

# NEW MEXICO PUBLIC REGULATION COMMISSION

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## NEWS RELEASE

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### NMPRC's Transportation Division Puts Wrecker Companies on Notice *Non-consensual tows, other Motor Carrier Act provisions prompt scrutiny*

**SANTA FE** – The New Mexico Public Regulation Commission's (Commission) Transportation Division has put wrecker/towing companies on notice that it will strictly enforce the provisions of the New Mexico Motor Carrier Act.

The Transportation Division's heightened vigilance comes on the heels of a recent investigation during which Division investigators and members of the Albuquerque Police Department discovered a pair of illegal haulers and six stolen vehicles at an Albuquerque wrecking yard. It was later determined that the company was operating without Commission authority.

Other recent investigations involving New Mexico wrecker services have yielded Motor Carrier Act violations ranging from failure to obtain written authorization before performing non-consensual tows to overcharging for services, among many others.

NMPRC Transportation Division Director Larry L. Lujan said that whether companies are intentionally breaking the law or if they are simply unaware of the rules and regulations that govern wrecker services within the state, the Division will be stepping up its efforts to ensure compliance with the Motor Vehicle Act.

"There are very specific rules that these wrecker services must follow and we're simply doing our part to make sure they comply with New Mexico laws," Lujan said. "There are some companies that are purposely trying to skirt their responsibilities and there are others that just aren't aware of the laws that pertain to them. Regardless, the Transportation Division is responsible to ensure that the rules of the Motor Carrier Act are followed."

Lujan noted that common violations of the Motor Carrier Act include: operating without NMPRC authority, removal of abandoned vehicles from private property without proper documentation, improper notification of registered owners/lien holders before disposing of vehicles and violations of various safety requirements as required by the Act and rules, among others.

Motor Carrier Act violations can carry administrative fines up to \$10,000 per violation. Similarly, violations of Commission rules and/or orders can also carry fines up to \$10,000. In some instances, misdemeanor and/or felony charges can be levied against persons who knowingly violate the Act.

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