

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

**595:25-3-1. General requirements**

The following are the requirements for obtaining an original or renewal of a wrecker license:

(1) **License required.** ~~No operator as defined by law, regardless of storage location, individual shall operate a wrecker vehicle upon any public street, road, or highway of this state for the purpose of offering to tow vehicles or the actual towing of vehicles without first obtaining from the Department a license as provided in this Chapter. Any wrecker vehicle being operated on any public street, road, highway, or turnpike in violation of Oklahoma law, or these rules may be removed from service by Oklahoma law enforcement officers. Provided that this restriction does not apply to any individual towing vehicles owned by the individual or by the entity employing the individual.~~

(2) **Display and use.** ~~An operator's wrecker service license shall be personal to the holder thereof and a wrecker vehicle license shall be unique to the vehicle. Each license shall be issued only to a person, a corporation, or some definite legal entity. The licenses are non-transferable and any change in ownership, whether of a wrecker service or wrecker vehicle, shall cancel the applicable license. The wrecker service license shall be conspicuously displayed at the primary place of business. The license shall be valid only at the place of business as shown on the license. Additional or satellite places of business shall not be permitted or approved on the same license but shall require a separate application and license.~~

A wrecker service license shall be issued only to a definite legal entity. A wrecker service license is non-transferable. The wrecker service license shall be conspicuously displayed at any place of business of the applicable wrecker service. The wrecker service license shall be valid for all places of business provided each place of business complies with the provisions of these rules.

(3) **Issuance.** ~~No license for operation of a wrecker or towing service shall be issued until~~ A wrecker service license shall be issued upon the submission of a completed and approved application, provided all the following requirements are met:

~~(A) The wrecker operator has a minimum of one towing/wrecker vehicle,~~

~~(B) Certificates of insurance as prescribed by the Department~~ The proof of insurance reflecting the minimum coverages for applicable wrecker vehicles are on file with the Department,

~~(C)(B) Each wrecker vehicle has been inspected by an officer of the Department to verify that equipment requirements of this Chapter have been met, and~~

~~(D)(C) Each wrecker operator and driver of a wrecker/towing vehicle has successfully completed a minimum of 16 hours of Department approved course of training or have a minimum of 2 years of experience on the following:~~

(i) Traffic incident management

(ii) Wrecker vehicle recovery controls

(iii) Connecting or loading vehicle onto wrecker

(iv) Tie down and secure vehicle to wrecker

(v) Wrecker operation safety

(vi) Annually complete 4 hours of continuing education approved by the department

**(4) Transfer of ownership.**

(A) When applicable, new corporate officers for a wrecker service must comply with the licensing requirements of these rules.

(B) When applicable, new partners in a wrecker service must comply with the licensing requirements of these rules.

(C) When a complete ownership change occurs the wrecker service license will be cancelled.

~~(4)(5) Carry license~~ **Wrecker vehicle cab card.** A copy of the wrecker vehicle license cab card issued by the Department shall be carried at all times in the applicable wrecker vehicle for which the license was issued.

~~(5)(6) Disposition of wrecker vehicles~~ **Disposition of wrecker vehicles.** Any operator that removes its last remaining wrecker vehicle from operation will have thirty (30) days to have another wrecker vehicle inspected, approved, and licensed or the wrecker license issued to that operator will be cancelled. An operator's wrecker service license will be cancelled thirty (30) days after the Department receives notice the wrecker service has no inspected, approved, and licensed wrecker vehicles in operation.

~~(6)(7) Additional wreckers~~ **Wrecker vehicles.** Any wrecker operator that adds a No wrecker vehicle shall be used to provide wrecker services until:

(A) Register the ~~The wrecker vehicle is registered in accordance with the Oklahoma Tax Commission~~ rules of Service Oklahoma, in the name of the operator or the name of the wrecker service, and properly display a current license plate is displayed on the wrecker vehicle. A leased wrecker vehicle shall show the owner information and the name of the lessee on the vehicle registration. Additionally, a wrecker license plate, or a proportional license plate must be affixed to the wrecker vehicle.

