TOW CAR TARIFF

NAMING

RULES, REGULATIONS, RATES, AND CHARGES

IN THE TRANSPORTATION OF DISABLED, ABANDONED, IMPOUNDED, DAMAGED, OR STUCK VEHICLES BY TOW CAR WITHOUT THE CONSENT OF THE REGISTERED OWNER

within

THE STATE OF NEVADA

CPCN #
Name
Company Name
DBA (if applicable)
Domicile Address
Domicile City, State and Zip Code

Nothing in this tariff shall be construed as obligating the carrier to transport when weather or road conditions make it impractical, impossible, or dangerous to operate.

Payment terms — Payment is due and expected upon completion of the service or release of the vehicle.

GENERAL DEFINITIONS:

1. ABANDONED VEHICLE: A vehicle which has been reported as such by the law enforcement agency representing the public property or the owner or person in possession of the private property (NRS 487.230, NRS 487.235).

2. CARRIER'S LIABILITY: The operator of the tow car shall be responsible to the same extent as other common carriers for the safekeeping and delivery of the property of others entrusted to them or which comes into their possession through the operation pursuant to the provisions of the Certificate of Public Convenience and Necessity as issued by the Nevada Transportation Authority.

3. COMBINATION VEHICLES: A series of vehicles which are connected and functioning as one unit, for example: tractor and semi-trailer; tractor, semi-trailer and trailer; or passenger vehicle with trailer and/or other vehicles. It is not a combination tow if a vehicle/cargo is transported on top of or within the towed vehicle and both can be safely towed as one unit.

4. DISABLED VEHICLE: A vehicle which is incapable of self-propulsion, unsafe to drive, and/or unable to operate without causing damage to the vehicle.

5. IMPOUNDED VEHICLE: A vehicle which has been seized by and directed to be held in a tow storage yard at the instruction of a law enforcement agency or by the owner of the real property or his authorized agent.

6. LOADED MILE: The distance the tow truck travels while transporting a towed vehicle.

7. MULTIPLE TOW: When a single tow truck is called out to tow two (2) or more vehicles from the same location.

8. NONCONSENSUAL TOW: Towing of a vehicle by a tow car without the prior consent of the owner or operator of that vehicle (NAC 706.4022) or the vehicle owner's authorized agent.

9. OPERATOR OF A TOW CAR: The owner, manager, employee or agent of a company operating a tow car that holds a certificate of public convenience and necessity issued by the Nevada Transportation Authority (NAC 706.4024).

10. OVERSIZE VEHICLES: Larger vehicles towed under CATEGORY A, including, but not limited to, campers, motor coaches and pick-up trucks over ¾ ton.

11. TOW AT THE REQUEST OF A LAW ENFORCEMENT AGENCY: The towing of a vehicle that is: 1) impounded after an arrest; 2) impounded after a traffic accident; 3) impounded because the vehicle has been abandoned; or 4) a nonconsensual tow requested by a law enforcement agency (NAC 706.4026).

12. TOW CAR: A vehicle which is designed or modified and equipped for and is used exclusively in the business of towing, transporting, or recovery of disabled vehicles by means of a crane, hoist, tow bar, towline, tilt bed or dolly, or is otherwise exclusively used to render assistance to disabled vehicles or to tow any vehicle which is being impounded by any law enforcement agency, removed from any unauthorized parking area or which is otherwise required to be transported by tow car at the request of the owner of the vehicle or any other authorized person (NRS 706.131).

13. TOWING SERVICES: Includes the process of towing a vehicle, the storage of that vehicle, the storage of items found in that vehicle, and the process of preparing and satisfying any liens against that vehicle to which the operator is entitled (NRS 706.132) and other related services as identified in the carrier's approved tariff.

14. TOW TRUCK, 50-TON BOOM CAPACITY: A heavy duty tow truck with a boom lifting capacity of up to 50 tons.

15. TOW TRUCK, ROTATING BOOM CAPACITY OVER 50 TONS: A heavy duty tow truck with a boom that rotates a full 360 degrees, with lifting capability of 50 to 75 tons.

