

WAC 308-61-135 Miscellaneous provisions. (1) The properly executed written authority to tow or other evidence of lawful possession will take the place of current license plates or trip permits for unauthorized or abandoned vehicles.

(2) Billing invoices must indicate the time of day when an unauthorized or abandoned vehicle arrived at the secure storage area.

(3) A seller's report of sale properly filed with the department on a form prescribed by the department shall relieve a registered owner from liability for costs incurred in the removal and storage of an unauthorized/abandoned vehicle, in addition to relieving that person from other liability under RCW 46.12.101, unless the transferee on the seller's report had no knowledge of the filing.

(4) The junk vehicle affidavit of sale as described in RCW 46.55.230 may be used to sell a vehicle to a licensed hulk hauler, scrap processor, vehicle wrecking yard or it may be used as a supporting document for issuance of a title.

(5) A stored vehicle may be redeemed any time before the start of auctioning of that particular vehicle.

(6) The notification of impound is to be sent by first-class mail within twenty-four hours after the impound to any lessor or lessee, as well as to the last known registered and legal owner (lien holder) of the vehicle. If the department returns information indicating a change in vehicle possession, (example: Report of sale, wrecker, or insurance destroyed report) notification will also be sent to the name and address provided by the department.

(7)(a) The written notice of the right of redemption and opportunity for a hearing to contest the validity of an impoundment is to be sent to the registered and legal owners as described in subsection (6) of this section with the twenty-four hour impoundment notice on an unauthorized vehicle.

(b) The same notice, of the right of redemption and opportunity for a hearing to contest the validity of an impound, must also be given to anyone qualified under RCW 46.55.120 who attempts to redeem a vehicle.

(8) As the record required in RCW 46.05.150(2) [RCW 46.55.150(2)] the registered tow truck operator must keep a copy of its twenty-four-hour impound notice to law enforcement.

(9) Information contained in the master log must include:

(a) The dates of impound and release of vehicles;

(b) Storage lot used if multiple lots;

(c) If impound was from public or from private property and the location where the vehicle was impounded;

(d) Identity of vehicle by year, make, model, license number, and vehicle identification number;

(e) Dates of all required notices to law enforcement and to vehicle owners;

(f) Date of auction advertisement and of auction;

(g) Amount of towing and storage lien;

(h) Amount of auction proceeds;

(i) Amount of surplus funds.

Entries on the master log must be made within seventy-two hours following the activity being logged.

(10) In compliance with the requirements of RCW 46.55.100, as it relates to the reporting of abandoned vehicles after being auctioned by a registered tow truck operator, any tow truck company who has established an account with the department to use the abandoned vehicle report-affidavit of sale through the online system must use that sys-

tem. Any report sent to the department by fax or mail will be returned to the appropriate tow truck company to be filed online.

Tow truck companies that have not established an account with the department to use the abandoned vehicle online system are encouraged to do so; however, they may continue to file the abandoned vehicle report of sale reports via fax or through the mail.

[Statutory Authority: RCW 46.55.190. WSR 08-08-031, § 308-61-135, filed 3/25/08, effective 4/25/08; WSR 07-03-117, § 308-61-135, filed 1/22/07, effective 2/22/07; WSR 02-20-035, § 308-61-135, filed 9/24/02, effective 10/25/02; WSR 00-01-058, § 308-61-135, filed 12/10/99, effective 1/10/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-61-135, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190. WSR 90-01-060, § 308-61-135, filed 12/18/89, effective 1/18/90. Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. WSR 88-06-025 (Order DLR 164), § 308-61-135, filed 2/25/88. Statutory Authority: Chapter 46.55 RCW. WSR 86-03-011 (Order DLR-088), § 308-61-135, filed 1/6/86.]