiscal Cost	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	$0	$0	$0	$0	$0
Non-Small Businesses	$0	$0	$0	$0	$0
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Cost	**$0**	**$0**	**$0**	**$0**	**$0**
Fiscal Benefits	**FY2027**	**FY2028**	**FY2029**	**FY2030**	**FY2031**
State Budget	$0	$0	$0	$0	$0
Local Governments	$0	$0	$0	$0	$0
Small Businesses	$0	$0	$0	$0	$0
Non-Small Businesses	$0	$0	$0	$0	$0
Other Persons	$0	$0	$0	$0	$0
Total Fiscal Benefits	**$0**	**$0**	**$0**	**$0**	**$0**
Net Fiscal Benefits	**$0**	**$0**	**$0**	**$0**	**$0**

7. Regulatory Impact Analysis Approval

The Commissioner of the Department of Transportation, Carlos M Braceras, PE, has reviewed and approved this regulatory impact analysis.

8. Family Impact Information

A. The agency has considered this rule's impact on family health, stability, and formation:	☒

9. Citation Information

Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 72-9-601	Section 72-9-602	Section 72-9-603
Section 72-9-604	Section 53-1-106	Section 41-6a-1405

11. Public Notice Information

The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	11/02/2026

12. Effective Date Information

This rule change MAY become effective on: (NOTE: This is the date the agency anticipates making the filing effective. It is NOT the effective date)	11/09/2026

13. Agency Authorization Information

Agency head or designee and title:	Carlos M Braceras, PE, Commissioner	**Date:**	09/02/2026

R909. Transportation, Motor Carrier.
R909-19. Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operation, and Certification.
R909-19-1. Authority.

This rule is authorized by Sections 72-9-601, 72-9-602, 72-9-603, 72-9-604, 53-1-106, and 41-6a-1405[~~authorize the Department to make this rule~~].

R909-19-2. Applicability.

This rule applies to tow truck services performed by a tow truck motor carrier.[~~Tow truck motor carriers and employees must comply with and observe administrative rules, including Rule R909-1, federal regulations, state and local traffic laws and guidelines as prescribed by law, including Sections 41-6a-401.9, 41-6a-1404, 41-6a-1405, 41-6a-1406, 72-9-301, 72-9-303, 72-9-601, 72-9-602, 72-9-603, 72-9-604, 72-9-701, 72-9-702, and 72-9-703.~~]

R909-19-3. Definitions.

(1) "Consent tow" means any tow truck service done at the vehicle[~~, vessel, or outboard motor~~] owner's or its legal operator's knowledge or approval.

(2) "Department" means the Utah Department of Transportation.

(3) "Division" means the Motor Carrier Division of the department.

(4) "Emergency moves" means a tow operation initiated by law enforcement to move a wrecked or disabled motor vehicle.

(5) "Drop Fee" means a fee a vehicle owner, authorized, operator, or authorized agent of a vehicle owner pays to a tow truck motor carrier to relinquish a vehicle;[~~.~~]

(a) of which a tow truck motor carrier has taken possession to perform a non-consent tow; and

(b) the vehicle owner, authorized operator, or authorized agent of a vehicle owner is attempting to retrieve after the tow truck motor carrier is in possession of the vehicle but before the vehicle is removed from the property or scene.

(6) "Gross combination weight rating" [~~(~~]or "GCWR[~~)~~]" means the value specified by the manufacturer as the loaded weight of a combination articulated motor vehicle. In the absence of a value specified by the manufacturer, GVCR [~~will be~~]is determined by adding the GVWR of the power unit and the total weight of the towed unit, and any load thereon.

(7) "Gross vehicle weight rating" [~~(~~]or "GVWR[~~)~~]" means the value specified by the manufacturer as the loaded weight of a single motor vehicle.

[~~(8) "Life-essential personal property" includes those items essential to sustain life or health, including prescription medication, medical equipment, essential clothing, such as shoes, coat, food and water, child safety seats, and government-issued photo identification.~~]

(8) "Highway authority" means the same as that term as defined in Section 72-1-102.

(9) "Motor vehicle" means the same as that term is defined in Section 41-1a-102.

[~~(9)~~](10) "Non-consent police generated tow" means a tow truck service that was ordered by a peace officer, or a person acting on behalf of a law enforcement agency, or highway authority[~~, as defined in Section 72-1-102~~].

[~~(10)~~](11) "Non-consent non-police generated tow" means [~~towing services~~]a tow truck service performed:

(a) without the prior consent or knowledge of the [~~owner of the~~]vehicle owner or the person authorized by the owner to operate the vehicle; and

(b) from private property at the request of the property landowner or agent for the landowner.[~~The tow truck service must be from private property, at the request of the property landowner or agent for the landowner.~~]

[~~(11)~~](12) "Normal office hours" means hours of operation where the office or yard shall be staffed and open for public business during normal business hours Monday through Friday, except for designated state and federal holidays.

(13) "Outboard motor" means the same as that term is defined in Section 41-1a-102.

(14) "Owner" means the same as that term is defined in Section 41-1a-102.

[~~(12) "Recovery operation" means a towing service that may require charges in addition to the normal one-truck one-operator towing service requirements. The additional charges may include charges for manpower, extra equipment, and supplies necessary for the recovery operation.~~]

(15)(a) "Recovery operation" means the specialized process of extracting or stabilizing a disabled, damaged, or overturned vehicle that:

(i) cannot move under the vehicle's own power;

(ii) cannot be accessed by a standard tow truck; or

(iii) requires procedures that involve hazard, instability, or environmental complexity.