16. TRANSLOADING: The removal of cargo from one vehicle to another, usually at the scene of an accident.

17. UNLADEN WEIGHT: The weight of a vehicle unloaded, but otherwise containing and having in place at the time of weighing each and every accessory and appliance belonging to and used on such vehicle in the transportation of passengers and property and such other equipment as may be required by law (NRS 706.141).

RATE DEFINITIONS:

1. AIR BAG SYSTEM: A bag inflated with an air pump to assist in raising the vehicle to an upright position.

2. AFTER HOURS: A charge for a lot visit or for the release of a vehicle to the vehicle's owner or agent during NIGHT hours. Charge is not applicable during DAY hours.

3. AUCTION PREPARATION: Labor, equipment, and supplies used to prepare a stored vehicle for a lien sale auction. In no case will auction preparation fees be assessed until after the tow car operator complies with the notice requirements set forth in NRS 108.265 through NRS 108.367. The specific service(s) performed shall be specified on the tow bill (NAC 706.420).

4. CASH DISCOUNT: Applies only to tow carriers that have elected to offer a cash discount. An incentive that the tow car operator offers to an owner of the towed vehicle or his agent in return for paying the tow bill with cash. The cash discount is applied to the total bill including towing, storage and accessorial charges, as defined in NAC 706.420.

5. CATEGORY A: Set of rates for towing or removing a vehicle at the request of a law enforcement agency which requires the use of a tow car with an unladen weight of 15,000 pounds or less (NAC 706.406).

6. CATEGORY B: Set of rates for towing or removing a vehicle at the request of a law enforcement agency which requires the use of a tow car with an unladen weight of more than 15,000 pounds (NAC 706.406).

7. CATEGORY C: Set of rates for towing or removing a vehicle at the request of a person other than a law enforcement agency, the owner of the vehicle, his agent or the driver of the vehicle (NAC 706.406).

8. CLEAN UP: The effort expended by the operator of the tow car at the site of tow to remove all vehicular debris and fluids from the site as required by NRS 484D.470. Also includes cleaning of wrecker bed. The first thirty (30) minutes of clean up is free per vehicle towed by the same tow truck.

9. CONVERTER GEAR: Use of a vehicle with a fifth wheel lower half or equivalent mechanism, the attachment of which converts a semi- trailer to a trailer. Includes loading and unloading the trailer onto the converter gear and a mileage charge when a trailer is traveling on the converter gear.

10. DAY: Effective from 8:00 AM to 5:00 PM, Monday through Friday, except for federal and State of Nevada holidays.

11. DISPATCH FEE: A third-party, tow management company's charge to a tow carrier for dispatching a tow truck to a scene. The owner of the vehicle shall not be charged more than the cost charged to the tow carrier. This charge applies to tows requested by law enforcement agencies only.

12. DOLLY: Device(s) or mechanism(s) used to raise the front or back wheels of a vehicle off the road. The wheels attached to the dollies are then in contact with the road and used to support a vehicle while in tow. A dolly shall only be used to prevent mechanical and/or body damage to the vehicle being transported or when required because of damage to the vehicle being transported. Includes loading and unloading a towed vehicle onto and off of the dolly.

13. DOLLY MILEAGE: The mileage a tow truck travels while transporting a towed vehicle on a DOLLY.

14. EXCESS DEADHEAD MILEAGE: To calculate "excess deadhead miles," double the loaded miles and deduct from total roundtrip miles traveled.

    For example - A carrier in Reno travels to Washoe City to pick up a vehicle (21 miles traveled), then travels to Carson City to drop off the vehicle (12 loaded miles traveled), and then back to Reno (33 miles traveled). The number of excess deadhead miles in this scenario would be 42 miles (total roundtrip miles traveled = 66 miles; double the loaded miles — 12x2=24, and deduct it from total roundtrip miles traveled — 66-24=42). A total of 2 miles (12 loaded miles traveled less the 1st 10 loaded miles = 2) would be charged at the HOOKUP MILEAGE rate and 42 miles would be charged at the EXCESS DEADHEAD MILEAGE rate.

