

**COMPLIANCE CIRCULAR**

No. 04

June 25, 2001

SUBJECT: Enforcement Policy for Load Securement for Tow Truck Operators using Towing Recovery Dollies or Wheel Lifts

Registrar of Drivers and Vehicles
Managers, West Esplanade, ICBC
Chair, Motor Carrier Commission
Provincial Manager of Compliance
Regional Managers of Compliance
Managers, Licensing
Air Care

Managers, Government St, Victoria
Motor Vehicle Inspectors
ICBC Appointed Agencies
Motor Carrier Department
Law Enforcement Agencies
Commercial Transport Inspectors
(Weigh Scales)

Carrier Safety Inspectors
Government Agents
(Authorized)
Driver Examiners
Driver Services Centres
Regional Vice Presidents
Trucking Industry

PURPOSE OF CIRCULAR:

To advise law enforcement officers and industry that British Columbia will not require vehicles with tires being transported by tow trucks by means of recovery dollies to be secured to the dollies whereas vehicles being transported on wheel lifts will require securement.

BACKGROUND:

A Motor Vehicle Branch (MVB) memorandum dated June 17, 1996, signed by Claire Eraut, Director, Vehicle Transport Policy and Standards described a MVB review of towing recovery dollies. The Review concluded that, provided the axle resting on the dollies contained tires and the tires are properly seated between the cross bars, then no additional load securement would be required. In the event the axle did not contain tires, further securement of the vehicle would be required.

However, vehicles being towed by tow trucks using wheel lifts must be secured to the wheel lifts by means of tire straps, chains to the frame or axle of the vehicle being towed, or other acceptable means. Division 7.07 (1) (b) and/or Division 35.03 (1) (a) of the *Motor Vehicle Act Regulations* refer.

An industry notice was issued by the ARA in May of 2001 (attached).

Robert G. Kroeker
Sr. Manager
Compliance Programs and Standards

Attachment



The ARA TowLine

May, 2001

ICBC Negotiation Update

Because of the provincial election, all contracts and projects for all crown corporations are on hold. In a nutshell, this means that ICBC cannot negotiate any supplier agreements until after the new government is in power. The new government is being sworn in June 5. The ARA is meeting with the executive of ICBC on June 6 to determine a negotiation plan. We are also anxiously awaiting the announcement of the new ministerial appointments.

WCB – Divers – Towing

There are Divers and then there are Commercial Divers. WCB has strict rules around commercial diving that are meant to protect workers in that potentially dangerous field of work. Before hiring a diving company for a sublet, be sure they have their WCB certification. This will protect you in case something goes wrong with the dive and the diver gets hurt. Otherwise, you could be held liable for the injuries.

Towing Recovery Dolly Tie Downs

There is some confusion on the roads concerning the use of tow recovery dollies and whether or not tie downs are required. The confusion seems to come from a lack of differentiation between RV dollies and Towing Recovery Dollies. In a study done in 1996, the Ministry of Transportation and Highways determined that tie downs were not required on tow recovery dollies. The ARA is interested in any recent cases of drivers receiving tickets for not having tie downs on tow recovery dollies. **Please note: Tie downs *are* required on wheel lifts.**

Towing Recovery Dolly Usage Survey

We are looking for statistical data to support the increased usage of towing recovery dollies. We hear lots of claims that the percentage of usage has risen in the recent past, however, no one has been able to substantiate the claim. If ICBC dolly usage increase has affected you, please send information to Lloyd at the ARA.

ICBC Sends Notice to Tow'ers

You have probably already received a fax and a letter from ICBC about suppliers meeting service requirement times. We understand that this is in reaction to the April 17th Study day and it was sent to all towing suppliers.

MD Manual Available on Website

A copy of Section 10 of the ICBC Material Damage Manual (Towing Procedures) is now available on the ARA website (www.ara.bc.ca) in the Members Only Towing section.

Favorite Bumper Sticker

Beauty is in the Eye of the Beer Holder



Ministry of
Transportation
and Highways

Motor Vehicle Branch
Vehicle Policy & Standards
Department

MEMORANDUM

File: CA 19450-01

June 17, 1996

Mr. Rod Davey
Regional Director
Lower Mainland

RECEIVED

JUN 18 1996

MOTOR VEHICLE BRANCH
OPERATIONS DIVISION

Re: Load Securement - Tow Car Dollies

On May 31, 1996, a violation ticket was issued under section 35.03(a) for insecure load against the operator of a towcar wherein a vehicle was being transported on tow dollies. The towed vehicle was not secured to the tow dollies.

The Chair of the ARA Towing Division contacted the Vehicle Transport Policy and Standards Department regarding this issue. He advised that the practice of securing a vehicle to dollies was only utilized in the event a vehicle was damaged as to not being able to rest the tires in the dollies. For example: having been in an accident such that the axle to be transported in dollies no longer contained tires.

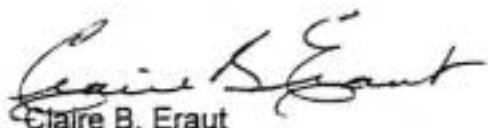
In our review of the issue, we concluded that tow dollies are not specifically designed for the use of harnesses, that the industry, under normal circumstances does not use harnesses, but does use various methods of securing the vehicle to the dollies in the event there are no tires, resulting in a metal to metal contact situation.

Samuel Lam reviewed the use of tow car dollies at a towing compound by way of a demonstration. At the conclusion of the demonstration, Mr. Lam was satisfied that a vehicle being transported by way of dollies would not require the vehicle to be secured to the dollies providing the axle under which the dollies are located contained tires and the tires are properly seated between the cross bars. In the event the axle did not contain tires, securement of the vehicle would be required. His determination was based on the premise that no serious accident has been reported and the practice of not securing the vehicles to recovery dollies has been an industry standard.

Mr. Rod Davey
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While I believe the enforcement officer who issued the ticket acted appropriately, under the circumstance, may I suggest that ticket AC52452192 against Mr. Laverdure be withdrawn.

In order to accommodate a consistent application of load securement requirements, Vehicle Transport Policy and Standards Department will develop a policy related to tow car dollies.



Claire B. Erant
Director
Vehicle Transport Policy and Standards

Attachment

cc: Mr. Mark Medgyesi
✓ Mr. Craig Morris
Mr. Paul Beardmore
Mr. Sam Lam