
Transportation Committee

HB 1218

Brief Description: Modifying when towing fees terminate.

Sponsors: Representatives Fey, McCaslin and Goodman.

Brief Summary of Bill

- Changes the starting time for the calculation of storage fees for a vehicle, or for items of personal property registered or titled with the Department of Licensing, to the point at which the registered tow truck operator has unloaded the vehicle and completed the necessary paperwork.

Hearing Date: 1/23/17

Staff: David Munnecke (786-7315).

Background:

Tow truck operators who impound vehicles from private or public property, or tow for law enforcement agencies, are regulated under chapter 46.55 RCW. Impoundment, 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 (RTTOs). 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 or her agent.

When an unauthorized vehicle is impounded, within 24 hours the towing operator must send an impound notice to the legal owner, based on information received from law enforcement. After being held for 120 consecutive hours, a vehicle is considered abandoned and the RTTO must file an abandoned vehicle report (AVR) with the Department of Licensing (DOL). In response to the AVR, the DOL provides information to the RTTO regarding the owner of the vehicle. Within 24 hours of receipt of this information, the RTTO must send by certified mail a notice of custody and sale to the owner. After 15 days from the receipt of information from the DOL, the RTTO may no longer accumulate storage charges. If the vehicle remains unclaimed, the RTTO must

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conduct a sale at public auction. The RTTO may not hold the vehicle for longer than 90 days, except in the case of a law enforcement or judicial order.

Vehicles may be redeemed by their legal owners any time before the start of the auction upon payment of towing and storage charges. An RTTO is required to file a fee schedule of its charges with the DOL, and no fee charged by the RTTO may exceed what has been filed with the DOL. Fees that are charged for the storage of a vehicle, or for items of personal property registered or titled with the DOL, must be calculated on a 24-hour basis, and must be charged to the nearest half day from the time the vehicle arrives at a secure storage area.

Summary of Bill:

The starting time for the calculation of storage fees for vehicles, or for items of personal property registered or titled with the DOL, is changed to the point at which the RTTO has unloaded the vehicle and completed the necessary paperwork.

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.