

FINAL BILL REPORT

HB 1215

C 65 L 11
Synopsis as Enacted

Brief Description: Clarifying the application of the fifteen-day storage limit on liens for impounded vehicles.

Sponsors: Representatives Liias, Rodne, Goodman and Kenney.

House Committee on Transportation
Senate Committee on Transportation

Background:

Tow truck operators who impound vehicles from private or public property, or tow for law enforcement agencies, are regulated by state law. Impoundment, 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.

When an unauthorized vehicle is impounded, within 24 hours the towing operator must send an impound notice to the legal owner, based on information received from law enforcement. After being held for 120 consecutive hours, a vehicle is considered abandoned and the RTTO must file an abandoned vehicle report (AVR) with the Department of Licensing (DOL). In response to the AVR, the DOL provides information to the RTTO regarding the owner of the vehicle. Within 24 hours of receipt of this information, the RTTO must send by certified mail a notice of custody and sale to the owner.

After 15 days from the receipt of information from the DOL, the RTTO may no longer accumulate storage charges. If the vehicle remains unclaimed, the RTTO must conduct a sale at public auction. The RTTO may not hold the vehicle for longer than 90 days, except in the case of a law enforcement or judicial order.

Vehicles may be redeemed by their legal owners any time before the start of the auction upon payment of towing and storage charges.

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.

The RTTOs collect towing and storage charges on abandoned vehicles via a lien against the sale of the vehicle at auction. If the vehicle sale proceeds are less than the lien, the remaining charges owed to the RTTO are sent to a collection agency for recovery of the deficient claim.

All surplus funds after the sale of an abandoned vehicle at auction and satisfaction of the RTTO lien are deposited in the Motor Vehicle Fund.

Summary:

The storage charges that may no longer be accumulated after the 15-day deadline are clarified to be in addition to storage charges accumulated prior to the receipt of the information from the DOL.

Abandoned vehicles that are redeemed by an owner prior to their sale at auction are not subject to the 15-day limit and must pay all accumulated storage charges from the time of impoundment up to the time of redemption.

Votes on Final Passage:

House	97	0
Senate	49	0

Effective: July 22, 2011