15. EXTRA LABOR: Use of additional labor, other than the driver, during a tow. The specific service(s) performed under this category shall be specified on the tow bill (NAC 706.420). There are two types of extra labor:

    Skilled labor — trained and/or certified to operate equipment.
    Unskilled labor — untrained labor used to perform physical tasks (i.e., clean up, transloading).

16. FACILITATE: The time spent by an operator of a tow car at a tow scene for a specific service that is not ordinarily necessary in order to safely complete a tow. The specific service(s) performed under this category shall be specified on the tow bill (NAC 706.420). Includes, but is not limited to: bus lift attachment, changing tire, driveline disconnect, remove axle, securing parts of a vehicle that have been separated in an accident, snow dig-out, etc.

17. FLAT RATE: A non-variable, singular rate charged per tow.

18. FOUR-WHEEL DRIVE VEHICLE: Using a tow truck with 4-wheel drive capability to pick up a vehicle that is located in an area requiring four-wheel drive to safely complete the tow or at the specific request of law enforcement. This charge is in lieu of the HOOKUP FLAT CATEGORY A and B or the HOOKUP HOURLY CATEGORY A and B rates.

19. HAZARDOUS MATERIAL and/or WASTE DISPOSAL FEE: Consists of removal, containment, and disposal of hazardous materials.

20. HOOKUP **FLAT** for CATEGORY A and B: The towing of a vehicle at the request of law enforcement (NAC 706.406). Includes the first ten (10) loaded miles traveled, first lot visit during day hours, yard maintenance, release of the vehicle during DAY hours, and setting out an operable, stored vehicle outside of the storage yard for customer pickup. This rate does not include the removal or reinstallation of standard items.

21. HOOKUP **HOURLY** for CATEGORY A and B: Rate includes first lot visit during day hours, yard maintenance, release of vehicle during DAY hours, and setting out an operable, stored vehicle outside of the storage yard for customer pickup. Additionally, the rate covers the following: CLEANUP, DOLLY, DOLLY MILEAGE, COMBINATION VEHICLES, OVERSIZE VEHICLES, EXCESS DEADHEAD MILEAGE, FACILITATE, HOOKUP MILEAGE, STANDBY, and TIRE CHAINS.

22. HOOKUP **FLAT** for CATEGORY C: Includes removal (not reinstallation) of items to facilitate towing, first ten (10) LOADED miles, first LOT VISIT during DAY hours, yard maintenance, the first 24 hours of STORAGE, release of vehicle during DAY hours, setting out an operable, stored vehicle outside of the storage yard for customer pickup, and COMBINATION VEHICLES.

23. HOOKUP MILEAGE: The mileage a tow truck travels while transporting a towed vehicle.

24. LAY-OVER: When the operator of a tow car is towing a vehicle and, due to state regulations on night travel or driver-operator hours of service, it is necessary for a tow car driver and equipment to lay-over at points other than the place of business.

25. LIEN FEE: A charge for preparing or satisfying a lien to which the tow operator is entitled against a vehicle that was towed without the prior consent of the owner of the vehicle or the person authorized by the owner to operate the vehicle. A lien is prepared for each vehicle/unit towed and for each vehicle/unit contained within or on the towed vehicle which has a vehicle identification number.

    No lien fee or other administrative or processing charge will be imposed unless action is taken to initiate or perfect a lien on the vehicle. The specific actions taken to initiate or perfect a lien shall be itemized on the tow bill (NAC 706.420). Pursuant to NRS 706.4468 (1)(b), the Authority has the right to reduce any charge filed for lien processing if the Authority determines that the charge is unreasonable, in whole or in part, due to failure on the part of the operator of the tow car to prepare or satisfy his lien in a timely manner.

    No fees to process liens will be imposed during the first four (4) business days after the date on which the motor vehicle was placed in storage. One-half of the lien processing fee will be charged if a vehicle is in storage more than four business days. The second half of the lien processing fee will be charged if the towed vehicle is in storage for more than 336 hours (NRS 706.4479).

26. LOT VISIT: Charge to visit a stored vehicle. There is no charge for the first lot visit during DAY hours.

27. LOW EQUIPMENT TRAILER: The use of a multiple axle trailer with flat-bed to be attached to a truck and used to transport disabled vehicles which cannot be towed by conventional means.