(B) Notify the ~~The Department of~~ is provided the make, model, GVW and serial number of the vehicle. This information may be provided through the proof of insurance.

(C) Send notification to the ~~The Department from the insurance carrier of the wrecker operator that~~ is provided the proof of insurance indicating the vehicle has been added to present the wrecker service's insurance coverage.

(D) Have the ~~The wrecker vehicle is~~ inspected and approved by an employee of the Department.

(E) A wrecker license plate, or a proportional license plate, must be purchased and affixed to the wrecker vehicle after the vehicle has been inspected and approved and before the vehicle can be used by the operator to tow vehicles.

~~(7)(8) License number and business name.~~

(A) The DPS wrecker service license number issued to the operator by the Department for the operation of a wrecker or towing service, along with the name of the wrecker service, shall be clearly visible at all times and shall be conspicuously displayed and vertically centered on each side of every ~~tow~~ wrecker vehicle used by the operator in the wrecker or towing service. All wrecker services will display AA or G designation at the end of the ~~DPS~~ wrecker service license number. Example: DPS 12345W AA or DPS 12345WG.

(B) On ~~each wrecker vehicles~~vehicle in use, the ~~DPS wrecker service license~~ number and business name shall be at least three inches (3") in height. The font shall not be a font which is highly decorative or difficult to read. The lettering shall be in a color that will contrast with the color of the ~~tow wrecker~~ vehicle in order to be readily noticed and legible.

(C) The signage required by this paragraph shall be permanent in nature and shall not contain any misleading or false information. The wrecker vehicle shall not have more than one wrecker service name on the vehicle and not more than one DPS license number.

(D) Magnetic signs are not approved; provided, if requested of and approved by the Commissioner or Commissioner's designee, a magnetic sign may be used for a period of thirty (30) days in an emergency situation. The Commissioner or Commissioner's designee may grant an extension beyond the thirty (30) days.

~~(8)~~(9) **Service of notice.** Any notice required by law or by ~~the these rules of the~~ Department served upon any holder of a wrecker or towing license shall be served ~~personally or mailed by first class, prepaid U.S. mail~~ to the last known address of such a person as reflected by the records ~~on file with~~ of the Department. It is the duty of every holder of a certificate or license wrecker operator, wrecker service, and wrecker driver to notify the Department of Public Safety, Wrecker Services Division, in writing as to any change in the address of such person or of the place of business.

~~(9)~~(10) **License prohibited.**

(A) No person under eighteen (18) years of age shall be licensed or employed as a wrecker ~~operator~~driver.

(B) No person shall be licensed as ~~a an wrecker/towing service operator or employee wrecker driver~~, or be employed by a wrecker service who has been convicted of:

- (i) a felony offense constituting a violent crime as defined in 57 O.S. § 571, larceny, or theft. ~~Felony convictions expunged through deferred sentencing will not be considered as convictions;~~ or
- (ii) any provision of Title 21 O.S. § 1029 while providing wrecker services; or

(C) No person shall be licensed as ~~a wrecker/towing service an operator or wrecker driver~~, or be employed by a ~~wrecker/towing wrecker service~~ until completion of the sentence for the conviction, including probation or supervised release.

(D) Any person who is required to register as a sex offender, as required by 57 O.S. § 582, shall be prohibited from owning or working for a wrecker service for the period of time the person ~~is or~~ is required to be registered.

(E) Nothing in this section prohibits the Commissioner of Public Safety or his or her designee from approving, denying, suspending, cancelling, or not renewing a wrecker license if it is determined to be in the best interest of public safety.

~~(10)~~(11) **One Class AA license per place of business.** ~~Wrecker operators~~An operator shall be issued no more than one Class AA wrecker license for any one place of business.

