

# HOUSE BILL REPORT

## HB 1923

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### As Passed Legislature

**Title:** An act relating to requirements for motor vehicle transporter license applications.

**Brief Description:** Modifying requirements for motor vehicle transporter license applications.

**Sponsors:** By Representatives Hunt and Condotta.

#### Brief History:

##### Committee Activity:

Transportation: 2/19/07, 3/1/07 [DP].

##### Floor Activity:

Passed House: 3/9/07, 96-1.

##### Floor Activity:

Passed House: 1/23/08, 96-1.

Passed Senate: 3/4/08, 45-0.

Passed Legislature.

#### Brief Summary of Bill

- Requires an applicant for a transporter's license to indicate if the license will be used to recover disabled vehicles from a public roadway and, if so, indicate if the applicant is a registered tow truck operator.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 26 members: Representatives Clibborn, Chair; Flannigan, Vice Chair; Jarrett, Ranking Minority Member; Schindler, Assistant Ranking Minority Member; Appleton, Armstrong, Campbell, Curtis, Dickerson, Eddy, Ericksen, Hailey, Hankins, Hudgins, Kristiansen, Lovick, Rodne, Rolfes, Sells, Simpson, Springer, B. Sullivan, Takko, Upthegrove, Wallace and Wood.

**Staff:** David Munnecke (786-7315).

#### Background:

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*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.*

Tow truck operators who impound vehicles from private or public property and/or tow for law enforcement agencies are regulated under Chapter 46.55 RCW. Impounds, 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.

Registered tow truck owners are issued a tow truck permit by the Department of Licensing (DOL), following payment of a \$100 per company and \$50 per truck fee, plus an inspection by the Washington State Patrol (WSP). Registered tow truck owners must also file a surety bond of \$5,000 with the DOL and meet certain minimum insurance requirements.

Tow trucks are also used by nonregistered operators that, for example, manage gas stations, repair shops, and auto dealerships. These trucks are used to aid the underlying business and may not be used for impounding or responding to law enforcement calls. If these nonregistered operators use their tow trucks to recover disabled vehicles for monetary compensation, they must have insurance in the same manner and amount as an RTTO and submit to a safety inspection of his or her truck.

Those who engage in the business of delivering, by the driveaway or towaway methods, vehicles not owned by the transporter and of the type required to be registered for highway use are required to obtain a transporter license and plates.

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**Summary of Bill:**

An applicant for a transporter's license is required to indicate if the license will be used to recover disabled vehicles from a public road or highway for compensation. If so, the applicant will also be required to indicate if the applicant is a registered tow truck operator.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) Last year the Legislature included a proviso in the transportation budget asking the DOL, the WSP, and the towers to look into the issue of unregulated tow truck operators. One of the issues that was identified was that there is currently no way of knowing how many towers there are. Many towers use transporter plates. Under this bill, once an applicant is asked what they do, the DOL will have an idea of the number of unregistered towers.

(Opposed) None.

**Persons Testifying:** Stu Halsan, Towing and Recovery Association of Washington.

**Persons Signed In To Testify But Not Testifying:** None.