

FINAL BILL REPORT

SSB 5652

C 320 L 24
Synopsis as Enacted

Brief Description: Providing compensation for tow truck operators for keeping the public roadways clear.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Lovick, Dozier, Hawkins, Hunt, Saldaña, Short and Stanford).

Senate Committee on Transportation
House Committee on Transportation

Background: Damages to the Highway or Public Property. Under current law, a person operating a vehicle or moving an object or conveyance on a public highway in an illegal or negligent manner is liable for any damage to a public highway, bridge, elevated structure, or public property that results. When the operator of the vehicle is not the owner of the vehicle, object, or conveyance, the owner and operator are jointly and severally liable for any such damage. The Department of Transportation or other state agency may recover the damages to the public highway, bridge, elevated structure, or public property in a civil action.

Public Impounds. Impounds, such as taking and holding a vehicle in legal custody without the consent of the owner, may only be performed by registered tow truck operators (RTTOs). A law enforcement officer or public official requesting a public impound must provide a signed authorization for the impound at the time and place of the impound to the RTTO before the operator may proceed with the impound. The costs of removal and storage of vehicles when directed by the Washington State Patrol must be paid by the owner or driver of the vehicle, and is a lien upon the vehicle until paid, unless the removal is determined to be invalid.

When a vehicle is impounded, an RTTO must send an impound notice to the legal owner, 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, and the RTTO

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must send, by certified mail, a notice of custody and sale to the owner.

If the vehicle remains unclaimed, the RTTO must conduct a sale at public auction. Vehicles may be redeemed by their legal owners any time before the start of the auction upon payment of towing and storage charges.

Summary: A person who operates a vehicle on a public highway in an illegal or negligent manner resulting in damages to the highway is liable for vehicle recovery, impound, and storage charges for an RTTO dispatched by law enforcement or other agency.

The recovery, impound, and storage fees incurred by an RTTO may be recovered in a civil action instituted by the RTTO.

The amount of unpaid vehicle recovery, impound, and storage charges is presumed to be the amount recoverable in the civil action and may not exceed the amounts established in fee schedules filed with DOL.

Votes on Final Passage:

2023 Regular Session

Senate 49 0

2024 Regular Session

Senate 49 0

House 95 0

Effective: June 6, 2024