
HOUSE BILL 2830

State of Washington

54th Legislature

1996 Regular Session

By Representative K. Schmidt

Read first time 01/22/96. Referred to Committee on Transportation.

1 AN ACT Relating to regulation of towing of vehicles by motor
2 vehicle transporters, hulk haulers, scrap processors, and motor vehicle
3 wreckers; amending RCW 46.76.010, 46.76.030, 46.76.040, and 46.76.060;
4 adding a new section to chapter 46.76 RCW; adding a new section to
5 chapter 46.79 RCW; adding a new section to chapter 46.80 RCW; repealing
6 RCW 46.55.025; and prescribing penalties.

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

8 **Sec. 1.** RCW 46.76.010 and 1961 c 12 s 46.76.010 are each amended
9 to read as follows:

10 It shall be unlawful for any person, firm, partnership, limited
11 liability company, association, or corporation to engage in the
12 business of delivering by the driveaway or towaway methods vehicles not
13 his own and of a type required to be registered under the laws of this
14 state, without procuring a transporter's license in accordance with the
15 provisions of this chapter.

16 This shall not apply to motor freight carriers or operations
17 regularly licensed under the provisions of chapter 81.80 RCW to haul
18 such vehicles on trailers or semitrailers.

1 Driveaway or towaway methods means the delivery service rendered by
2 a motor vehicle transporter wherein motor vehicles are driven singly or
3 in combinations by the towbar, saddlemount or fullmount methods or any
4 lawful combinations thereof, or where a truck or truck-tractor draws or
5 tows a semitrailer or trailer.

6 **Sec. 2.** RCW 46.76.030 and 1967 c 32 s 92 are each amended to read
7 as follows:

8 (1) Upon receiving an application for transporter's license the
9 director, if satisfied that the applicant is entitled thereto, shall
10 issue a (~~proper~~) certificate of license registration and a
11 distinctive set of license plates and shall transmit the fees obtained
12 therefor with a proper identifying report to the state treasurer, who
13 shall deposit such fees in the motor vehicle fund. The certificate of
14 license registration and license plates issued by the director shall
15 authorize the holder of the license to drive or tow any motor vehicle
16 or trailers upon the public highways as authorized by this chapter.

17 (2) Before the department may issue a license certificate to an
18 applicant, the applicant shall provide proof of minimum insurance
19 requirements of (a) one hundred thousand dollars for liability for
20 bodily injury or property damage per occurrence, and (b) fifty thousand
21 dollars of legal liability per occurrence, to protect against vehicle
22 damage, including but not limited to fire and theft, when the vehicle
23 is in the custody of the transporter. Cancellation of or failure to
24 maintain the insurance required by (a) and (b) of this subsection
25 automatically cancels the license.

26 **Sec. 3.** RCW 46.76.040 and 1990 c 250 s 68 are each amended to read
27 as follows:

28 The fee for an original transporter's license is twenty-five
29 dollars. Transporter license number plates (~~bearing an appropriate~~
30 ~~symbol and serial number~~) shall be attached to all vehicles being
31 delivered in the conduct of the business licensed under this chapter.
32 The plates may be obtained for a fee of two dollars for each set.

33 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.76 RCW
34 to read as follows:

35 Effective July 1, 1997:

1 (1) A transporter shall apply for and keep current a permit for
2 each truck operated by the transporter to deliver vehicles by the
3 driveaway or towaway method. Application for a truck permit must be
4 accompanied by a report from the Washington state patrol covering a
5 physical inspection of each truck.

6 (2) Trucks used by transporters to deliver vehicles by the
7 driveaway or towaway method must meet or exceed all equipment standards
8 set by the state patrol for that particular class of truck.

9 (3) Upon receipt of a twenty-five dollar inspection fee and a
10 satisfactory inspection report from the state patrol, the department
11 shall issue for each truck an annual permit, which permit must be
12 carried in the truck and be available for inspection by a law
13 enforcement officer upon request. The inspection fee shall be
14 deposited in the motor vehicle fund for the sole benefit of the state
15 patrol.

16 This section does not apply to trucks inspected under RCW 46.55.040
17 and trucks used to move manufactured homes.

18 **Sec. 5.** RCW 46.76.060 and 1961 c 12 s 46.76.060 are each amended
19 to read as follows:

20 Transporter's license plates (~~((shall be conspicuously displayed on
21 all vehicles being delivered by the driveaway or towaway methods.
22 These plates shall not be loaned to or used by any person other than
23 the holder of the license or his employees))~~) are issued in sets of two
24 and must be conspicuously displayed as follows: One plate is affixed
25 to the front of the vehicle to which it is assigned, and the second
26 plate is affixed to the rear of the vehicle to which it is assigned, or
27 temporarily, to the rear of the vehicle being delivered by the
28 driveaway, towaway, or hauling method. Transporter plates are not
29 transferable and may be used only in conjunction with the vehicle to
30 which they are assigned.

31 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.79 RCW
32 to read as follows:

33 Effective July 1, 1997:

34 (1) A hulk hauler or scrap processor shall apply for and keep
35 current a permit for each truck used for hauling or towing vehicles.
36 Application for a truck permit must be accompanied by a report from the
37 Washington state patrol covering a physical inspection of each truck.

1 (2) Trucks used by hulk haulers or scrap processors must meet or
2 exceed all equipment standards set by the state patrol for that
3 particular class of truck.

4 (3) Upon receipt of a twenty-five dollar inspection fee and a
5 satisfactory inspection report from the state patrol, the department
6 shall issue for each truck an annual permit, which permit must be
7 carried in the truck and be available for inspection by a law
8 enforcement officer upon request. The inspection fee shall be
9 deposited in the motor vehicle fund for the sole benefit of the state
10 patrol.

11 A violation of this section is a traffic infraction.

12 NEW SECTION. **Sec. 7.** A new section is added to chapter 46.80 RCW
13 to read as follows:

14 Effective July 1, 1997:

15 (1) A motor vehicle wrecker shall apply for and keep current a
16 permit for each truck used for hauling or towing vehicles that are not
17 dismantled. Application for a truck permit must be accompanied by a
18 report from the Washington state patrol covering a physical inspection
19 of each truck.

20 (2) Trucks used by motor vehicle wreckers for hauling or towing
21 vehicles that are not dismantled must meet or exceed all equipment
22 standards set by the state patrol for that particular class of truck.

23 (3) Upon receipt of a twenty-five dollar inspection fee and a
24 satisfactory inspection report from the state patrol, the department
25 shall issue for each truck an annual permit, which permit must be
26 carried in the truck and be available for inspection by a law
27 enforcement officer upon request. The inspection fee shall be
28 deposited in the motor vehicle fund for the sole benefit of the state
29 patrol.

30 A violation of this section is a traffic infraction.

31 NEW SECTION. **Sec. 8.** RCW 46.55.025 and 1995 c 360 s 2 are each
32 repealed.

--- END ---