(b) "Recovery operation" includes the process of extracting or stabilizing a damaged vehicle in an unstable position that could be hazardous to another vehicle, an individual, or the environment, including a vehicle:

(i) that is overturned;

(ii) in a ditch or ravine;

(iii) immobilized in mud, sand, snow, or other challenging terrain; or

(iv) partially or fully submerged in water.

[~~(13)~~](16) "State impound yard" means a yard for the storage of a vehicle[~~, vessel, or outboard motor~~] that meets the requirements of rules made by the commission under Subsection 41-1a-1101(5).

(17) "Towing operation" means the relocation or transport of a vehicle that is in an accessible position and condition that the vehicle can be loaded or retrieved using standard towing equipment without the need for a recovery operation.

[~~(14)~~](18) "Tow truck" means a commercial vehicle constructed, designed, altered, or equipped primarily to tow or remove damaged, disabled, abandoned, seized, repossessed, or impounded vehicles from a highway or other place using a crane, hoist, tow bar, tow line, dolly tilt bed, or other similar means of vehicle transfer without its own power or control.

[~~(15)~~](19) "Tow truck certification program" means a program [~~to~~]by which the department authorizes and approves tow truck motor carriers, tow truck operators, and [~~vehicles~~]tow trucks [~~is the process by which the Department,~~]acting under Section 72-9-602[~~, shall verify~~] and verifies compliance with the State and Federal Motor Carriers Safety Regulations.

[~~(16)~~](20) "Tow truck motor carrier" [~~means a motor carrier as defined in Section~~]means the same as that term is defined in Section 72-9-102.

[~~(17)~~](21) "Tow truck operator" means an individual who performs operations related to a tow truck service as an employee or as an independent contractor on behalf of a tow truck motor carrier.

[~~(18)~~](22)(a) "Tow truck service" means the functions and ancillary operations associated with recovering, removing, and towing a vehicle and its load from a highway or other place using a tow truck.

(b) "Tow truck service" includes a recovery operation and a towing operation.[~~(a) Tow truck service, with regards to authorized towing fees, is determined by the type and size of the towed vehicle, not the type and size of the tow truck performing the service.~~

~~(b) Towed vehicle classifications will be used when determining authorized fees. Information regarding the GVWR to determine the classification category of towed vehicles can be found on the identification plate on the vehicle driver-side doorframe. Towed vehicle classifications are as follows:~~

~~(i) "Light duty" means any towed vehicle with a GVWR 10,000 pounds or less;~~

~~(ii) "Medium duty" means any towed vehicle with a GVWR between 10,001 to 26,000 pounds;~~

~~(iii) "Heavy duty" means any towed vehicle with a GVWR or GCWR 26,001 pounds and greater.~~]

(23)(a) "Vehicle" means the same as that term is defined in Section 41-1a-102.

(b) "Vehicle" includes a vessel and an outboard motor.

(24) "Vessel" means the same as that term is defined in Section 73-18-2.

[~~(19) "Tow truck motor carrier steering committee" means a committee established by the Motor Carrier Division and will include enforcement personnel, industry representatives, and other persons as deemed necessary.~~]

R909-19-4. Duties - Enforcement - Complaints, Compliance Audits, Inspections, and Right of Entry.

(1) The d[~~D~~]epartment shall administer and, in cooperation with the Department of Public Safety, Utah Highway Patrol Division, as specified under Section 53-8-105, shall administer and enforce state and federal laws related to the operation of tow truck motor carriers within the state.

(2) [~~In addition, a~~]A tow truck motor carrier shall submit its lands, property, buildings, and equipment for inspection and examination.

(3) [~~It must~~]A tow truck motor carrier shall:

(a) submit its accounts, books, records, or other documents for inspection and copying to verify compliance as authorized by Section 72-9-301[~~.~~];

(b) provide the division a complete list of each towing entity dispatch and rotation service in which the tow truck motor carrier participates; and

(c) on or before the tenth day of the first month of each quarter, provide to the division documentation relating to any changes to the list described in Subsection (3)(b).

(4) If a tow truck motor carrier fails to report as required Subsection (3), including omitting a tow rotation from the report, the division may suspend or revoke certification.

(5)(a) A tow truck motor carrier may only perform a non-consent non-police generated tow due to an expired motor vehicle registration if:

(i) the private property owner requests the tow;

(ii) the motor vehicle registration is expired for at least two months; and

(iii) the tow truck motor carrier provides 24-hour notice as described in Subsection (5)(c) and does not tow the vehicle until that 24-hour period expires.

(b) The written notice described in Subsection (5)(b)(iii) shall:

(i) indicate the exact time when the written notice is affixed to the vehicle;

(ii) warn the owner that the tow truck motor carrier will tow the vehicle if the vehicle is not removed from the property within 24 hours after the time indicated in Subsection (5)(c)(i);

(iii) indicate the reason for the tow and the requirement for the vehicle to be properly registered to park on the private property;

(iv) be at least four inches tall and four inches wide; and

(v) be affixed to the vehicle at a conspicuous location on the driver's side window of the vehicle.

R909-19-5. Insurance.

(1) Tow truck motor carriers performing emergency moves shall maintain liability insurance coverage of at least $750,000 per occurrence. Tow truck motor carriers performing non-emergency moves shall maintain liability insurance coverage of at least $1,000,000 per occurrence.

(2) Tow truck motor carriers performing consent or non-consent tows are required to obtain an MCS-90 endorsement for environmental restoration as required in 49 CFR Part 387 - Minimum Levels of Financial Responsibility for Motor Carriers.

(3) Evidence of required insurance must be maintained at the principal place of business and made available to the Department or Investigator upon request and before issuance of the tow truck motor carrier certification.

