

CTPAC-SC Proposal

Subject: Allowance for Heavy Duty Towing & Emergency Recovery Equipment - Rotator Tow Trucks

Date: August 07, 2008

Policy: Fixed Loads WG-12-080708-002

I. OBJECTIVE

1. Rotator Tow Trucks that are manufactured extralegal by design to improve safety during emergency recovery operations be allowed additional weight up to maximum axle purple chart weight. Also be given an exception for the additional weight above the manufactures unladen weight to be authorized to tow and obtain an annual bonus purple weight permit.
2. Rotators that are operating in an emergency recover operation are *not to be classified* as a crane.

II. BACKGROUND

- The heavy duty towing and recovery industry, in the attempt to operate within established safe procedures, has integrated the use of rotators for specialized recovery and towing of heavy equipment operating in the state of California. Required to maintain fifty percent (50%) of front axle weight while under tow, has advanced the use of heavier tow vehicles.
- Since 2006, rotators have been issued annual bonus purple weight permits without towing limitations. Prior to 2006, rotators have been issued annual purple and green weight permits, some with towing limitations. The industry has complied with and has evidenced the ability and desire to operate within the permit program.
- Rotators are engineered specifically for automotive towing and recovery applications and are not classed by their manufactures as cranes.
- Advanced incident management has *justified the use* of rotators state wide.

III. EXISTING DOCUMENTATION

- **Caltrans** - Reducible Loads
 - a. This permit is issued for the movement of an "Extralegal Load" as defined in CVC. 320.5 when loaded at its least dimensions.
 - b. This permit is automatically canceled if the permitted dimensions and weight can be reduced to legal limits by repositioning and/or practical removal of a part, portion, or unit there from.
 - c. This permit does not authorize extralegal weight if the load can be repositioned to stay within legal axle or axle group weights authorized in CVC 35551 or 35551.5. If the load cannot be repositioned, the weights shown on the permit are authorized.

- d. Other items may be hauled in addition to the permitted item (whichever is greater) and the loaded vehicle is of legal axle weights.
- e. Overheight permits shall not be issued for items transported on a conventional flat deck trailer unless the deck is needed to support a long fragile load or a long load that would cause unbalanced axle group weights.
- f. An extra legal self-propelled fixed load vehicle may tow a legal "Vehicle" with the following conditions:
 - The towed vehicle does not transfer weight to the towing vehicle.
 - Maximum vehicle combination length 65' 0 "
 - The self-propelled fixed load will not be close coupled to the towed trailer
 - The total gross weight imposed by the towed vehicle will not exceed 20,000 lbs.

"Vehicle" as defined in the California Vehicle Code (CVC) 670.

"Trailer" as defined in the California Vehicle Code (CVC) 630.

- **Caltrans TPPM 2006-04** Policy does not exclude extra legal fixed load vehicles.
- **Caltrans Annual Purple Permit** policy requires all tow trucks to have on board scales operational on each Rotator vehicle.
- **Caltrans TPM 301** - Extralegal size vehicles shall not be used except when the load justifies their use.
- **TPM 305.2.1** - Extralegal weight will not be allowed on motor vehicles where the equipment required to complete the prime function may be reasonably transferred to a single or tandem axle trailer and the combination complies with legal axle and gross weight, nor where the motor vehicle can be made legal by the addition of another axle or the use of a longer wheel base chassis..."
- **CHP 234 Tow Service Agreement (9) (C)** ...maintaining 50 percent of the tow truck's unladen front axle weight on the front axle when towing.
- **FHWA** – reducible load only applicable to legal, reducible loads less than #80,000 applies.
- **CFR 23 Part 658.5** Non-divisible means any load or vehicle exceeding applicable length or weight limits which, if separated into smaller loads or vehicles would:
 1. Compromise the intended use of the vehicle, i.e. make it unable to perform the function for which it was intended;
 2. Destroy the value of the load or vehicle; or
 3. Require more than eight hours to dismantle using appropriate equipment.
The applicant for a permit has the burden of proof as to the number of work hours required to dismantle the load.
- **CVC 35401(c) (1)** A tow truck in combination with a single disabled vehicle or a single abandoned vehicle that is authorized to travel on the highways by this chapter is exempt from subdivision (a) when operating under a valid annual transportation permit. (2) A tow truck, in combination with a disabled or

