

FINAL BILL REPORT

SSB 5652

C 401 L 19

Synopsis as Enacted

Brief Description: Clarifying personal belongings disposal for impounded vehicles.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Fortunato, Rivers, Becker, Hawkins, Brown, Hobbs, Warnick, Honeyford, Wilson, L., Short and Palumbo).

Senate Committee on Transportation

House Committee on Transportation

Background: Impounds, meaning taking and holding a vehicle in legal custody without the consent of the owner, may only be performed by registered tow truck operators. If on public property, the impound is at the direction of a law enforcement officer; when on private property, the impound is at the direction of the property owner or the property owner's agent.

When a vehicle is impounded, a registered tow truck operator (RTTO) must send an impound notice to the legal owner via first class mail, based on information received from law enforcement.

After a vehicle is held in impound for more than 120 hours it is considered abandoned, and an RTTO must file an abandoned vehicle report (AVR) with the Department of Licensing (DOL). In response to the AVR, DOL provides information to the RTTO regarding the owner of the vehicle. The RTTO must send, by first class mail, a notice of custody and sale to the owner. If the vehicle remains unclaimed for 15 days, the RTTO must 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, after paying towing and storage charges.

Personal belongings in an impounded vehicle must be kept intact, and returned to the vehicle's owner during normal business hours upon request and presentation of proper identification. Personal belongings may not be sold at auction to fulfill a lien against the vehicle. For law enforcement directed impounds, personal belongings that are not claimed prior to the auction must be turned over to the local law enforcement agency from which the initial notification of impoundment was given. Personal belongings must be disposed of by a police or sheriff's office pursuant to unclaimed property laws.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary: The notice of impound sent within 24 hours of vehicle impoundment and the notice of custody and sale sent to the vehicle owner after the vehicle is classified as abandoned must include a notice stating that the RTTO will store personal belongings found in the vehicle at no cost if the vehicle's owner or agent is present to retrieve the personal belongings from the vehicle and sign a personal belongings storage request form before the date of auction.

The RTTO must provide this same information over the phone if the vehicle's owner calls to inquire about the impounded vehicle.

Personal belongings not claimed within 20 days from the date of impound are considered abandoned and may be disposed of at the RTTO's discretion. If a personal belongings storage request form is submitted, personal belongings not claimed within thirty days of the date the form was signed are considered abandoned and may be disposed of at the RTTO's discretion. Abandoned personal belongings may be sold at auction with the vehicle to fulfill a lien against the vehicle.

RTTOs must maintain a record of any signed personal belongings storage request form.

RTTOs are no longer required to give personal belongings from an auctioned vehicle to the local law enforcement agency that originally directed the impound.

Votes on Final Passage:

Senate	41	7	
House	98	0	(House amended)
Senate	41	7	(Senate concurred)

Effective: July 28, 2019