

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5652

66th Legislature
2019 Regular Session

Passed by the Senate April 25, 2019
Yeas 41 Nays 7

President of the Senate

Passed by the House April 17, 2019
Yeas 98 Nays 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5652** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5652

AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

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

READ FIRST TIME 03/01/19.

1 AN ACT Relating to personal belongings disposal; and amending RCW
2 46.55.090 and 46.55.110.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.55.090 and 1995 c 360 s 4 are each amended to
5 read as follows:

6 (1) All vehicles impounded shall be taken to the nearest storage
7 location that has been inspected and is listed on the application
8 filed with the department.

9 (2) All vehicles and stored personal belongings shall be handled
10 and returned in substantially the same condition as they existed
11 before being towed.

12 (3) ~~((All))~~ For purposes of this subsection, "personal
13 belongings" means personal property and contents in ((the)) a
14 vehicle, with the exception of those items of personal property that
15 are registered or titled with the department((,)). For a period of
16 twenty days from impound, personal belongings shall be kept intact,
17 and shall be returned to the vehicle's owner or agent during normal
18 business hours upon request and presentation of a driver's license or
19 other sufficient identification. ~~((Personal belongings, with the~~
20 ~~exception of those items of personal property that are registered or~~
21 ~~titled with the department, shall not)) A vehicle's owner or agent~~

1 may retrieve personal belongings from the vehicle and request that
2 the registered tow truck operator store the personal belongings for a
3 period of thirty days from the date of signing a personal belongings
4 storage request form. If a personal belongings storage request form
5 is not submitted, personal belongings not claimed within twenty days
6 from the date of the impound are considered abandoned and may be
7 disposed of at the registered tow truck operator's discretion. If a
8 personal belongings storage request form is submitted to the
9 registered tow truck operator, personal belongings not claimed within
10 thirty days of the date the personal belongings storage request form
11 is submitted are considered abandoned and may be disposed of at the
12 registered tow truck operator's discretion. Abandoned personal
13 belongings may be sold at auction with the vehicle to fulfill a lien
14 against the vehicle. The department shall adopt rules prescribing the
15 content and format of the personal belongings storage request form.

16 ~~(4) ((All personal belongings, with the exception of those items~~
17 ~~of personal property that are registered or titled with the~~
18 ~~department, not claimed before the auction shall be turned over to~~
19 ~~the local law enforcement agency to which the initial notification of~~
20 ~~impoundment was given. Such personal belongings shall be disposed of~~
21 ~~pursuant to chapter 63.32 or 63.40 RCW.~~

22 ~~(5))~~ Tow truck drivers shall have a Washington state driver's
23 license endorsed for the appropriate classification under chapter
24 46.25 RCW or the equivalent issued by another state.

25 ~~((6))~~ (5) Any person who shows proof of ownership or written
26 authorization from the impounded vehicle's registered or legal owner
27 or the vehicle's insurer may view the vehicle without charge during
28 normal business hours.

29 **Sec. 2.** RCW 46.55.110 and 2017 c 43 s 1 are each amended to read
30 as follows:

31 (1) (a) When an unauthorized vehicle is impounded, the impounding
32 towing operator shall notify the legal and registered owners of the
33 impoundment of the unauthorized vehicle and the owners of any other
34 items of personal property registered or titled with the department.
35 The notification shall be sent by first-class mail within twenty-four
36 hours after the impoundment to the last known registered and legal
37 owners of the vehicle, and the owners of any other items of personal
38 property registered or titled with the department, as provided by the

1 law enforcement agency, and shall inform the owners of the identity
2 of the person or agency authorizing the impound.

3 (b) The notification shall include the name of the impounding tow
4 firm, its address, and telephone number. The notice shall also
5 include the location, time of the impound, and by whose authority the
6 vehicle was impounded. The notice shall also include the written
7 notice of the right of redemption and opportunity for a hearing to
8 contest the validity of the impoundment pursuant to RCW 46.55.120.

9 (c) The notification must include a notice that the registered
10 tow truck operator will store personal belongings found in the
11 vehicle at no cost if the vehicle's owner or agent is present to
12 retrieve the personal belongings from the vehicle and sign a personal
13 belongings storage request form before the date of auction. If the
14 vehicle's owner calls a registered tow truck operator to inquire
15 about the impounded vehicle, the registered tow truck operator shall
16 inform the owner of the owner's ability to retrieve any personal
17 belongings from the vehicle and to request the registered tow truck
18 operator to store the personal belongings by signing a personal
19 belongings storage request form before the date of auction.
20 Registered tow truck operators shall store personal belongings at no
21 cost for thirty days from the date the personal belongings are
22 removed from the vehicle by the owner and the vehicle's owner or
23 agent has signed a personal belongings storage request form.
24 Registered tow truck operators shall maintain a record of any signed
25 personal belongings storage request form.

26 (2) In addition, if a suspended license impound has been ordered,
27 the notice must state the length of the impound, the requirement of
28 the posting of a security deposit to ensure payment of the costs of
29 removal, towing, and storage, notification that if the security
30 deposit is not posted the vehicle will immediately be processed and
31 sold at auction as an abandoned vehicle, and the requirements set out
32 in RCW 46.55.120(1)(c) regarding the payment of the costs of removal,
33 towing, and storage as well as providing proof of satisfaction of any
34 penalties, fines, or forfeitures before redemption. The notice must
35 also state that the registered owner is ineligible to purchase the
36 vehicle at the abandoned vehicle auction, if held.

37 (3) In the case of an abandoned vehicle, or other item of
38 personal property registered or titled with the department, within
39 twenty-four hours after receiving information on the legal and
40 registered owners from the department through the abandoned vehicle

1 report, the tow truck operator shall send by first-class mail a
2 notice of custody and sale to the legal and registered owners and of
3 the penalties for the traffic infraction littering—abandoned vehicle.
4 The notice must include a notice that the registered tow truck
5 operator will store personal belongings found in the vehicle at no
6 cost if the vehicle's owner or agent is present to retrieve the
7 personal belongings from the vehicle and sign a personal belongings
8 storage request form before the date of auction. The tow truck
9 operator shall obtain a certificate of mailing from the United States
10 postal service when notice is mailed.

11 (4) If the date on which a notice required by subsection (3) of
12 this section is to be mailed falls upon a Saturday, Sunday, or a
13 postal holiday, the notice may be mailed on the next day that is
14 neither a Saturday, Sunday, nor a postal holiday.

15 (5) No notices need be sent to the legal or registered owners of
16 an impounded vehicle or other item of personal property registered or
17 titled with the department, if the vehicle or personal property has
18 been redeemed.

--- END ---