
SENATE BILL 6777

State of Washington

56th Legislature

2000 Regular Session

By Senator Swecker

Read first time 01/26/2000. Referred to Committee on Transportation.

1 AN ACT Relating to impoundment of vehicles violating mandatory
2 insurance laws; amending RCW 46.30.020, 46.55.010, 46.55.080,
3 46.55.100, 46.55.110, and 46.55.113; and reenacting and amending RCW
4 46.55.120.

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

6 **Sec. 1.** RCW 46.30.020 and 1991 sp.s. c 25 s 1 are each amended to
7 read as follows:

8 (1)(a) No person may operate a motor vehicle subject to
9 registration under chapter 46.16 RCW in this state unless the person is
10 insured under a motor vehicle liability policy with liability limits of
11 at least the amounts provided in RCW 46.29.090, is self-insured as
12 provided in RCW 46.29.630, is covered by a certificate of deposit in
13 conformance with RCW 46.29.550, or is covered by a liability bond of at
14 least the amounts provided in RCW 46.29.090. Written proof of
15 financial responsibility for motor vehicle operation must be provided
16 on the request of a law enforcement officer in the format specified
17 under RCW 46.30.030.

18 (b) A person who drives a motor vehicle that is required to be
19 registered in another state that requires drivers and owners of

1 vehicles in that state to maintain insurance or financial
2 responsibility shall, when requested by a law enforcement officer,
3 provide evidence of financial responsibility or insurance as is
4 required by the laws of the state in which the vehicle is registered.

5 (c) When asked to do so by a law enforcement officer, failure to
6 display an insurance identification card as specified under RCW
7 46.30.030 creates a presumption that the person does not have motor
8 vehicle insurance.

9 (d) Failure to provide proof of motor vehicle insurance is a
10 traffic infraction and is subject to penalties as set by the supreme
11 court under RCW 46.63.110 or community service and the vehicle
12 impoundment provisions of chapter 46.55 RCW.

13 (2) If a person cited for a violation of subsection (1) of this
14 section appears in person before the court and provides written
15 evidence that at the time the person was cited, he or she was in
16 compliance with the financial responsibility requirements of subsection
17 (1) of this section, the citation shall be dismissed. In lieu of
18 personal appearance, a person cited for a violation of subsection (1)
19 of this section may, before the date scheduled for the person's
20 appearance before the court, submit by mail to the court written
21 evidence that at the time the person was cited, he or she was in
22 compliance with the financial responsibility requirements of subsection
23 (1) of this section, in which case the citation shall be dismissed
24 without cost, except that the court may assess court administrative
25 costs of twenty-five dollars at the time of dismissal.

26 (3) The provisions of this chapter shall not govern:

27 (a) The operation of a motor vehicle registered under RCW
28 46.16.305(1), governed by RCW 46.16.020, or registered with the
29 Washington utilities and transportation commission as common or
30 contract carriers; or

31 (b) The operation of a motorcycle as defined in RCW 46.04.330, a
32 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined
33 in RCW 46.04.304.

34 (4) RCW 46.29.490 shall not be deemed to govern all motor vehicle
35 liability policies required by this chapter but only those certified
36 for the purposes stated in chapter 46.29 RCW.

37 **Sec. 2.** RCW 46.55.010 and 1999 c 398 s 2 are each amended to read
38 as follows:

1 The definitions set forth in this section apply throughout this
2 chapter:

3 (1) "Abandoned vehicle" means a vehicle that a registered tow truck
4 operator has impounded and held in the operator's possession for one
5 hundred twenty consecutive hours.

6 (2) "Abandoned vehicle report" means the document prescribed by the
7 state that the towing operator forwards to the department after a
8 vehicle has become abandoned.

9 (3) "Impound" means to take and hold a vehicle in legal custody.
10 There are two types of impounds--public and private.