abandoned combination of vehicles that are authorized to travel on the highways by this chapter, is exempt from subdivision (a) when operating under a valid annual transportation permit and within a 100-mile radius of the location specified in the permit. (3) A tow truck may exceed the 100-mile radius restriction imposed under paragraph (2) if a single trip permit is obtained from the Department of Transportation. Exempts tow trucks from length while operating under a valid annual transportation permit.

- **CVC Section 320.5** – Extralegal Load
An "extralegal load" is a single unit or an assembled item which, due to its design, cannot be reasonably reduced or dismantled in size or weight so that it can be legally transported as a load without a permit as required by Section 35780. This section does not apply to loads on passenger cars.
- **CVC 660** - The "unladen weight" of a vehicle is the weight equipped and ready for operation on the road including the body, fenders, oil in motor, radiator full of water, with five gallons of gasoline or equivalent weight of other motor fuel; also equipment required by law, and unless exempted under Section 66l, any special cabinets, boxes or body parts permanently attached to the vehicle, and any machinery, equipment or attachment which is attendant to the efficient operation of the body or vehicle. Unladen weight shall not include any load or any machinery or mechanical apparatus, such as, but not limited to, wood saws, well-drilling machines, spray apparatus, tow truck cranes, and grinding equipment. The unladen weight of a vehicle shall have no application in determining any fee under this code or the Revenue and Taxation Code other than Section 9400.
- **CVC 35780** - The Department of Transportation or local authorities, with respect to highways under their respective jurisdictions, may at their discretion upon application and if good cause appears, issue a special permit authorizing the applicant to operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum specified in this code.

IV. PROPOSED CHANGES

Rotator Tow Trucks that are manufactured extralegal by design be allowed additional weight up to maximum axle purple chart weight. Also be given an exception for the additional weight above the manufactures unladen weight to be authorized to tow and obtain an annual bonus purple weight permit.

IV. BENEFITS / IMPACT / JUSTIFICATION

Benefits:

- Tow and recovery for the public, as well as, municipalities and their 'extralegal vehicles' such as: Garbage compactors; Fire trucks and emergency response vehicles; Storm drain cleaners; Road painting units; Cement/Concrete delivery vehicles; Cranes & Rigs
- Significantly affect incident management by:
 - ✓ Lessening exposure on highway through reducing personnel and equipment;
 - ✓ Allow increased flow of traffic by requiring less road space;
 - ✓ Increase clearance times in particular to: Vehicles compromising structures, bridges, k-rail and construction sites; Vehicles over

embankments; Roadways with little or no shoulder; Rollover recovery incidents; Incidents requiring Sig Alerts.

Impact:

- Less than expected: Industry statistics reveal that average mileage for a rotator is less than 11,000 annually and average miles *under tow* is less than 22 percent of annual miles.
- Weight transfer to the towing unit is variable depending upon the in-tow placement of the towed vehicle. Utilizing the on-board scales as required, the industry is capable of abiding within weight allowances by adjusting weight transfer as necessary.

Justification:

- Benefits and Impact confirm justification.
- California's towing industry must be able to fully utilize rotators, as they were engineered, to remain competitive and cost-effective within the state of California. The industry's ability to tow commercially offsets the cost of the equipment, which is, in turn, passed on to California's motoring public and municipalities.
- The intent of the legislature in enacting CVC 35401 (c) (1) was to allow the towing industry to respond to and remove vehicles from the roadways in the most expeditious and safe manner. CalTrans Permit Department agreed with and supported the legislation.

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