

# SENATE BILL REPORT

## SB 6340

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As Passed Senate, February 13, 2012

**Title:** An act relating to the carrying of passengers in a vehicle attached to a flatbed tow truck.

**Brief Description:** Authorizing registered tow truck operators to carry passengers in a vehicle attached to a flatbed tow truck under certain situations.

**Sponsors:** Senators Sheldon, King, Haugen, McAuliffe and Schoesler.

**Brief History:**

**Committee Activity:** Transportation: 1/31/12, 2/01/12 [DP].

Passed Senate: 2/13/12, 45-0.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators Haugen, Chair; Eide, Vice Chair; King, Ranking Minority Member; Fain, Assistant Ranking Minority Member; Delvin, Ericksen, Frockt, Hobbs, Litzow, Prentice, Rolfes, Sheldon, Shin and Swecker.

**Staff:** Amanda Cecil (786-7429)

**Background:** Under current law it is unlawful to ride in a vehicle that is being towed by a tow truck.

**Summary of Bill:** A tow truck operator may allow passengers to ride in a vehicle that is being carried on the deck of a flatbed tow truck under certain conditions, including that passengers are using seatbelts and child restraints, if they are otherwise required by law.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

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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.*

**Staff Summary of Public Testimony:** PRO: This bill provides clarification by allowing, but not requiring, tow truck operators to allow passengers to ride in their car when other options are not available and when they believe it is safe. It is not different then when people ride in an RV or a camper on the back of a pickup. There are eight different Washington State Patrol (WSP) districts and each enforces the existing law differently so this would provide some clarification for WSP and tow truck operators. This is a good option in rural areas where there is limited or no access to taxi services. The bill includes safety provisions such as it is only allowed when the passengers will not fit in the cab of the truck and it requires that passengers where seatbelts.

OTHER: There are risks associated with getting passengers in and out of a car that is on a flatbed and what happens if the tow truck driver needs to speak with the passengers. This should be restricted to only when a reasonable alternative cannot be found.

**Persons Testifying:** PRO: Stu Halsan, Towing and Recovery Assn.

OTHER: Dave Overstreet, AAA WA.