~~(11)~~(12) **One Class AA wrecker service on Oklahoma Highway Patrol 's rotation log in same rotation area.** ~~An operator~~A licensed wrecker service shall be permitted to

~~rotate no more than one Class AA wrecker service in the same Highway Patrol rotation area on the Highway Patrol's rotation log position on an Oklahoma Highway Patrol rotation log in a designated rotation area. For purposes of this paragraph, "Class A wrecker service" shall include those services with a Class AA TL wrecker vehicle. For each designated rotation area, the Oklahoma Highway Patrol may maintain a separate rotation log for wrecker services operating Class AA TL wrecker vehicles. A wrecker service must request inclusion on both the Class AA and Class AA TL rotation, if applicable.~~

~~(12)~~**(13) Business telephone number.** Each wrecker service shall have a telephone number published that is accessible to the public twenty-four hours a day. The ~~operator~~wrecker service shall provide in writing to the Department notice of any permanent business telephone number change prior to the new telephone number being placed in service.

~~(13)~~**(14) Business sign.** Each ~~AA Wrecker Service and each G Wrecker Service with storage~~ shall have a business sign at the business location ~~wrecker service shall display a business sign at the principal place of business. If the wrecker service maintains a storage lot at a location other than the principal place of business, the storage lot must also display a business sign. The signs~~ signs required by this paragraph shall be at least ~~2~~ two feet ~~(2')~~ by ~~4~~ four feet ~~(4')~~ with letters at least ~~3~~ three inches ~~(3")~~ in height with contrasting background and shall display, at a minimum, the name of the wrecker service as shown on the license and a telephone number accessible to the public twenty-four (24) hours a day.

~~(14)~~**(15) Wrecker drivers.** Wrecker services shall notify the Wrecker Services Division within ten (10) calendar days of hiring or ~~termination of employment of terminating~~ any wrecker driver. The wrecker service must submit to the Department, an Oklahoma State Bureau of Investigation criminal records check on wrecker drivers, obtained within ninety (90) calendar days of the hire date of the new wrecker driver. Notification shall be made by email to wrecker@dps.ok.gov.

### **595:25-3-2. Applications**

a. ~~Every applicant shall file with the Department a written application on a form prescribed by the Department and shall tender with the application a fee pursuant to 47 O.S. §953 in the form of check (business, personal, or cashier), or money order. Checks and money orders should be made payable to the Department of Public Safety. The application shall be completed using the applicant's legal name and include every alias and nickname by which the applicant is or has been known. Every applicant shall submit with the application a current original Oklahoma State Bureau of Investigation (O.S.B.I.) criminal record check for each individual, partner or corporate officer as shown on the application. If any owner, partner, or officer has not lived in Oklahoma for the immediately preceding five (5) years, he or she shall submit a criminal record check from the agency responsible for keeping criminal history in the state or states of residence for the immediately preceding five (5) years. Upon the return of any dishonored check the application shall be canceled. Every operator requesting to be licensed as a wrecker service must submit the following:~~

1. **Application.** The completed application, as prescribed by the Department.

2. **Fees.** The fees prescribed by 47 O.S. §953 must be tendered in the form of a check (business, personal, or cashier), or money order made payable to the "Department of Public Safety". If payment is returned as NSF (non-sufficient funds), the application will be cancelled.

3. **Criminal record check.** A current Oklahoma State Bureau of Investigation criminal record check for each owner or employee listed on the application. If any individual required to have a criminal record check has not lived in Oklahoma for the immediately preceding five (5) years, a criminal record check from the agency responsible for keeping criminal history in the state, or states, of residence for the immediately preceding five (5) years must be submitted. The criminal records check must be completed within ninety (90) days immediately preceding the submission of the application.

4. **Liability Insurance.** Proof of valid liability insurance providing protection against loss of life, personal injury, and property damage in amounts prescribed by these rules and covering all wrecker vehicles to be operated by the wrecker service. The policy declaration page shall be deemed sufficient documentation of liability insurance and insurance provided all required information is included.

5. **Secretary of State Certificate.** If the wrecker service is a corporation or limited liability company (L.L.C.), a copy of the Secretary of State's certificate must be submitted.

6. **Lease agreement.** If the principal place of business or any storage lot is leased by the wrecker service, a copy of the signed lease must be submitted. The lease must be for a minimum of one (1) year and must be for the same address as shown on the application.

