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STATE OF OKLAHOMA
DEPARTMENT OF PUBLIC SAFETY

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Wrecker Owners & Operators

The only change to the wrecker services section of law passed this past legislative session was to O. S. 47, Chapter 72, § 955 regarding the release of personal property. The statute exempts wrecker operators of all liability on the release of personal property when being release to the insurer or representative of the insurer. It also included vehicle keys and devices to start and unlock the vehicle as part of vehicle equipment not subject to be released. Interlock devices may be removed subject to the provisions in O. S. 47, § 11-902a., in addition, wrecker operators may request a person picking up personal property or interlock device to sign a form (provided by the operator) exempting the operator from liability. These changes go into effective the **November 1, 2014.**

There were numerous changes to the rules, as no rules had been changed for several years now. The most notable change with possible economic consequence to wrecker operators, is the requirements for outdoor storage facilities. The new standards go into effect **September 12, 2014** and any storage facility inspected after this date shall require at least a six feet (6') high fence made out of wood, metal design or chain link. The complete storage area lot must be an all weather surface such as concrete, asphalt, blacktop, gravel or equivalent material. The gate must be of the same material as the fence and locked at all times unless attended. The storage lot must be maintained; no holds in the fence, the gates either locked or attended, the removal of tall weeds, overgrown vegetation and debris. The most important factor to current licensed wrecker operators is that if for any reason an inspection of a storage lot previously licensed fails an inspection for not maintaining the lot, the new standard shall be imposed.

There have been new definitions of terms added, and a rule made that a wrecker operator must have a minimum of one wrecker vehicle. The wrecker license shall be cancelled after thirty (30) days, if an operator does not get another wrecker vehicle. Many of the new rules have just spelled out what has been policy for years.

The section regarding "License prohibited" is essentially the same, just re-written to make it easier to read and understand. It did, however, add the prohibited crime of O. S. 21 §1029, which is "engaging in or soliciting prostitution."

Included in the section regarding the "Tow request and authorization forms," was added material to give you a step by step direction of how private property impounds should be preformed.

A copy of the new rules, with the underlined text being added and the strikeout text being removed, is enclosed. Also enclosed is a flyer stating we are going to have a DPS, Wrecker Services Division forum on October 7, 2014. Please try to have someone from your company attend, as we will have representatives from DPS, Oklahoma Corporation Commission, Oklahoma Tax Commission and the Oklahoma Wrecker Owners Association.

Wanda Branson
Administrative Programs Officer
Wrecker Services Division