**Section 1710.192 Medium Duty or Heavy Duty Towing Equipment Necessary**

a) Relocators shall conduct medium duty or heavy duty relocation only if:

1) The relocator owns or holds, under a lease filed with the Commission prior to the relocation, medium duty tow equipment for the performance of a medium duty relocation, or heavy duty tow equipment for the performance of a heavy duty relocation;

2) The relocator employs an operator licensed by the Illinois Secretary of State to operate the medium duty or heavy duty tow equipment, or to drive the vehicle to be relocated and that operator possess an operator's permit from the Illinois Commerce Commission to conduct the relocation; and

3) The relocator's insurance coverage extends to drive-away relocation of medium duty and heavy duty vehicles, as evidenced by documentation that:

i) is issued on the letterhead of the insurance agency or carrier;

ii) is signed by an authorized agent of the insurance agency or carrier;

iii) includes the insurance policy number and its effective dates; and

iv) is maintained at the relocator's principal place of business and carried in the cab of the vehicle dispatched to the property from which a vehicle is to be relocated.

b) Relocators shall utilize medium duty and heavy duty tow equipment whenever possible. A medium duty or heavy duty vehicle may only be driven away from the property where it is trespassing when towing would be unsafe or when the trespassing vehicle cannot be removed by towing. When a medium duty or heavy duty vehicle is driven away, the relocator must document with specificity the circumstances that rendered towing unsafe or impossible on the Relocation Tow Record Form.

(Source: Added at 34 Ill. Reg. 18470, effective January 1, 2011)