October 27, 2011

Wrecker Owners & Operators

HB 1743 was signed by Governor Fallin on May 26, 2011, to become effective November 1, 2011. The Oklahoma Corporation Commission assumes oversight of the establishment of rates and fees for wrecker services. In addition, the Corporation Commission becomes the state entity responsible for mediating and adjudicating complaints related to rates and fees that wrecker services charge for towing vehicles and vehicle storage. The Corporation Commission may assess fines or other penalties to any wrecker or towing service for failure to comply with the prescribed rates. The current rates shall remain in effect until the Corporation Commission issues an order establishing any new rates.

With the passage of the “Nonconsensual Towing Act of 2011”, new Department of Public Safety emergency rules have been passed. Enclosed you will find a copy of these new rules and the new sections of Title 47 § 966, § 967 and § 968. There has been changes to other statutes listed in this bill. These statutes have also been enclosed. The Department of Public Safety Wrecker and Towing Services Manual has been updated to reflect these changes to the statutes and rules. You can print a new manual from our web site by going to www.dps.state.ok.us then go to Wrecker Services and Wrecker Service Manual.

One change to the fees effective November 1, 2011 was to the fuel surcharge fee. The $1.90 per gallon base fee was changed to a $2.00 per gallon base fee. The fuel surcharge fee shall be adjusted to allow a one-percent increase in fees for every ten-cent increase in fuel cost starting at $2.10. You may sign up to receive notice each week of the “weekly retail on-highway diesel prices” for the Midwest region” at: http://www.eia.gov/listserv_signup.html

Enclosed is a new Storage Rate and Maximum Wrecker Rate to be posted in your wrecker service office. This must be posted until the Corporation Commission issues an order of new rates.

The Department of Public Safety will continue to license and inspect wrecker services, wrecker vehicles, storage facilities, wrecker equipment and require proper insurance coverage. Also the Department will continue to enforce the Oklahoma Administrative Code 595 Chapter 25 and take administrative action against the wrecker license for violations. Please contact Wanda Branson at 405-425-2355 or Lurene Cannon at 405-425-2295 if you have questions or need assistance.

Department of Public Safety
Wrecker Services Division

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