

INFORMATION BULLETIN



June 30, 2020

TOW TRUCK OPERATIONS

This Information Bulletin (IB) provides clarification of driver license (DL), hazardous materials (HM), and hours-of-service (HOS) requirements for drivers of tow trucks.

Drivers of tow trucks are required to possess the proper class of DL for the vehicle or combination of vehicles being operated.

- The driver of a tow truck towing a vehicle with a gross vehicle weight rating or gross weight of more than 10,000 pounds, or towing more than one vehicle (e.g., truck tractor and trailer combination), would be required to possess a class A commercial driver license (CDL) pursuant to Section 12804.9(b)(1) of the California Vehicle Code (CVC).

A tow truck driver operating a commercial motor vehicle, as defined in Section 15210(b)(1) CVC, is required to obtain an endorsement for the following types of vehicles pursuant to Section 15278(a) CVC.

- A HM endorsement is required when a tow truck driver is towing or transporting a vehicle which requires the display of HM placards.
- A tank vehicle endorsement is required if a tow truck driver is towing a vehicle equipped with a tank or tanks as described in Section 15210(r) CVC. However, the tank vehicle endorsement would not be required if the tank vehicle is carried as a load (e.g., tank truck on low-bed trailer).
- A doubles endorsement is required when a tow truck driver is towing a combination of vehicles which includes more than one trailer.

A tow truck driver's CDL would not require an endorsement to tow a passenger transportation vehicle.

Tow truck operators transporting vehicles containing HM are subject to all HM regulations contained in Title 49 of the Code of Federal Regulations. This includes, but is not limited to, shipping papers, training, HM communication, and HM registration. Additionally, tow truck operators are required to comply with the applicable HM requirements within the CVC. This includes HM trip routing and the requirement to obtain a Hazardous Materials Transportation License.

Tow truck operators and drivers are subject to the same HOS regulations which apply to the operation of any commercial motor vehicle; however, they are eligible to utilize the various HOS exceptions applicable to their type of operation.

During emergency operations and at the direction of a peace officer, the operator of a tow truck is exempt from the aforementioned requirements. However, the lawful order during the emergency situation is limited to clearing the roadway to mitigate the emergency. This does not include towing a vehicle to a tow yard or place of repair after the roadway is clear.

The emergency-operation exemptions are not granted automatically to a tow truck driver or operator who has simply been dispatched to an incident. The exemptions are contingent upon a lawful order being issued by an officer at the scene of the emergency, as previously described.

Once the emergency situation is mitigated, the exemptions end. Although the driver is not subject to the HOS limits when operating under a lawful order pursuant to Section 2800 CVC, the driver is not exempt from the HOS documentation requirements. All time while operating under the lawful order must be documented as on-duty time.

Questions regarding this IB may be directed to the Commercial Vehicle Section, at (916) 843-3400.

OFFICE OF THE COMMISSIONER

OPI: 062