

**TITLE 595. DEPARTMENT OF PUBLIC SAFETY
CHAPTER 25. WRECKERS AND TOWING SERVICES**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

- 595:25-1-1. Purpose [AMENDED]
- 595:25-1-2. Definitions [AMENDED]
- 595:25-1-3. General policies [REVOKED]
- 595:25-1-4. Individual proceedings [NEW]
- 595:25-1-5. Petition for rulemaking [NEW]
- 595:25-1-6. Wrecker Services Division management system [NEW]
- 595:25-1-7. Release of Information from Departmental records [NEW]

Subchapter 3. Wrecker License

- 595:25-3-1. General requirements [REVOKED]
- 595:25-3-2. Applications [REVOKED]
- 595:25-3-3. Renewal [REVOKED]
- 595:25-3-4. Trade name [REVOKED]
- 595:25-3-5. Licenses required [NEW]
- 595:25-3-6. Wrecker service license – scope and effect [NEW]
- 595:25-3-7. Original wrecker service application [NEW]
- 595:25-3-8. Renewal Application [NEW]
- 595:25-3-9. Wrecker vehicle operator license – scope and effect [NEW]
- 595:25-3-10. Minimum Qualifications for Wrecker Vehicle Operators [NEW]
- 595:25-3-11. Drug testing [NEW]
- 595:25-3-12. Wrecker Vehicle Licenses [NEW]

Subchapter 5. All Wrecker Operators

- 595:25-5-1. Physical requirements for storage facility [REVOKED]
- 595:25-5-2. Equipment requirements for all classes of wrecker vehicles [REVOKED]
- 595:25-5-3. Operations [REVOKED]
- 595:25-5-4. Insurance [REVOKED]
- 595:25-5-5. Records [REVOKED]
- 595:25-5-7. Tow request and authorization forms [REVOKED]
- 595:25-5-8. Conflicts of interest [REVOKED]
- 595:25-5-9. Inspections [REVOKED]
- 595:25-5-10. General requirements [NEW]
- 595:25-5-11. General prohibitions [NEW]
- 595:25-5-12. Traffic Incident Management [RESERVED]
- 595:25-5-13. Towing vehicles from private property [NEW]
- 595:25-5-14. Place of Business [NEW]
- 595:25-5-15. Storage facility requirements – General [NEW]
- 595:25-5-16. Outdoor storage facility requirements [NEW]
- 595:25-5-17. Exception from storage facility requirements [NEW]
- 595:25-5-18. Indoor storage facility requirements [NEW]
- 595:25-5-19. Personal property [NEW]
- 595:25-5-20. Exceptions to vehicle release rules [NEW]

- 595:25-5-21. Release of stored vehicles [NEW]
- 595:25-5-22. Release of stored vehicle to another licensed wrecker service [NEW]
- 595:25-5-23. Insurance requirements [NEW]
- Subchapter 7. Class AA Operators [REVOKED]
- 595:25-7-2. Release and holding of vehicle [REVOKED]
- Subchapter 7. Class AA Operators [REVOKED]
- Subchapter 9. Oklahoma Highway Patrol ~~Rotation Log~~—~~Additional Requirements~~ Wrecker Rotation [AMENDED]
- 595:25-9-1. Oklahoma Highway Patrol Rotation Log [REVOKED]
- 595:25-9-2. Operator requirements [REVOKED]
- 595:25-9-3. Rotation calls for truck wreckers (Class AA-TL) [REVOKED]
- 595:25-9-4. Oklahoma Highway Patrol wrecker rotation – generally [NEW]
- 595:25-9-5. Oklahoma Highway Patrol wrecker rotation – placement and removal [NEW]
- 595:25-9-6. Oklahoma Highway Patrol wrecker rotation – process [NEW]
- 595:25-9-7. Oklahoma Highway Patrol wrecker rotation – special situations [NEW]
- 595:25-9-8. Oklahoma Highway Patrol wrecker rotation – minimum response requirements [NEW]
- 595:25-9-9. Oklahoma Highway Patrol wrecker rotation – geographic boundaries [NEW]
- Subchapter 11. Denial, Suspension, Revocation, or Cancellation of License; Denial or Removal of Class AA Operators From Rotation Log of the Oklahoma Highway Patrol [REVOKED]
- 595:25-11-1. Failure to qualify [REVOKED]
- 595:25-11-2. Violation of rules [REVOKED]
- 595:25-11-3. Procedure [REVOKED]
- Subchapter 13. Training And Education [NEW]
- 595:25-13-1. Continuing education requirements [NEW]
- 595:25-13-2. Approved training [NEW]
- Subchapter 15. WRECKER VEHICLES [NEW]
- 595:25-15-1. Classes of wrecker vehicles [NEW]
- 595:25-15-2. Licensed wrecker vehicle requirements [NEW]
- Subchapter 17. Administration [NEW]
- 595:25-17-1. Required records [NEW]
- 595:25-17-2. Initial business, wrecker vehicle, and storage facility inspections [NEW]
- 595:25-17-3. Supplemental wrecker vehicle and storage facility inspections [NEW]
- 595:25-17-4. Transfer of ownership [NEW]
- 595:25-17-5. Administrative Action by the Department [NEW]

SUMMARY:

The proposed amendments further clarify the licensing requirements for wrecker and towing companies; make clear the requirement for wrecker and towing company operations and services provided by those companies; revoking rules that are considered outdated or duplicative; and updates the requirements for a wrecker or tow company to remain on the Oklahoma Highway Patrol rotation log.

AUTHORITY:

The Commissioner of the Department of Public Safety; 47 O.S. §952

COMMENT PERIOD:

Persons wishing to express their views in writing may do so by close of business, Monday, December 16, 2024, at the following address: Department of Public Safety, Attn: Kimberly Dammen, P.O. Box 53004, Oklahoma City, OK 73152-2900, or by email to kimberly.dammen@dps.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on Tuesday, December 17, 2024, at the Department of Public Safety, 3600 N. Martin Luther King Ave, Oklahoma City, OK 73111. Anyone wishing to speak must sign in at the door.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The Department of Public Safety requests business entities affected by these proposed rules provide the Department, within the comment period described above, in dollar amounts if possible, the increase in the level of direct costs, revenue loss, or other costs expected to be incurred by said entities such as fees; and indirect costs such as reporting, recordkeeping, professional services, labor, construction, or equipment expected to be incurred by the entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kimberly Dammen at the mailing address provided in the "Comment Period" section of this notice no later than the close of business on the date of the public hearing.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Department of Public Safety, Legal Division, P.O. Box 53004, Oklahoma City, OK 731152-2900, or kimberly.dammen@dps.ok.gov. The proposed rules are also posted on the DPS website at www.dps.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D) a rule impact statement will be prepared and will be available at the above address beginning November 30, 2024.

CONTACT PERSON:

Kimberly Dammen, Administrative Programs Officer IV; 405-245-2148, or kimberly.dammen@dps.ok.gov.