

SENATE BILL REPORT

SB 5569

As Reported By Senate Committee On:
Transportation, February 12, 2002

Title: An act relating to registered tow truck operators.

Brief Description: Revising selected tow truck laws.

Sponsors: Senators Haugen and Benton.

Brief History:

Committee Activity: Transportation: 1/24/02, 2/12/02 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5569 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Benton, Finkbeiner, Horn, Jacobsen, Kastama, Keiser, McAuliffe, McDonald, Oke, Prentice, T. Sheldon, Shin and Swecker.

Staff: Dean Carlson (786-7405)

Background: The Department of Transportation issues, in some circumstances, overweight permits for vehicles that are driving on the highways over the legal weight requirements. Overweight permits are currently issued for each trip that exceeds the legal weight requirements.

Under current law, tow truck operators must send a copy of the abandoned vehicle report to the Washington State Patrol Crime Prevention Center showing the disposition of the abandoned vehicle and any personal property registered or titled with the Department of Licensing within 14 days of the sale of the abandoned vehicle at public auction.

If an impound is found to be in violation of the state impound laws, the person or agency authorizing the impound is liable to the tow truck operator for any impoundment, towing or storage fees.

Summary of Substitute Bill: The Washington State Patrol provides by rule a uniform release form to be used by courts or agencies authorizing the release of property from suspended license impounds.

When a court determines that an impound is in violation of the law, and the person or agency authorizing the impound appeals the decision, that person or agency pays to the tow truck operator the relating fees to the impound. However, the tow truck operator executes an assignment of any interest in the claim against the registered owner to the person or agency authorizing the impound.

A tow truck operator is not guilty of certain stopping, standing and parking prohibitions if it is reasonably necessary to recover a disabled vehicle, abandoned vehicle, or to perform an emergency service.

Substitute Bill Compared to Original Bill: Provisions for an annual overweight permit and provisions requiring tow operators to send in the abandoned vehicle report to the Department of Licensing are eliminated.

Appropriation: None.

Fiscal Note: Requested on January 22, 2002.

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

Testimony For: Oregon and Idaho have annual overweight permits that towers can get. Currently towers are not exempt from stopping or standing violations and a few have been ticketed.

Testimony Against: DOT has benefitted by a trip-by-trip philosophy. Current system adapts well to dynamic moves.

Testified: Stu Halsan, Washington Tow Truck Association, (pro); Barry Diseth, Washington State Department of Transportation (con).