R909-19-6. Penalties and Fines.

(1) [~~Any tow truck motor carrier that fails or neglects to comply with State or Federal Motor Carrier Safety Regulations, other statutes, any part of this rule, any term or condition of the permit or any materials that it incorporates by reference or a Departmental order, is subject to:~~]If the division determines that a tow truck motor carrier has violated a provision of state or federal towing provisions or this rule, the division may:

(a) impose a civil penalty as authorized by Sections 72-9-602, 72-9-701 and 72-9-703;

(b) based on the severity of a violation, suspend or revoke [~~suspension or revocation of~~]a carrier, operator, or tow truck certification[~~, suspension, or revocation will be based upon the severity of violations to this rule, Sections 41-6a-1406 and 72-9-603~~];

(c) issue[~~issuance of~~] a cease-and-desist order as authorized by Section 72-9-303;[~~and~~]

(d) require the removal of the tow truck motor carrier from a towing entity's towing rotation, contract, or request for proposal; and

(e) notify the Tax Commission to suspend or revoke the registration of a motor carrier as provided in Section 72-9-303[~~(d) the revocation or suspension of registration by the Utah State Tax Commission under Section 72-9-303~~].

(2) The division shall require the removal of the tow truck motor carrier from the towing entity's towing rotation, contract, or request for proposal if the division determines:

(a) the tow truck motor carrier over charges for a non-consent police generated tow by an amount greater than 200% of the amount the department determines the tow truck motor carrier should have charged for the tow;

(b) the tow truck motor carrier has overcharged on three occasions within a 12 month period for a non-consent police generated tow by an amount greater than 125% of the amount the division determines the tow truck motor carrier should have charged for the non-consent police generated tow;

(c) the tow truck motor carrier, as determined by the division, has a pattern of overcharging or noncompliance with laws and regulations;

(d) the tow truck motor carrier submitted false information to the Division of Motor Vehicles State Tax Commission's website described in Section R909-19-7; or

(e) the tow truck motor carrier charges for items not authorized by state statute or administrative rule.

(3)(a) For a first or second violation described under Subsection (2), the division shall require the removal of a tow truck motor carrier from any towing dispatch rotation for three years consistent with Section 72-9-607.

(b) For a third violation described under Subsection (2), the division may require the permanent removal of a tow truck motor carrier from any towing dispatch rotation.

(4)(a) To make the determination described in Subsection (2)(a), the division shall:

(i) determine the total amount the tow truck motor carrier should have charged for the tow;

(ii) multiply the amount determined under Subsection (4)(a)(i) by 2:

(iii) compare the amount the tow truck motor carrier actually charged for the tow with the amount described in Subsection (4)(a)(ii); and

(iv) if the amount the tow truck motor carrier actually charged is equal to or greater than the amount described under Subsection (5)(a)(ii), the division shall require the removal of the tow truck motor carrier from the towing entity's towing rotation, contract, or request for proposal.

(b) To make the determination described in Subsection (2)(b), the division shall:

(i) determine the total amount the tow truck motor carrier should have charged for the tow;

(ii) multiply the amount determined under Subsection (4)(b)(i) by 1.25:

(iii) compare the amount the tow truck motor carrier actually charged for the tow with the amount described in Subsection (4)(b)(ii); and

(iv) if it is the third occasions within a 12 month period that the amount the tow truck motor carrier actually charged is equal to or greater than the amount described under Subsection (4)(b)(ii), the division shall require the removal of the tow truck motor carrier from the towing entity's towing rotation, contract, or request for proposal.

R909-19-7. Towing Notice and Documentation Requirements.

(1)(a) Non-consent police generated[~~,~~] and non-consent non-police generated tows conducted by tow truck motor carriers [~~must~~]shall input required information in electronic form on the Division of Motor Vehicles State Tax Commission's website[~~,~~] at "https://secure.utah.gov/ivs/ivs."[~~as required by Subsection 41-6a-1406(11).~~]

(b) A tow truck motor carrier may not collect a fee associated with a tow truck service or begin charging or accruing storage fees until the tow truck motor carrier or tow truck operator reports the information required under Subsection (1)(a).

(2)(a) For a non-consent non-police generated tow, a tow truck motor carrier shall keep date and time stamped photographic evidence documenting:

(i) the reason the vehicle was towed; and

(ii)(A) that proper signage was in place at all entrances to the property from where the vehicle was towed at the date and time of the tow; or

(B) if the proper signage is not in place on the property, a proper notice was placed on the vehicle that provided 24-hour notice of the tow, and the vehicle was not towed until the 24-hour period expired.

(2)(a) Tow truck motor carriers must notify the local law enforcement agency having jurisdiction over the area from where the vehicle[~~, vessel, or outboard motor~~] was removed on non-consent non-police generated tows immediately upon arrival at the impound or storage yard.

[~~(a)~~](b) For tows conducted on vehicles[~~, vessels, and outboard motors~~] and the owner information does not appear in the IVS or Title License Registration [~~("TLR")~~]systems, a tow truck motor carrier has met this requirement if they can provide proof that a letter has been sent to the Utah State Tax Commission Division of Motor Vehicle or the appropriate state where the vehicle[~~, vessel, and outboard motor~~] is registered, within two business days requesting the needed information to send the letter.

(3)(a) The tow truck motor carrier or the tow truck operator must provide a copy of the Utah Consumer Bill of Rights Regarding Towing at first contact with the owner or operator of a vehicle[~~, vessel, or outboard motor~~] that was towed or for which a drop fee is paid.

