

HOUSE BILL REPORT

HB 2274

As Reported by House Committee On: Transportation

Title: An act relating to allowing registered tow truck operators to pass the costs of tolls and ferry fares to the impounded vehicle's registered owner.

Brief Description: Allowing registered tow truck operators to pass the costs of tolls and ferry fares to the impounded vehicle's registered owner.

Sponsors: Representatives Armstrong, Clibborn and Ormsby.

Brief History:

Committee Activity:

Transportation: 1/18/12, 1/30/12 [DP].

Brief Summary of Bill

- Allows tow truck operators to collect the costs of tolls and ferry fares paid during the course of towing, removing, impounding, or storing an impounded vehicle.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 28 members: Representatives Clibborn, Chair; Billig, Vice Chair; Lias, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel, Asay, Eddy, Finn, Fitzgibbon, Hansen, Jinkins, Johnson, Klippert, Kristiansen, Ladenburg, McCune, Moeller, Morris, Moscoso, Overstreet, Reykdal, Rivers, Rodne, Shea, Takko, Upthegrove and Zeiger.

Staff: Alison Hellberg (786-7152).

Background:

Tow truck operators who impound vehicles from private or public property and/or tow for law enforcement agencies must be registered with the Department of Licensing (Department). Impounds, i.e., the taking and holding of a vehicle in legal custody without the consent of the owner, may only be performed by registered tow truck operators

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(operators). If on public property, the impound is at the direction of a law enforcement officer; if the vehicle is on private property, the impound is at the direction of the property owner or his agent.

An operator must file a fee schedule with the Department and may not charge fees that exceed those in the schedule.

Operators are also prohibited from committing certain acts. A violation of these prohibitions is a gross misdemeanor. These prohibitions include:

- asking for or receiving compensation, gratuities, or rewards from a person authorized to sign an impound authorization related to the impounding of a vehicle beyond the costs of towing, storage, or other services rendered;
- having an interest in a contract, agreement, or understanding between a person having control of private property and an agent of the person authorized to sign an impound authorization;
- having an interest in an entity whose functions include acting as an agent or representative of a property owner for the purpose of authorizing impounds; and
- entering into any contract or agreement or offering an incentive to a person authorized to order a private impound that is related to the authorization of an impound.

Operators are not prohibited, however, from collecting the costs of towing, storage, or other services rendered during the course of towing, removing, impounding, or storing of an impounded vehicle.

Summary of Bill:

In addition to collecting costs of towing, storage, or other services, tow truck operators may also collect the costs of tolls and ferry fares paid during the course of towing, removing, impounding, or storing an impounded vehicle.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Current law only allows tow truck operators to charge the hourly rate for towing and the daily rate for storage. This bill addresses two situations. When tolls were imposed on the 520 Bridge, operators were allowed to file for refunds for crossings in response to police calls. It would be more appropriate for the registered owner to pay for the tolls rather than have the tolling authority lose money.

The second situation that the bill addresses is ferry fares. There are no registered tow truck operators on Vashon Island so it is impossible for an operator to respond to an impound request without paying a ferry fare. This bill would have the registered owner pay that fare.

(Opposed) None.

Persons Testifying: Representative Armstrong, prime sponsor; and Stu Halsen, Towing and Recovery Association.

Persons Signed In To Testify But Not Testifying: None.