

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2274

62nd Legislature
2012 Regular Session

Passed by the House February 8, 2012
Yeas 98 Nays 0

Speaker of the House of Representatives

Passed by the Senate February 27, 2012
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2274** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2274

Passed Legislature - 2012 Regular Session

State of Washington 62nd Legislature 2012 Regular Session

By Representatives Armstrong, Clibborn, and Ormsby

Read first time 01/11/12. Referred to Committee on Transportation.

1 AN ACT Relating to allowing registered tow truck operators to pass
2 the costs of tolls and ferry fares to the impounded vehicle's
3 registered owner; and amending RCW 46.55.035.

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

5 **Sec. 1.** RCW 46.55.035 and 2010 c 56 s 1 are each amended to read
6 as follows:

7 (1) No registered tow truck operator may:

8 (a) Except as authorized under RCW 46.55.037, ask for or receive
9 any compensation, gratuity, reward, or promise thereof from a person
10 having control or possession of private property or from an agent of
11 the person authorized to sign an impound authorization, for or on
12 account of the impounding of a vehicle;

13 (b) Be beneficially interested in a contract, agreement, or
14 understanding that may be made by or between a person having control or
15 possession of private property and an agent of the person authorized to
16 sign an impound authorization;

17 (c) Have a financial, equitable, or ownership interest in a firm,
18 partnership, association, or corporation whose functions include acting

1 as an agent or a representative of a property owner for the purpose of
2 signing impound authorizations;

3 (d)~~((i))~~ Enter into any contract or agreement or offer any
4 program that provides an incentive to a person authorized to order a
5 private impound under RCW 46.55.080 that is related to the
6 authorization of an impound or a number of impounds.

7 ~~((ii))~~ (i) The incentives prohibited by this section may be
8 either monetary or nonmonetary things of value, such as gifts or prizes
9 which are contingent on, or as a reward for the authorization of
10 impounds.

11 ~~((iii))~~ (ii) Gifts of de minimus value that are given in the
12 ordinary course of business and are not tied to any specific decision
13 to authorize an impound or impounds are not prohibited. Permitted
14 gifts would include promotional items such as pens, calendars, cups,
15 and other items labeled with the registered tow truck operator's
16 business information, holiday gifts such as cookies or candy, flowers
17 for occasions such as illness or death, or the cost of a single meal
18 for one person when discussing business.

19 ~~((iv))~~ (iii) The provision of the actual physical signs required
20 by this chapter to be posted on private property and the labor and
21 materials for placing them is not a violation of this section.

22 (2) This section does not prohibit the registered tow truck
23 operator from collecting the costs of towing, storage, tolls or ferry
24 fares paid, or other services rendered during the course of towing,
25 removing, impounding, or storing of an impounded vehicle as provided by
26 RCW 46.55.120.

27 (3) A violation of this section is a gross misdemeanor.

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