[~~(a)~~](b) The tow truck motor carrier must be able to verify that the consumer received their copy of the Utah Consumer Bill of Rights Regarding Towing.

(4) The Utah Consumer Bill of Rights Regarding Towing shall contain the language and information as published at, https://www.udot.utah.gov/connect/business/motor-carriers/tow-trucks/utah-bill-of-rights-regarding-towing/.

(a) The consumer has a right to receive documentation from the tow truck motor carrier showing the date and time the storage began.

(b) A consumer has the right to file a complaint alleging:

(i) overcharges;

(ii) inadequate certification for the operator, truck or company[~~, and~~]; and

(iii) violations of the Federal Motor Carrier Safety Regulations, Utah Code Annotated, or Utah Administrative Code.

[~~(c) Complaints may be filed online with the Utah Department of Transportation at https://app.udot.utah.gov/public/mcs/f?p=345:3::::3 or by contacting the Motor Carrier Division at (801) 965-4892.~~]

(c)(i) A consumer may file a towing complaint with the division.

(ii) A consumer shall file any complaint on a form specified by the division at https://app.udot.utah.gov/public/mcs/f?p=345:3::::3.

(iii) In response to a complaint filed under Subsection (4)(ii), the division may investigate a tow truck motor carrier, tow truck, or tow truck operator to ensure compliance with Title 72, Chapter 9, Part 6 Tow Truck Provisions and this rule.

(iv) If a tow truck motor carrier cannot produce the documentation required by state law or this rule, the division may require the tow truck motor carrier to refund all fees associated with a tow truck service.

R909-19-8. Required Tow Truck Operator Certification.

(1)(a) Effective July 1, 2004, tow truck operators will be tested and certified in accordance with the Towing and Recovery Association of America, Inc. [~~(TRAA)~~]standards and carry evidence of certification for the appropriate level of [~~vehicle~~]tow truck or other vehicle they are operating.

(b) These standards of conduct and proficiency may be tested and certified through an accepted program approved by the [~~D~~]department.

(2) Information on qualified certification programs may be obtained at the [~~UDOT Motor Carrier Division~~]division website at https://www.udot.utah.gov/connect/business/motor-carriers/tow-trucks/tow-truck-certification/ or by contacting the [~~Motor Carrier Division~~]division at (801) 965-4892.

(3) Tow truck motor carriers shall ensure that tow truck operators:

(a) are properly trained and certified to operate tow truck equipment;

(b) are licensed, as required under Sections 53-3-101 through 53-3-909 Uniform Driver License Act;

(c) are complying with the requirements under Sections 41-6a-1406 and 72-9-603;

(d) have cleared the criminal background check required in Subsections 72-9-602(2) and (3). In addition, if a tow truck operator has not cleared the criminal background check required in Subsections 72-9-602(2) and (3), then the tow truck motor carrier must notify the [~~Department~~]division of a tow truck operator who is not in compliance with Subsection 72-9-602(3) within two business days of obtaining knowledge from the Bureau of Criminal Identification[~~.~~]; and

(e) obtain and maintain a valid medical examiner's certificate under 49 CFR Sec 391.45.

R909-19-9. Required Tow Truck [~~Vehicle~~]Certification.

(1) Tow trucks shall receive and pass a tow truck certification inspection biannually.

(2) Tow trucks must be equipped with the required safety equipment. Safety Equipment List can be found at https://www.udot.utah.gov/connect/business/motor-carriers/tow-trucks/tow-truck-certification/ or by calling 801-965-4892.

(3) Upon [~~vehicle~~]tow truck certification, [~~an UDOT~~]a department certification sticker will be issued and shall be affixed to the driver's side rear window.

(4) [~~Documentation of UDOT tow truck vehicle certification shall be retained and available upon request by Department personnel.~~]The department shall retain documentation regarding tow truck certification and make the documentation available upon request.

R909-19-10. Required Tow Truck Motor Carrier Certification.

(1) Tow truck motor carriers shall be certified biannually to ensure compliance as required by the Federal Motor Carrier Safety Regulations, Utah Code Annotated, Utah Administrative Code, and local laws when applicable.

(2)(a) As required by Section 72-9-602, the department may not certify a tow truck motor carrier if the tow truck motor carrier does not have and maintain an internet presence.

(b) Before being certified or recertified, a tow truck motor carrier shall provide proof to the department that the tow truck motor carrier has an internet presence.

(c) The following are acceptable forms of proof of an internet presence:

(i) a web address for an active, public website that includes current information for the tow truck motor carrier, including the tow truck motor carrier's name, address, phone number, and other business information; or

(ii) a verifiable business profile on a third party platform that is accessible on the internet by the general public and that includes the tow truck motor carrier's name, address, phone number, USDOT number, and other business information.

(d) To be an acceptable form of proof of an internet presence, the website or profile described in Subsection (2)(c) must be easily found on the internet through an internet search or other means acceptable by the department.

(e) A certified tow truck motor carrier shall continuously maintain its internet presence.

(f) If a tow truck motor carrier does not maintain its internet presence, the department shall suspend the tow truck motor carrier's certification until the tow truck motor carrier meets the requirements of this Subsection (2).

R909-19-11. Certification Fees.

The Department may charge tow truck motor carriers a biannual fee, [~~biannually~~]as authorized by Section 72-9-603, to cover costs associated with [~~driver, vehicle, and carrier certifications~~]certifying tow truck motor carriers, tow truck operators, and tow trucks.

R909-19-12. Information Required on Towing Receipt.

(1)(a) A tow truck motor carrier shall provide a receipt to an individual who pays for a tow truck service.

(b) Upon request, a tow truck motor carrier shall provide to an individual an itemized statement of charges before the individual pays for a tow truck service.

