

**THE FEDERAL MOTOR CARRIER  
SAFETY REGULATIONS, AND  
OTHER REQUIRED FORMS MAY  
BE OBTAINED FROM:**

**Colorado Motor Carrier's  
Association** (303) 433-3375  
4060 Elati Street  
Denver, Colorado 80216  
[www.cmca.com](http://www.cmca.com)

**J.J. Keller &  
Associates, Inc.** (800) 558-5011  
145 West Wisconsin Avenue  
Neenah, Wisconsin 54956  
[www.jjkeller.com](http://www.jjkeller.com)

**LabelMaster** (800) 723-4327  
5724 North Pulaski Road  
Chicago, Illinois 60646-6797  
[www.labelmaster.com](http://www.labelmaster.com)

**YOU MAY ALSO CONTACT:**

**T.R.P.C.** (303) 424-3445  
**Towing and Recovery  
Professionals of Colorado**  
7450 West 52<sup>nd</sup> Avenue #m286  
Arvada, Colorado 80002



**COMMERCIAL VEHICLE INFORMATION  
CAN BE OBTAINED THROUGH THE  
FOLLOWING AGENCIES:**

**Weight Questions & Port of Entry  
Information**

Department of Revenue  
Motor Carrier Services  
Port of Entry Section (303) 205-5691  
[www.state.co.us/gov\\_dir/revenue\\_dir/MCS\\_dir/poe.htm](http://www.state.co.us/gov_dir/revenue_dir/MCS_dir/poe.htm)

**Commercial Driver's License  
Information**

Department of Revenue (303) 227-3221  
[www.state.co.us/gov\\_dir/revenue\\_dir/MV\\_dir/mv.html](http://www.state.co.us/gov_dir/revenue_dir/MV_dir/mv.html)

**Extra Legal Loads, LVC Permits**

Colorado Department  
of Transportation (303) 757-9539  
[www.dot.state.co.us](http://www.dot.state.co.us) (800) 350-3765

**Colorado Regulated Carriers**

Public Utilities  
Commission (303) 894-2850  
[www.dora.state.co.us/PUC](http://www.dora.state.co.us/PUC)

**U.S. DOT Information**

Federal Highway (303) 969-6748  
Administration extension 388  
[www.fhwa.dot.gov/omc/omchome.html](http://www.fhwa.dot.gov/omc/omchome.html)

**Colorado Hazardous Materials  
Information**

Colorado State Patrol (303) 239-4546  
Hazardous Materials Section  
[www.hazmatrans.state.co.us/public/default.htm](http://www.hazmatrans.state.co.us/public/default.htm)

**Colorado Motor Carrier Safety  
Regulations Information**

Colorado State Patrol (303) 273-1875  
Motor Carrier Safety Section  
[www.csp.state.co.us](http://www.csp.state.co.us)

*LIFE'S A SNAP!  
ALWAYS BUCKLE UP*



**CFR 49 §392.16**

A motor vehicle which has a seat belt assembly installed at the driver's seat shall not be driven unless the driver has properly restrained himself within the seat belt assembly.

**CFR 49 §393.93**

Every commercial vehicle manufactured on or after January 1, 1965 must be equipped with a seat belt assembly installed at the driver's seat and at the right front outboard seat.

**C.R.S. §42-4-236  
and §42-4-237**

Every driver of every front seat passenger, and every person under the age of 16, in a motor vehicle shall wear a fastened safety belt while the motor vehicle is being operated on a street or highway in this state. Additionally, every child under 4 years of age, and who weighs under 40 pounds, must be in a child restraint system that is securely fastened.



Help Promote **WRECK** Less Driving



**WRECKERS,  
TOWING VEHICLES**

**AND**

**THE MOTOR CARRIER SAFETY  
REGULATIONS**



**AN INFORMATIONAL HANDOUT  
PROVIDED AS A PUBLIC SERVICE BY:**

**COLORADO STATE PATROL  
MOTOR CARRIER SAFETY SECTION  
(303)273-1875**

## COMMERCIAL VEHICLE DEFINITION

The Colorado statute which deals with minimum standards for commercial vehicles is §42-4-235 C.R.S. That statute defines a commercial vehicle as:

*“(I) Any self propelled or towed vehicle bearing an apportioned plate or having a manufacturer’s gross vehicle weight rating or gross combination rating of ten thousand one pounds or more, which vehicle is used in commerce on the public highways of this state or is designed to transport sixteen or more passengers, including the driver; and (II) Any motor vehicle designed or equipped to transport other motor vehicles from place to place by means of winches, cables, pulleys, or other equipment for towing, pulling, or lifting, when such motor vehicle is used in commerce on the public highways of this state.”*

There are numerous vehicles that are commercial vehicles which do not require the driver to have a CDL. The companies using these vehicles and drivers are still required to comply with the following Federal Motor Carrier Safety Regulations as adopted by the Department of Public Safety:

49 CFR Parts §390, 391, 392, 393, 395, and 396. These regulations have been adopted into state law, and include driver qualification, vehicle maintenance, and hours of service requirements.

