

# SENATE BILL REPORT

## HB 2595

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As Reported By Senate Committee On:  
Transportation, February 23, 1996

**Title:** An act relating to court procedures following impoundment of vehicles.

**Brief Description:** Harmonizing procedures for vehicle impoundment.

**Sponsors:** Representatives Robertson and Scott.

**Brief History:**

**Committee Activity:** Transportation: 2/20/96, 2/23/96 [DP].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators Owen, Chair; Heavey, Vice Chair; Goings, Haugen, Morton, Prentice, Prince, Rasmussen, Schow, Thibaudeau and Wood.

**Staff:** Jennifer Joly (786-7305)

**Background:** Currently, when a police officer has ordered an impound for the operation of a motor vehicle without a valid driver's license, a license that has been expired for 90 days or more, or a suspended or revoked license, the officer must immediately serve upon the driver of the impounded vehicle a notice of the right to a hearing in district court to contest the validity of the impound or the amount of towing and storage fees. In other situations where impounds are authorized, the towing and impoundment chapter prescribes that the registered tow-truck operator give written notice of the opportunity for a hearing to persons redeeming impounded vehicles. When a district court finds that an improper impound has occurred, the agency that authorized the impound is liable for any towing, storage or other impoundment fees.

**Summary of Bill:** When a police officer orders an impound for the operation of a motor vehicle without a valid driver's license, a license that has been expired for 90 days or more, or a suspended or revoked license, the registered tow-truck operator performing the impound, rather than the police officer ordering the impound, must give written notice of the opportunity for a hearing to persons redeeming impounded vehicles.

At a hearing to contest the validity of an impound or the amount of towing and storage fees, in lieu of the impounding officer's personal appearance, the court may consider a written report made under oath by the officer who authorized the impoundment.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** HB 2595 will decrease the amount of on-the-scene paperwork to be processed by law enforcement officers ordering impounds. Additionally, the legislation will save the law enforcement agencies money because less monies will be paid out for proper impounds ruled improper due to an officer's unavailability to testify in district court.

**Testimony Against:** None.

**Testified:** Rep. Robertston, prime sponsor; Stu Halsan, WA Tow Truck Assn. (pro).