(2) For a receipt or an itemized statement of charges described in Subsection (1), a tow truck motor carrier shall[~~Charges for services provided must be clearly reflected on a company receipt and a copy shall be provided to the paying customer. The receipt must~~] include the following information:

(a) company name;

(b) address;

(c) phone number;

(d) itemized charges including towing fees[~~transportation~~], administration fees, fuel surcharge fees, storage fees, [~~and~~]after-hours fees charged and any other item or fee being charged;

(e) name of company driver;

(f) unit number;

(g) the license plate of the towed vehicle;

(h) make, model, Vehicle Identification Number, and year of the towed vehicle;

(i) start and end time with total hours for services provided;[~~ and~~]

(j) any information required by state statute; and

[~~(j)~~](k) the date vehicle was retrieved from a tow yard or other storage area.

[~~(2)~~](3) [~~Any~~]A tow truck motor carrier shall list any charges for a consent tow [~~should be listed~~]on a separate [~~towing~~]receipt.

R909-19-13. Non-Consent Towing Fee.

(1) For purposes of this section:

(a) "Heavy duty rotator" means a specialized heavy duty tow truck designed for complex recovery operations and is equipped with:

(i) a boom capable of rotating 360 degrees and lifting and maneuvering loads of 32,000 pounds or more;

(ii) a heavy duty winch with a rated capacity of 10,000 pounds or more; and

(iii) advanced stabilization features.

(b)(i) "Laborer" means an additional individual, employee, or contractor who helps perform a recovery operation and who performs tasks such as unloading or loading cargo, cleaning up debris, applying oil absorbing material, directing traffic, or other services necessary to complete a recovery operation.

(ii) "Laborer" does not include:

(A) the tow truck driver who is on the scene of a recovery operation and whose time is charged as part of the rates described in Subsection (2); or

(B) a supervisor.

(c)(i) "Supervisor" means an additional tow truck motor carrier employee who helps perform a recovery operation when three or more laborers are essential to perform the recovery operation.

(ii) "Supervisor" does not include:

(A) the tow truck driver who is on the scene of a recovery operation and whose time is charged as part of the rates described in Subsection (2); or

(B) a laborer.

(d) "Truck and dump trailer combination" means a power unit pulling a dump trailer used to remove cargo or debris from the recovery scene or to transport equipment to the recovery scene.

[~~(1)~~](2)(a) The division shall publish a rate schedule for non-consent tows online at https://www.udot.utah.gov/connect/business/motor carriers/tow-trucks/.

[~~A~~](b) Subject to Subsection (2)(c) tow truck motor carrier may only charge up to but not exceed the approved tow rate, based upon the type of non-consent tow, as indicated in the [~~Towing Fee Schedule published online at https://www.udot.utah.gov/connect/business/motor-carriers/tow-trucks/~~]rate schedule described in Subsection (2)(a).

(c) In calculating fees, a tow truck motor carrier shall follow Section R909-19-14.

[~~(a) An~~](d) For a heavy duty tow truck service, a tow truck motor carrier may charge an additional 15% of the tow truck service fee [~~for tow truck service may be charged~~]if the towed vehicle is used in the transportation of materials found to be hazardous in accordance with the Hazardous Materials Transportation Act and which require the [~~motor~~]towed vehicle to be placarded under the Hazardous Materials Regulations, 49 CFR Part 172, subpart F.

[~~(b) If a~~](e)(i) For purposes of this Subsection (2)(e), a tow truck motor carrier is considered to be in possession of a vehicle if a tow truck apparatus is mechanically connected to [~~a~~]the vehicle[~~, the tow truck motor carrier shall be considered in possession of the vehicle~~].

[~~(c)~~](ii) If the owner, authorized operator, or authorized agent of the owner of a motor vehicle is attempting to retrieve [~~that~~]a vehicle before the tow truck motor carrier is in possession of the vehicle, [~~no fee shall be charged to the vehicle owner~~]the tow truck motor carrier may not charge a fee to the vehicle owner.

[~~(d)(i)~~](iii) If the owner, authorized operator, or authorized agent of the owner of the vehicle is attempting to retrieve the vehicle after the tow truck motor carrier is in possession of the vehicle but before the vehicle is removed from the property or scene, the tow truck motor carrier shall relinquish the vehicle to the owner, authorized operator, or authorized agent of the owner upon payment of a drop fee.

[~~(ii)~~](iv) A tow truck motor carrier may not charge a drop fee that exceeds 50% of the [~~posted rate schedule~~]current tow truck service rate.

(e) Charges for recovery operations, as defined by Section R909-19-3, shall be coordinated with the towed vehicle owner, or directed by law enforcement before initiating the additional charges relating to the recovery operation. Coordination with the towed vehicle owner should result in an agreement between the towed vehicle owner and tow truck motor carrier.

(i) If attempts to coordinate the recovery operation charges with the towed vehicle owner fail, law enforcement personnel may authorize the recovery operation.

(ii) At least two attempts must be made to contact the towed vehicle owner.

(iii) Record of owner coordination or law enforcement authorization shall be maintained by a tow truck motor carrier for each recovery operation. The record shall include a contact name, entity, contact time and date, and agreement made.

(iv) Uncoordinated or unauthorized recovery operation fees may be subject to penalty and reimbursement of recovery operation fees.

(3)(a)(i) As provided in this Subsection (2), a tow truck motor carrier may charge additional fees for the additional manpower and equipment needed to perform a recovery operation.

(ii) The additional charges described under Subsection (2)(a) may only include charges for the manpower and equipment that are essential to perform the recovery operation in a safe, reasonable, timely, and efficient manner.

