

HOUSE BILL REPORT

HB 2620

As Reported By House Committee On:

Transportation

Title: An act relating to tow truck operators.

Brief Description: Clarifying tow truck laws.

Sponsors: Representatives Fisher, Mitchell and Wolfe.

Brief History:

Committee Activity:

Transportation: 2/2/00, 2/3/00 [DP].

Brief Summary of Bill

- Tow truck operators are exempt from having to obtain a business license in those jurisdictions where they only pick up or drop off vehicles.
- Tow truck operator's charges will accrue if they correct improperly filled out abandoned vehicle reports and re-file those reports with the Department of Licensing.
- Tow truck operators may not be ticketed if they have stopped on a roadway to aid a disabled vehicle when reasonably necessary.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 25 members: Representatives Fisher, Democratic Co-Chair; Mitchell, Republican Co-Chair; Cooper, Democratic 1st Vice Chair; Edwards, Democratic 2nd Vice Chair; Ericksen, Republican Vice Chair; Hankins, Republican Vice Chair; Buck; G. Chandler; DeBolt; Fortunato; Haigh; Hatfield; Hurst; Lovick; McDonald; Murray; Ogden; Pflug; Romero; Schindler; Schual-Berke; Scott; Skinner; Wood and Woods.

Staff: Penny Nerup (786-7335).

Background:

Currently, tow truck businesses are required to obtain business licenses in political subdivisions where their businesses or storage areas are located. In addition, tow truck businesses may also be required to obtain business licenses in political subdivisions where they pick-up or drop-off towed vehicles. Tow truck operators are limited to storage charges of five days if they file incorrect or incomplete identifying information to the Department of Licensing in their abandoned vehicle reports. Tow truck operators may also be ticketed by local law enforcement if they park or stand on roadways in order to recover or remove an abandoned or disabled vehicle.

Summary of Bill:

This bill provides tow truck operators with the following: First, tow truck operators are exempt from having to obtain a business license in those political subdivisions where they pick-up or drop-off vehicles.

Second, if a tow truck operator files incorrect or incomplete identifying information on an abandoned vehicle report, storage charges for those abandoned vehicles will begin to accrue again as of the date the corrected information is provided to the Department of Licensing.

Third, tow truck operators may stop, stand or park on a roadway if they are recovering or removing an abandoned or disabled vehicle, or if they are performing emergency service on a vehicle, only when reasonably necessary and only for a reasonably necessary amount of time.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill produces ludicrous results as to obtaining business licenses because there isn't sufficient nexus between dropping off a car and doing business; plus creates too much paperwork for operators. The bill allows operators to get paid for long-term impounds if they correct paperwork submitted to the Department of Licensing. Some jurisdictions do ticket tow truck operators, especially if they are double parked.

Testimony Against: Operators should be required to get licenses in jurisdictions where they pick up cars because that is a sufficient nexus. However, there should be "substantial business," not just one or two pick-ups or drop-offs. This is an equity issue with local businesses.

Testified: (In support) Stu Halsan, Washington Tow Truck Association.

(Supports with concerns) Michael Shaw, Association of Washington Cities.