## CDL REQUIRED COMMERCIAL MOTOR VEHICLE DEFINITION

The Colorado Statute which deals with the Commercial Driver’s License (CDL) definitions is §42-2-402 C.R.S. That statute defines a commercial vehicle as:

*“... a motor vehicle designed or used to transport passengers or property, if the vehicle:*

*(I) Has a gross vehicle weight rating of 26,001 or more pounds. . . ; or\**

*(II) Is designed to transport sixteen or more passengers, including the driver; or*

*(III) Is transporting hazardous materials and is required to be placarded in accordance with 49 CFR Part §172, Sub-part F.”*

*\*This also includes a combination weight rating where the towed vehicle has a manufacturer’s gross vehicle weight rating in excess of 10,000 pounds by itself.*

Any person operating a commercial motor vehicle in Colorado, must be in possession of a valid CDL (if required by §42-2-402, above) or a Regular Operator’s License, with the proper endorsement and a valid medical examination certificate stating that he/she is physically qualified to drive a commercial vehicle.

Motor carriers employing drivers that are required to have a CDL are required to have a pre-employment controlled substance testing program, and a random controlled substance and alcohol testing program meeting the requirements of Part §382.

## REGULATION BY THE PUBLIC UTILITIES COMMISSION:

The Colorado statutes that deal with for-hire towing carriers can be found in §40-13-101 through §40-13-112 C.R.S.

Registration is accomplished by application and the fee is ten dollars plus five dollars per vehicle for an identification stamp.

Insurance liability is divided by gross vehicle weight rating (GVWR). Vehicles less than 10,000 pounds GVWR must have minimum combined single limit coverage of \$300,000. All other towing vehicles must have a combined single limit of at least \$750,000. Cargo and storage insurance must be sufficient to cover the value of the vehicle being transported and stored.

As of October 1, 1999, all town vehicles must have a GVWR of at least 10,000 pounds. Exceptions may be granted if a need can be shown.

Regulation of rates consists of maximum prescribed rates on tows from private property and storage charges of all vehicles towed as non-consensual tows. Non-consensual tows are those tows authorized or directed by someone other than the owner or lawful operator of that motor vehicle.

## MARKINGS:

Part §390.21 requires a CMV to have the DOT number and company name, on both sides of the vehicle readily legible from fifty feet away, and in a contrasting color. Repossessors as defined in and towing vehicles in compliance with §42-6-146 C.R.S. are exempt from this requirement when operated in Colorado only. All other intrastate combination vehicles may meet the requirements of this section by marking the trailer, if the power unit’s GVWR is 10,000 pounds or less. The Colorado Public Utilities Commission requires all for-hire towing carriers to display their “T” permit number. It must be displayed as “T-0000,” and with the same requirements found in Part §390.21(c).

## DRIVER, VEHICLE INSPECTION REPORTS:

If you own more than one CMV, Part §396.11 requires the driver to prepare a report in writing at the completion of each day’s work listing any defect or deficiency discovered. There are eleven specific items the driver must inspect. A copy of this inspection report must be maintained in the vehicle’s maintenance file for a period of 90 days.

## ANNUAL INSPECTIONS

Part §396.17 requires every CMV to be inspected annually and proof of that inspection to be carried with the CMV. A copy of the annual inspection is required to be kept in the CMV’s maintenance file. The qualifications for becoming an annual inspector can be found in Part §396.19.

## EMERGENCY EQUIPMENT:

Part §393.95 requires a CMV to have a fire extinguisher with at least a 5 B:C rating, and three bi-directional reflective triangles or fusees. If the power unit’s electrical system is fuse protected, spare fuses must be carried.

## EXCEPTION:

### §390.23 Relief from Regulation:

(a) Parts §390 through §399 of this chapter shall not apply to any motor carrier or driver operating a commercial motor vehicle to provide emergency relief during an emergency, subject to the following time limits:

### (3) Tow Trucks responding to emergencies.

(i) The examination provided by paragraph (a)(3) of this section is effective only when a request has been made by a Federal, State or local police officer for tow trucks to move wrecked or disabled motor vehicles.

(ii) This exemption shall not exceed the length of the motor carrier’s or driver’s direct assistance in providing emergency relief, or 24 hours from the time of the initial request for assistance by the Federal, State or local police officer, whichever is less.

## HOURS OF SERVICE REQUIREMENTS:

Part §395.8 requires all drivers of commercial motor vehicles to record his or her hours of service in duplicate.

Part §395.1(e) explains the 100 air-mile radius exemption. A driver that operates within 100 air-miles of the normal work reporting location, and the carrier complies with all of the requirements in §395.1 will exempt the driver from the requirements of §395.8.

Repossessors as defined in and towing vehicles in compliance with, §42-6-146 C.R.S. are exempt from Part §395. The exemption in §390.23 also will exempt the driver from Part §395, for the duration of the emergency.

## LOAD SECUREMENT

Part §393.100 requires all commercial motor vehicles transporting loads to be loaded and equipped to prevent the shifting or falling of the cargo. Part §393.104 requires the load to be secured from longitudinal and lateral movement. Towing carriers transporting loads on a roll back type wrecker, must secure the load in at least two locations in the rear, and one location in the front. Each tie down assembly must have at least one half the working load limit of the weight of the cargo being transported.

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There are many more safety regulations that must be complied with, such as tires, suspension and steering, etc., that this informational pamphlet due to space limitations cannot cover. Towing carriers operating commercial motor vehicles as defined in this pamphlet, should obtain a copy of the Federal Motor Carrier Safety Regulations (FMCSR) to refer to for all of the safety regulations.

A copy of the FMCSR may be obtained from the organizations listed in this pamphlet.

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