(iii) The additional charges described in this section only apply to a recovery operation that is a non-consent police generated tow.

(b)(i) Before performing a recovery operation for a vehicle that is further than 20 feet from the roadway, a tow truck motor carrier shall make a reasonable effort to contact at least one owner of each vehicle the tow truck motor carrier will tow as part of the recovery operation.

(ii) If a tow truck motor carrier makes contact with a vehicle owner, the tow truck motor carrier:

(A) shall notify the vehicle owner of the recovery operation, including the charges associated with the recovery operation; and

(B) may coordinate the charges of the recovery operation by entering into an agreement with the vehicle owner.

(iii) If, after making a reasonable effort, a tow truck motor carrier cannot make contact with a vehicle owner, the tow truck motor carrier may proceed with performing the recovery operation.

(iv) A tow truck motor carrier shall keep a written record of the reasonable efforts the tow truck motor carrier has made to contact each vehicle owner, including a contact name, entity name, contact time and date, and documentation of any agreement made with a vehicle owner.

(c)(i) A tow truck motor carrier shall submit documentation of a recovery operation to the IVS website that:

(A) completely and accurately describes the tow truck service and demonstrates the reasons the tow truck service meets the definition of a recovery operation;

(B) is clear, legible, and accessible;

(C) is verifiable and consistent; and

(D) provides sufficient information to justify the charges for the additional manpower and equipment that the tow truck motor carrier determined to be essential to perform the recovery operation in a safe, reasonable, timely, and efficient manner.

(ii) Documentation submitted as described in Subsection (2)(c)(i) may include photos, videos, invoices, written quotes, tow truck operator logs, dispatch logs from law enforcement agencies, or notes and narratives describing the recovery operation.

(d) When necessary for a recovery operation, a tow truck motor carrier may not charge more than the following:

(i) for each laborer, $75 per hour;

(ii) for each supervisor, $100 per hour;

(iii) for each heavy duty rotator, $800 per hour; and

(iv) for each truck and dump trailer combination, $250 per hour.

(e) Beginning January 1 2028, the department shall adjust the fees described in Subsection (3)(d) for inflation and post the adjusted fees as described in Section R909-19-19.

(4)(a) When applying the rates described in this section, a tow truck motor carrier may not round up.

(b) A tow truck motor carrier may not double charge for a tow truck driver, laborer, supervisor, tow truck, or equipment.

(5) In addition to any other provision of this rule, after investigating a complaint filed under Section R909-19-7, the division may direct a tow truck motor carrier to:

(a) refund in whole or in part a charge related to a recovery operation; or

(b) if the division determines a tow truck service is not a recovery operation, revise the charges and only charge the relevant tow fees in the fee schedule described in Subsection (2)(a).

R909-19-14. Police Generated Towing Fee Calculation.

[~~(1) Tows dispatched during business hours: Tow time shall be calculated from dispatch time to completion of tow service.~~

~~(2) Tows dispatched after business hours: Tow time shall be calculated from dispatch time to completion of tow service and return to dispatch location. Time to return to the dispatch location may not exceed the allowed rotation response time.~~

~~(3) Time charged shall be to the nearest fifteen-minute increment.~~

~~(4) Charges may not extend to include the towing notice requirement period pursuant to Subsections 72-9-603(1)(a)(i) and 41-6a-1406(4)(a)(ii).~~]

(1) When calculating the fee for a tow truck service, a tow truck motor carrier shall follow the requirements of this section.

(2)(a) Subject to the requirements of this Subsection (2), a tow truck motor carrier shall calculate the tow truck service fee based on the amount of time that elapses from dispatch to completion of the tow truck service and return to the dispatch location.

(b) When making the calculator described in Subsection (2)(a), a tow truck motor carrier:

(i) shall subtract from the amount calculated under Subsection (2)(a) any time used for activities unrelated to the tow truck service for which the fee is being calculated;

(ii) may not include the time needed to meet the requirements of Subsection 72-9-603(1); and

(iii) shall calculate the amount to the nearest fifteen-minute increment; and

(c)(i) For a non-consent police generated tow originating in a first or second class county, as defined by Section 17-60-104, a tow truck motor carrier shall charge a flat tow truck service fee, regardless of time, equal to 1.5 times the rate published by the department.

(ii) The flat tow truck service fee described in Subsection (2)(c)(i) is charged in lieu of the tow truck service fee calculated as described in Subsections (2)(a) and (b).

(3)(a) When determining the appropriate tow truck service fee, a tow truck motor carrier shall base the determination on the type and size of the vehicle being towed.

(b) When making the determination described under Subsection (3)(a):

(i) a light duty vehicle is a vehicle with a GVWR or GCWR of 10,000 pounds or less;

(ii) a medium duty vehicle is a vehicle with a GVWR or GCWR between 10,001 to 26,000 pounds; and

(iii) a heavy duty vehicle is a vehicle with a GVWR or GCWR 26,001 pounds or greater.

R909-19-15. Non-consent Towing Storage Fee.

(1) Daily storage fees for a non-consent [~~police generated~~]tow truck service may not exceed the following:

(a) Outside storage: light duty [~~$40~~]$42, medium duty [~~$60~~]$63, heavy duty [~~$60~~]$63.

(b) Inside Storage: light duty [~~$45~~]$47, medium duty [~~$85~~]$90, heavy duty [~~$85~~]$90.

(c) Outside hazardous materials: [~~medium duty $115, ~~]heavy duty [~~$115~~]$121.

(d) Inside hazardous materials: [~~medium duty $165, ~~]heavy duty [~~$165~~]$173.