11 (a) "Public impound" means that the vehicle has been impounded at
12 the direction of a law enforcement officer or by a public official
13 having jurisdiction over the public property upon which the vehicle was
14 located.

15 (b) "Private impound" means that the vehicle has been impounded at
16 the direction of a person having control or possession of the private
17 property upon which the vehicle was located.

18 (4) "Junk vehicle" means a vehicle certified under RCW 46.55.230 as
19 meeting at least three of the following requirements:

20 (a) Is three years old or older;

21 (b) Is extensively damaged, such damage including but not limited
22 to any of the following: A broken window or windshield, or missing
23 wheels, tires, motor, or transmission;

24 (c) Is apparently inoperable;

25 (d) Has an approximate fair market value equal only to the
26 approximate value of the scrap in it.

27 (5) "Mandatory insurance impound" means an impound ordered under
28 RCW 46.55.113 because the operator was arrested for a violation of RCW
29 46.30.020.

30 (6) "Master log" means the document or an electronic facsimile
31 prescribed by the department and the Washington state patrol in which
32 an operator records transactions involving impounded vehicles.

33 ~~((+6))~~ (7) "Registered tow truck operator" or "operator" means any
34 person who engages in the impounding, transporting, or storage of
35 unauthorized vehicles or the disposal of abandoned vehicles.

36 ~~((+7))~~ (8) "Residential property" means property that has no more
37 than four living units located on it.

1 (1) If a vehicle is in violation of the time restrictions of RCW
2 46.55.010(~~(13)~~), it may be impounded by a registered tow truck
3 operator at the direction of a law enforcement officer or other public
4 official with jurisdiction if the vehicle is on public property, or at
5 the direction of the property owner or an agent if it is on private
6 property. A law enforcement officer may also direct the impoundment of
7 a vehicle pursuant to a writ or court order.

8 (2) The person requesting a private impound or a law enforcement
9 officer or public official requesting a public impound shall provide a
10 signed authorization for the impound at the time and place of the
11 impound to the registered tow truck operator before the operator may
12 proceed with the impound. A registered tow truck operator, employee,
13 or his or her agent may not serve as an agent of a property owner for
14 the purposes of signing an impound authorization or, independent of the
15 property owner, identify a vehicle for impound.

16 (3) In the case of a private impound, the impound authorization
17 shall include the following statement: "A person authorizing this
18 impound, if the impound is found in violation of chapter 46.55 RCW, may
19 be held liable for the costs incurred by the vehicle owner."

20 (4) A registered tow truck operator shall record and keep in the
21 operator's files the date and time that a vehicle is put in the
22 operator's custody and released. The operator shall make an entry into
23 a master log regarding transactions relating to impounded vehicles.
24 The operator shall make this master log available, upon request, to
25 representatives of the department or the state patrol.

26 (5) A person who engages in or offers to engage in the activities
27 of a registered tow truck operator may not be associated in any way
28 with a person or business whose main activity is authorizing the
29 impounding of vehicles.

30 **Sec. 4.** RCW 46.55.100 and 1999 c 398 s 5 are each amended to read
31 as follows:

32 (1) At the time of impoundment the registered tow truck operator
33 providing the towing service shall give immediate notification, by
34 telephone or radio, to a law enforcement agency having jurisdiction who
35 shall maintain a log of such reports. A law enforcement agency, or a
36 private communication center acting on behalf of a law enforcement
37 agency, shall within six to twelve hours of the impoundment, provide to
38 a requesting operator the name and address of the legal and registered

1 owners of the vehicle, and the registered owner of any personal
2 property registered or titled with the department that is attached to
3 or contained in or on the impounded vehicle, the vehicle identification
4 number, and any other necessary, pertinent information. The initial
5 notice of impoundment shall be followed by a written or electronic
6 facsimile notice within twenty-four hours. In the case of a vehicle
7 from another state, time requirements of this subsection do not apply
8 until the requesting law enforcement agency in this state receives the
9 information.