28. NIGHT: Effective from 5:01 PM through 7:59 AM, Monday through Friday; all day Saturday and Sunday; and all day on federal and State of Nevada holidays.

29. OFF HOOK: The operator shall allow the owner, or agent of the owner, of a motor vehicle that has been connected to a tow car to obtain the release of the vehicle at the point of origination of the towing if: 1) a request is made to release the vehicle; and 2) the owner or agent pays a fee established by the operator for releasing the vehicle, not to exceed 60% of the HOOKUP rate (NRS 706.4469).

30. OFF ROAD TRAVEL: The time the tow car is required to be off a paved road. Charge stops when the tow car returns to a paved road.

    For example – The HOOKUP HOURLY rate is $25.00 per 15 minutes with a 1-hour minimum and the OFF ROAD TRAVEL rate is $5.00 per 15 minutes. The entire tow took 1 ½ hours, *including* 30 minutes the tow truck was off road. The HOOKUP HOURLY charge is $150.00 ($25 x 2, 15-minute increments plus 1 hour minimum) and the OFF ROAD TRAVEL charge is $10 ($5 x 2, 15-minute increments). The total charge is $160.00.

31. RECOVERY: Use of a tow truck for rigging, winching, and up-righting a wrecked, disabled, or stuck vehicle from desert, mud, canyon, etc. to a roadway. Raising a vehicle to the proper level for towing shall not be classified as recovery work. The specific service(s) performed under this category shall be specified on the tow bill (NAC 706.420).

Types:

1. Recovery performed at the scene by a tow truck that will be towing the vehicle. Charges begin when recovery work commences and end when the vehicle is up-right and on roadway.
2. Recovery performed at the scene by a tow truck that will not be towing the vehicle. Charges begin when tow truck departs for the scene and end when tow truck returns to the tow operator's yard.

32. REPLACEMENT TOW: When a tow truck delivers a replacement vehicle or trailer and swaps it with the disabled vehicle or trailer.

33. SET OUT: Transporting a disabled, stored vehicle outside the storage yard for release of vehicle to the owner or his agent.

34. SPECIALIZED EQUIPMENT: Equipment not normally necessary to complete a tow. A tow car operator furnishing any such equipment from his own shop, from another tow car operator, or from an outside supplier shall not charge more than had the equipment been obtained from an outside supplier plus 15%. This rate includes the cost of transporting EXTRA LABOR to and from the site of the tow. A tow car operator shall attach to a tow bill documentation supporting the cost assigned to such equipment/transport (NAC 706.420).

35. STAND BY: The time during which the operator of the tow car is waiting for the law enforcement officer to permit the vehicle to be towed. Also used when waiting for additional equipment or labor to arrive at the scene of the tow or recovery.

36. STORAGE: A charge per towed vehicle or unit for the storage of said vehicle or unit. Charge is based on a 24-hour period and is calculated from the time the vehicle arrives at the storage yard to the time of departure. Category C hookup rate includes storage for the first 24-hour period.

    The type of storage selected by the operator of the tow car shall be substantiated in writing and attached to the tow bill (NAC 706.420).

    Types (NAC 706.406(4)):

    As evidence—Any vehicle ordered or directed by a law enforcement agency to be stored as evidence.
    Unsecured—Open area under the control of the operator of the tow car.
    Secured —Area enclosed by a fence with a locked gate.
    Inside —Area within a secured building.

    Storage fees for a recovered stolen vehicle will be discounted by 50% if retrieved by the registered owner within five (5) days of recovery.

    Vehicles with police holds that become the financial responsibility of that police agency will be charged at the rate of $5.00 per day after the fifteenth (15th) day.

37. TAPE: Covering inoperable or broken windows to prevent accelerated weathering and/or deterioration. For example, covering inoperable or broken windows with plastic or tape.

38. TIRE CHAINS: Linked chains attached to the wheels of the tow truck to provide traction on slick and iced roads. Flat rate includes installing and removing tire chains, but not the mileage. Mileage is charged per mile traveled with chains installed.