
SUBSTITUTE HOUSE BILL 2830

State of Washington

54th Legislature

1996 Regular Session

By House Committee on Transportation (originally sponsored by Representative K. Schmidt)

Read first time 02/03/96.

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, carry, or towaway methods,
13 vehicles not his own and of a type required to be registered under the
14 laws of this state, without procuring a transporter's license in
15 accordance with the provisions of this chapter. A vehicle engaging in
16 the business of recovery of disabled vehicles for any form of monetary
17 compensation, from a public road or highway must either be operated by
18 a registered tow truck operator in accordance with chapter 46.55 RCW or

1 a motor vehicle transporter in accordance with the provisions of this
2 chapter.

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

6 Driveaway, carry, or towaway methods means the delivery service
7 rendered by a motor vehicle transporter wherein motor vehicles are
8 driven singly or in combinations by the towbar, saddlemount, or
9 fullmount methods or any lawful combinations thereof, or where a truck
10 or truck-tractor (~~draws or~~) tows a semitrailer or trailer designed to
11 carry no more than two vehicles, or by a truck designed to carry no
12 more than two vehicles.

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

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

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

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

36 The fee for an original transporter's license is twenty-five
37 dollars. Transporter license number plates (~~bearing an appropriate~~

1 ~~symbol and serial number~~)) shall be attached to all vehicles being
2 delivered in the conduct of the business licensed under this chapter.
3 The plates may be obtained for a fee of two dollars for each set.

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

6 Effective July 1, 1997:

7 (1) A transporter shall apply for and keep current a permit for
8 each truck operated by the transporter to deliver vehicles by the carry
9 or towaway method. Application for a truck permit must be accompanied
10 by a report from the Washington state patrol covering a physical
11 inspection of each truck.

12 (2) Trucks used by transporters to deliver vehicles by the carry or
13 towaway method must meet or exceed all equipment standards set by the
14 state patrol for that particular class of truck.

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

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

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

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

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

3 Effective July 1, 1997:

4 (1) A hulk hauler or scrap processor shall apply for and keep
5 current a permit for each truck used for carrying or towing vehicles.
6 Application for a truck permit must be accompanied by a report from the
7 Washington state patrol covering a physical inspection of each truck.

8 (2) Trucks used by hulk haulers or scrap processors to carry or tow
9 vehicles that are not dismantled must meet or exceed all equipment
10 standards set by the state patrol for that particular class of truck.

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

18 A violation of this section is a traffic infraction.

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

21 Effective July 1, 1997:

22 (1) A motor vehicle wrecker shall apply for and keep current a
23 permit for each truck used for carrying or towing vehicles that are not
24 dismantled. Application for a truck permit must be accompanied by a
25 report from the Washington state patrol covering a physical inspection
26 of each truck.

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

30 (3) Upon receipt of a twenty-five dollar inspection fee and a
31 satisfactory inspection report from the state patrol, the department
32 shall issue for each truck an annual permit, which permit must be
33 carried in the truck and be available for inspection by a law
34 enforcement officer upon request. The inspection fee shall be
35 deposited in the motor vehicle fund for the sole benefit of the state
36 patrol.

37 A violation of this section is a traffic infraction.

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

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