(b) ~~Upon receipt and approval of the application, the Department shall assign to the operator wrecker service a permanent identification number for all matters relating to the approved licensed wrecker and towing service. The Wrecker Services Inspector/Trooper will issue a contact report for the operator to present to the Oklahoma Tax Commission or a motor license agent for the purpose of being issued a wrecker license plate pursuant to 47 O.S. § 1134.3.~~

(c) ~~The filing of an application for a license does not authorize wrecker or towing service operations by the applicant. Operation~~ The provision of wrecker or towing services may commence only after all licensing requirements have been met and proper authorization has been issued by the Department.

(d) ~~The application shall be an affidavit containing the following information together with any additional information the Department may require.~~

~~(1) The trade name (business name) of the wrecker service. If the business name is registered with the Oklahoma Secretary of State, such registered name shall be used. A copy of the Certificate of Limited Liability Company, a Certificate of Authority, a Certificate of Limited Partnership, or a Certificate of Incorporation from the Secretary of State must be submitted with the application.~~

~~(2) The name of the individual (owner/applicant) or, in the event of a legal entity such as a corporation, limited liability company, partnership or limited partnership, the names of any two of the following:~~

- (A) President,
- (B) Vice President,
- (C) Another officer, such as Secretary, or the name of the person responsible for the day to day operation of the legal entity. The legal entity shall notify DPS immediately in the event any officer or the person responsible should change.

(3) A statement substantially as follows: "Under oath, I affirm the information submitted in this application is true and I further affirm that I have read the rules of the Department of Public Safety and hereby agree in good faith to abide by the applicable laws and rules governing the wrecker and towing services for which this application is made."

(4) Date of application.

(5) Signature of the individual applicant or of each company officer, as named on the application.

(6) For each driver, the name, date of birth and driver license number.

(7) If an officer of the Department of Public Safety or a law enforcement officer of any political subdivision may have an interest, financial or otherwise, in or may be employed by a wrecker or towing service, the wrecker service shall affirm that its sole purpose and only business is to perform repossessions of vehicles which are subject to lien and are being repossessed by the lien holder of record, operating as a Class G Wrecker. If a determination is made that the wrecker service performs services other than repossessions, it shall be grounds for revocation of the wrecker license.

(e) If, within ninety (90) days of receipt of an application, the Department is unable to verify all information as required by these rules, the application shall be deemed denied. Such ~~The~~ applicant may reapply.

(f)(e) It is within the Department's discretion to disallow the licensing of a wrecker operator. The Department may deny the original application, or renewal application, of a wrecker service should it appear, by a preponderance of the evidence, that the identity of the business is substantially the same as that of one that is currently under revocation or suspension by the Department.

**595:25-7-1. Equipment requirements for all Class AA vehicles**

~~Each Class AA wrecker vehicle shall be equipped as required by OAC 595:25-5-2.~~

**595:25-9-1. Oklahoma Highway Patrol Rotation Log**

(a) **Official Rotation Log.** The Department of Public Safety maintains two (2) official Oklahoma Highway Patrol Rotation Logs, a Class AA wrecker rotation log and a Class AA-TL wrecker rotation log, each of which shall consist of licensed wrecker services for the performance of services carried out pursuant to the request of or at the direction of any law enforcement officer of the Department [47 O.S. § 72-952 (D)].

(b) **Request for Placement on the Rotation Log.** A licensed Class AA wrecker service desiring to be placed on the Highway Patrol Rotation Log in the Highway Patrol Troop District in which the principal place of business and the primary storage facility of the wrecker service is located shall file a written request with the Department, pursuant to paragraph (e) of this Section. [47 O.S. § 72-952 (D)]

(c) **Assignment to the Rotation Log.** If a request for placement on the Rotation Log is approved by the Department, the wrecker service shall be assigned by the Department to the Highway Patrol Troop ~~District~~ specified on the request. Both the Troop Commander of the Troop ~~District~~ and the wrecker service will be notified by the Department of the assignment of the wrecker service to the Rotation Log. [47 O.S. § 72-952 (D)]

