

SENATE BILL REPORT

HB 2844

AS REPORTED BY COMMITTEE ON TRANSPORTATION, FEBRUARY 26, 1992

Brief Description: Removing the limitation on deficiency claims against owners of vehicles subjected to a law enforcement impound.

SPONSORS: Representatives Zellinsky and R. Fisher

HOUSE COMMITTEE ON TRANSPORTATION

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Patterson, Chairman; Nelson, Vice Chairman; von Reichbauer, Vice Chairman; Barr, Conner, Erwin, W. Hansen, Madsen, McMullen, Oke, Sellar, Skratek, Snyder, Thorsness, and Vognild.

Staff: Brad Lovaas (786-7307)

Hearing Dates: February 26, 1992

BACKGROUND:

A registered tow truck operator who has lawfully impounded and stored a vehicle has a lien upon the vehicle for the impound and storage charges incurred.

If a vehicle remains unclaimed after the proper notification period, the tow truck operator must sell the vehicle at public auction.

Current statute provides that if an operator does not satisfy the lien through the sale of the vehicle at public auction, the operator may exert a deficiency claim of up to \$300, less the amount received at auction, against the last registered owner. For vehicles over 10,000 pounds gross vehicle weight, the operator has a deficiency claim of \$1,000 less the bid at auction.

SUMMARY:

The limitation on deficiency claims does not apply to law enforcement-directed impounds.

Appropriation: none

Revenue: none

Fiscal Note: none requested

SUMMARY OF PROPOSED SENATE AMENDMENT:

A technical amendment was adopted clarifying that the removal of limitations applies to the deficiency claim and not the towing and storage charges.

TESTIMONY FOR:

Since most law enforcement impounds are set by contract, the need to limit charges is unnecessary.

TESTIMONY AGAINST: None

TESTIFIED: PRO: Representative Paul Zellinsky, prime sponsor; Al Runte', Washington Tow Truck Association; Stu Halsan, Washington Tow Truck Association