[~~(2) Daily storage fees for non-consent non-police generated tow service may not exceed:~~

~~(a) Outside storage: light duty $40, medium duty $60, heavy duty $60.~~

~~(b) Inside Storage: light duty $45, medium duty $85, heavy duty $85.~~

~~(c) Outside hazardous materials: medium duty $115, heavy duty $115; and~~

~~(d) Inside hazardous materials: medium duty $165, heavy duty $165.~~

~~(3) A tow truck motor carrier may charge up to but not exceeding the amount for storage per day for the type of non-consent tow.~~]

(2)(a) A tow truck motor carrier may only charge a higher fee for inside storage per day per unit [~~only ~~]if the vehicle owner, authorized operator, authorized agent of the owner, relevant law enforcement agency, or relevant highway authority requests the inside storage[~~requested by the owners, or a law enforcement agency or highway authority~~].

(b) A tow truck motor carrier may only charge the hazardous materials rate described in Subsection (1) for a towed vehicle if the towed vehicle is:

(i) [~~Vehicles~~] used in the transportation of materials found to be hazardous in accordance with the Hazardous Materials Transportation Act; and

(ii) required [~~which require the motor vehicle ~~]to be placarded under the Hazardous Materials Regulations, 49 CFR Part 172, subpart F[~~ may be charged a higher storage fee rate~~].

(c) To calculate storage rates, if the first six hours of storage for a vehicle include more than one day, the authorized storage fee is only the charge for one day.

(d) Storage fees may only be charged if the place of storage is a state impound yard that meets the requirements of rules made by the commission under S[~~ubs~~]ection 41-1a-1101[~~(5)~~].

(e) Except as provided in Subsection [~~(3)~~](2)(f), a tow truck motor carrier [~~vehicle must~~]shall store towed vehicles within the county where the tow occurred.

(f)(i) A tow truck motor carrier [~~must~~]shall store a vehicle that is towed as a result of a non-consent police generated tow within the boundaries of the police rotation where the tow occurred.

(ii) For purposes of Subsection [~~(3)~~](2)(f)(i), the boundary of a police rotation is the boundary established by the law enforcement agency that dispatched the tow truck motor carrier.

R909-19-16. Non-consent Fuel Surcharge Fee.

(1)(a) [~~A~~]Subject to Subsection (2), a tow truck motor carrier may charge a fuel surcharge for a non-consent tow if the daily Rocky Mountain Average, as determined by the Department of Energy, for the price of fuel reaches $3.25 per gallon, a tow truck motor carrier may charge a surcharge equal to 3% of the base tow rate. An additional 3% shall be allowed for each $0.[~~2~~]50 per gallon increase. Conversely, as the price of fuel drops, the fuel surcharge shall decrease by the same rate.

[~~(a)~~](b) To determine the Rocky Mountain daily average per gallon diesel cost, refer to the US Energy Information Administration's website at https://www.eia.gov/.

[~~(b) The~~](c) A tow truck motor carrier may only charge a fuel surcharge described in Subsection (1)(a)[~~may be charged on non-consent police generated tow~~] if the vehicle is being used in the function of a tow truck[~~vehicle such as travel to and from the scene and during the operation of equipment for the recovery operation~~].

(d) For a non-consent non police generated tow, a tow truck motor carrier[~~Non-consent non-police tows~~] may only charge [~~a~~]one fuel surcharge[~~ one-time~~] fee.

[~~(c) Surcharge fee shall be listed as a separate fee on the tow bill.~~]

(2) Notwithstanding the other provisions of this section, a tow truck motor carrier may not charge a fuel surcharge greater than $40 for a non-consent tow originating in a first or second class county, as defined by Section 17-60-104.

R909-19-17. Non-consent Administrative Fee.

A tow truck motor carrier may charge an administrative fee for reporting the removal of up to but not exceeding the amount indicated in the Towing Fee Schedule as published online at, https://www.udot.utah.gov/connect/business/motor[-] carriers/tow-trucks/ per towed vehicle notification for reporting non-consent tows to the [~~Department of Motor Vehicles~~]Division of Motor Vehicles State Tax Commission and for sending notifications to the owner and lienholder, if applicable.

R909-19-18. Non-consent After-Hours Fee.

(1) A tow truck motor carrier may charge for the after-hours release of a vehicle[~~, vessel, or outboard motor~~] or personal property stored in response to:

(a) a peace officer dispatch call;

(b) a [~~motor vehicle division~~]Division of Motor Vehicles State Tax Commission call; and

(c) any other call or request where the owner or operator of the vehicle[~~, vessel, or outboard motor~~] has not consented to the removal.

(2) A tow truck motor carrier may charge up to [~~but not exceed ~~]the approved tow rate, based upon the type of non-consent tow, as indicated in the Towing Fee Schedule published online at https://www.udot.utah.gov/connect/business/motor[-] carriers/tow-trucks/ and the Utah Consumer Bill of Rights Regarding Towing published at https://site.utah.gov/connect/wp[-] content/uploads/sites/50/2021/12/Tow-Truck-Bill-of-Rights-Combined-2022-1.pdf.

[~~(3) The After-hours fee shall be listed as a separate fee on the tow bill.~~]

R909-19-19. Tow Truck Service and Administrative Fee Adjustment.

