



CONSUMER COMPLAINTS PROMPT ACITON

SANTA FE – At the urgent request of New Mexico Public Regulation Commission Chair Valerie Espinoza, the NMPRC’s Transportation Division has issued an advisory to tow services operating in the state to properly secure their cargo after the agency received a number of complaints from the public.

“Our chief concern is always public safety, for our families and those traveling to and within our state,” Espinoza, who represents District 3, wrote. “I have personally observed many instances where something could have easily gone wrong, and thus prompted a letter being mailed on July 7 to towing companies, reminding them of their legal responsibilities in reference to the securement of cargo.”

That letter informed all recipient companies that it had been brought to the Commission’s attention that tow services had been observed transporting passenger vehicles on tow trucks with no more than the winch cable securing the vehicle to the tow truck.

“This practice is not only unsafe, but it violates state and federal law regarding securement,” NMPRC Transportation Division Director Avelino Gutierrez said.

The Commission’s motor carrier rules contain several technical requirements regarding various towing methods, with each method requiring adequate provisions of additional safety devices, such as safety chains, cables, or similar devices to prevent the towed vehicle from breaking

Tow services placed on notice to secure cargo

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loose, moving laterally, or shifting.

The letter also included several technical requirements pertaining to the types of and performance requirements for securement devices and systems, each of which is required to prevent the load from shifting or falling from the tow vehicle.

“Timing is of the essence as we revise rules,” Chair Espinoza stated. “It is extremely important that, as part of my duties, I want to ensure compliance and safety of all Motor Carrier Rules.”

Gutierrez said towing passenger vehicles with “no more than a winch cable” violates several laws.

The prevailing compliant practice, she said, is for each towed vehicle to be secured by two devices in the front and two in the back.

“This requirement protects the public, protects the towed vehicle, and protects the tow vehicle’s stability and maneuverability,” Gutierrez said.

“I want to avoid the occurrence of any all possible accidents,” Espinoza concluded. “We get into our vehicles daily, and need to know that the professionals on the road are behaving in a professional capacity, being ever vigilant toward public safety.”

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