(d) **Call Assignment.** Oklahoma Turnpike Authority rotation log will be determined, for placement on rotation, by using any ~~operator~~ wrecker service business location within ~~10~~ ten (10) road miles of a gate entry to the turnpike. ~~Must~~ The wrecker service must be capable to respond of responding promptly to the scene, ~~open~~ opening at least one lane promptly, clear and clear clearing the incident ~~sight~~ site within the shortest time possible. ~~Calls~~ To accommodate these requirements calls will be assigned to the wrecker service nearest in time or distance to the incident ~~scene~~ for quick clearance.

(e) **Geographical Areas of Rotation.** [47 O.S. § 72-955 (C)]

(1) The Commissioner's designee ~~off~~ for the Wrecker Services Division shall be responsible for establishing geographical areas of rotation within the Troop ~~District~~ to which wrecker services on the ~~District's~~ Troop's Rotation Log will be assigned ~~for operation~~ when responding to calls for service from the Rotation Log. The Commissioner's designee shall notify each wrecker service of the geographical area of rotation to which it is assigned.

(2) The Commissioner's designee will establish each geographical area of rotation based upon a reasonable radius from the primary storage facility of each wrecker service operating within the geographical area. The reasonable radius will be determined by the Commissioner's designee based upon:

- (A) The estimated time it will take the wrecker service to respond to calls for service,
- (B) The number of wrecker services available on the Rotation Log,
- (C) Conformity with 47 O.S. § 72-955 (C),
- (D) Consideration of the economic impact of the wrecker services rates and fees, as prescribed by the Corporation Commission, on the owner or lien holder of the vehicle; and
- (E) Other factors within the Troop ~~District~~ as deemed appropriate by the Commissioner's designee.

(3) The Commissioner's designee may overlap geographical areas of rotation whenever necessary to ensure adequate response to requests for wrecker services.

(4) The Commissioner's designee may modify geographical areas of rotation for the Troop ~~District~~ at any time and for just cause, but shall notify each wrecker service affected of such modifications as soon as practicable ~~each wrecker service affected of such modifications~~.

(5) The Commissioner's designee may extend any geographical area of rotation by a reasonable radius beyond the boundaries of the Troop ~~District~~ to include a wrecker service on the rotation log of the ~~District a wrecker service~~ Troop:

- (A) Which is located outside of but in proximity to the boundary of the ~~District~~ Troop, and
- (B) Upon receiving notification from the Department of the approval of the wrecker service for placement on the rotation log for the ~~District~~ Troop ~~of~~ by the Commander.

(6) Nothing in this Section shall prohibit the Troop Commander from using the services of any licensed wrecker service:

(A) Outside of its assigned geographical area of rotation, or

(B) Which has not been assigned to the Rotation Log of the Troop ~~District~~.

(f) **Forms.** A request for placement on any rotation log shall be filed by the wrecker service with the Department of ~~Public Safety~~ on a form prescribed and provided by the Department [47 O.S. § 72-952 (D)]. When requesting placement on a rotation log, the wrecker service shall provide on the request one (1) telephone number to be used for request of services during the day and one (1) telephone number to be used for request of services during the night, specifying the time period of normal use; these numbers shall also be on file with the Wrecker Services Division. Any change in the telephone numbers shall be immediately transmitted to:

(1) The Troop Commander(s) of the Oklahoma Highway Patrol ~~Troop District(s)~~ Troops on whose Rotation Log the wrecker service has been assigned, and

(2) The Wrecker Services Division of the Department of ~~Public Safety~~.

(g) **Request for Removal from the Rotation Log.** A licensed Class AA wrecker service desiring to be removed, whether temporarily or permanently, from the Highway Patrol Rotation Log on which it was placed, pursuant to this section, shall file a written request with the Department, in the form and format prescribed by the Department. ~~The wrecker service shall not contact the Troop Commander(s) of the Troop District(s) for removal from the Rotation Log.~~