[~~(1)(a) The Motor Carrier Division will establish the allowable maximum fee for a tow truck service and administrative fee for reporting the removal, as per Section 72-9-603.~~

~~(b) The Towing Fee Schedule is published on the Division's website at https://www.udot.utah.gov/connect/business/motor-carriers/tow-trucks/.~~]

(1) The division shall publish a tow fee schedule on the division's website at https://www.udot.utah.gov/connect/business/motor-carriers/tow-trucks/

(2) [~~The allowable maximum fee for tow truck service, the maximum allowable administrative fee for reporting the removal, and the storage fees described in Section R909-19-15 shall be tied to~~]The Department shall annually adjust fees based on the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) in the West Urban Region of the US. The department shall use the CPI-W[~~, is~~] calculated by the US Department of Labor, Bureau of Labor and Statistics (BLS), which publishes CPI Detailed Report Tables each month on its website at https://www.bls.gov/cpi/tables/home.htm.

(3) The [~~Motor Carrier Division~~]division shall adjust the [~~allowable maximum~~]fees once annually as follows:

(a) The base fee schedule for each calendar year after a year in which the [~~Motor Carrier Division~~]division determines the allowable maximum fees pursuant to Subsection R909-19-13(1) shall be adjusted effective January 1 of each calendar year.

(b) The adjustment amount of the allowable maximum fees shall be equal to the change in the CPI-W for the 12[~~twelve-~~] month period before the October CPI-W figure reported by the BLS immediately preceding the January 1 adjustment date.

(c) If the 12 [~~twelve-~~]month change in the CPI-W from October to October is negative, the allowable maximum fees shall remain unchanged.

(d) The [~~Division of Motor Carriers~~]division shall round the allowable maximum fees to the nearest whole number.

R909-19-20. [~~Public~~]Consent Towing and Storage Rates.

Towing rates for [~~public~~]consent tows are the responsibility of the consumer and the tow truck motor carrier as contracted for the tow truck services provided and are not regulated by the Department.

R909-19-21. Rates and Storage Posting Requirements.

Pursuant to Section 72-9-603, a tow truck motor carrier or impound yard shall clearly and conspicuously post and disclose its current non-consent fees and rates for towing and storage of a towed vehicle at locations at which vehicles are retrieved, or payment is accepted.

R909-19-22. Federal Motor Carrier Safety Requirements.

Tow truck motor carriers that meet the definition of a commercial motor carrier shall comply with State and Federal Motor Carrier Safety Regulations, in addition to any other legal requirements established in statute, rule, or permit.

R909-19-23. Consumer Protection Information.

Pursuant to Section 72-9-602, the d[~~D~~]epartment shall make consumer protection information available to the public that may use a tow truck motor carrier. To obtain such information, including a list of tow truck motor carriers that are currently certified by the d[~~D~~]epartment, the public can access this information online at https://www.udot.utah.gov/connect/business/motor[-] carriers/tow-trucks/, or by calling the [~~Motor Carrier Division~~]division at (801) 965-4892.

R909-19-24. Establishment of Tow Truck Steering Committee and Work Group.

(1) The Administrator for the [~~Motor Carrier Division~~]division will establish a steering committee to provide advisory information and input.

(2) The Motor Carrier Advisory Board[~~, established by the Department, will serve as the steering body for regulatory guidance and the Department's certification process~~] will advise the department as described in Section 72-9-201.

R909-19-25. Review of Rates, Fees, and Certification Process.

(1) During a regularly scheduled Motor Carrier Advisory Board meeting, the board may review rates, fees, tow truck motor carrier procedures, and the certification process. The board is not required to review each of these items each year.

(2)(a) Interested parties must notify the [~~Department~~]division of their desire to appear and be heard at a regularly scheduled Motor Carrier Advisory Board meeting.

(b) To ensure placement on the agenda, notify the Motor Carrier Division at 801-965-4892, by the first day of the month of the scheduled meeting.

[~~(b)~~](c) Interested parties must be present at the Motor Carrier Advisory Board meeting to submit evidence supporting or challenging proposed rate or fee adjustments, or issues related to procedures regarding the certification process.

R909-19-26. Ability to Petition for Review.

Any tow truck motor carrier who believes the [~~D~~]division has acted wrongfully in denying or suspending certification, requiring the removal of the tow truck motor carrier from a towing entity's towing rotation, contract, or request for proposal, or in imposing a cease-and-desist order may petition the [~~D~~]department for review of that action pursuant to Rule R907-1, Administrative Procedures.

R909-19-27. Record Retention.

(1)(a) [~~Tow truck motor carriers~~]Subject to Subsection (1)(b), a tow truck motor carrier shall retain records relating to rates charged for tow truck services for a [~~period of six months~~]minimum of one year from the date on which the tow truck service occurred[~~- after the service has been provided~~].

(b) [~~However, if~~]If the [~~D~~]division or the [~~vehicle~~]owner or operator or a towed vehicle has[~~have~~] notified the tow truck motor carrier that it disputes its ability to charge a particular fee, the carrier shall retain the record until six months after the dispute has concluded or a court rule or order requires a longer retention period.

(2) A tow truck motor carrier shall submit its lands, buildings, and equipment for inspection and examination and shall submit its accounts, books, records, and documents for inspection and copying in accordance with Section 72-9-301.

[~~R909-19-28. Life-Essential Property.~~

~~Property that is deemed as life-essential shall be given to the vehicle owner regardless of payment for services provided.~~]

KEY: safety regulations, tow trucks, towing, certifications
Date of Last Change: 2026[~~October 22, 2024~~]
Notice of Continuation: April 15, 2026

Authorizing, and Implemented or Interpreted Law: 41-6a-1404; 41-6a-1405; 41-6a-1406; 53-1-106; 53-8-105; 72-9-601; 72-9-602; 72-9-603; 72-9-604; 72-9-301; 72-9-303; 72-9-701; 72-9-702; 72-9-703

!--dar--