10 (2) The operator shall immediately send an abandoned vehicle report
11 to the department for any vehicle, and for any items of personal
12 property registered or titled with the department, that are in the
13 operator's possession after the one hundred twenty hour abandonment
14 period. Such report need not be sent when the impoundment is pursuant
15 to a writ, court order, or police hold that is not a suspended license
16 impound. The owner notification and abandonment process shall be
17 initiated by the registered tow truck operator immediately following
18 notification by a court or law enforcement officer that the writ, court
19 order, or police hold that is not a suspended license impound or a
20 mandatory insurance impound is no longer in effect.

21 (3) Following the submittal of an abandoned vehicle report, the
22 department shall provide the registered tow truck operator with owner
23 information within seventy-two hours.

24 (4) Within fourteen days of the sale of an abandoned vehicle at
25 public auction, the towing operator shall send a copy of the abandoned
26 vehicle report showing the disposition of the abandoned vehicle and any
27 other items of personal property registered or titled with the
28 department to the crime information center of the Washington state
29 patrol.

30 (5) If the operator sends an abandoned vehicle report to the
31 department and the department finds no owner information, an operator
32 may proceed with an inspection of the vehicle and any other items of
33 personal property registered or titled with the department to determine
34 whether owner identification is within the vehicle.

35 (6) If the operator finds no owner identification, the operator
36 shall immediately notify the appropriate law enforcement agency, which
37 shall search the vehicle and any other items of personal property
38 registered or titled with the department for the vehicle identification
39 number or other appropriate identification numbers and check the

1 necessary records to determine the vehicle's or other property's
2 owners.

3 **Sec. 5.** RCW 46.55.110 and 1999 c 398 s 6 are each amended to read
4 as follows:

5 (1) When an unauthorized vehicle is impounded, the impounding
6 towing operator shall notify the legal and registered owners of the
7 impoundment of the unauthorized vehicle and the owners of any other
8 items of personal property registered or titled with the department.
9 The notification shall be sent by first-class mail within twenty-four
10 hours after the impoundment to the last known registered and legal
11 owners of the vehicle, and the owners of any other items of personal
12 property registered or titled with the department, as provided by the
13 law enforcement agency, and shall inform the owners of the identity of
14 the person or agency authorizing the impound. The notification shall
15 include the name of the impounding tow firm, its address, and telephone
16 number. The notice shall also include the location, time of the
17 impound, and by whose authority the vehicle was impounded. The notice
18 shall also include the written notice of the right of redemption and
19 opportunity for a hearing to contest the validity of the impoundment
20 pursuant to RCW 46.55.120.

21 (2) In addition, if a suspended license impound or a mandatory
22 insurance impound has been ordered, the notice must state the length of
23 the impound, the requirement of the posting of a security deposit to
24 ensure payment of the costs of removal, towing, and storage,
25 notification that if the security deposit is not posted the vehicle
26 will immediately be processed and sold at auction as an abandoned
27 vehicle, and the requirements set out in RCW 46.55.120(1)(b) regarding
28 the payment of the costs of removal, towing, and storage as well as
29 providing proof of satisfaction of any penalties, fines, or forfeitures
30 before redemption. The notice must also state that the registered
31 owner is ineligible to purchase the vehicle at the abandoned vehicle
32 auction, if held.

33 (3) In the case of an abandoned vehicle, or other item of personal
34 property registered or titled with the department, within twenty-four
35 hours after receiving information on the owners from the department
36 through the abandoned vehicle report, the tow truck operator shall send
37 by certified mail, with return receipt requested, a notice of custody
38 and sale to the legal and registered owners.

1 (4) If the date on which a notice required by subsection (3) of
2 this section is to be mailed falls upon a Saturday, Sunday, or a postal
3 holiday, the notice may be mailed on the next day that is neither a
4 Saturday, Sunday, nor a postal holiday.

5 (5) No notices need be sent to the legal or registered owners of an
6 impounded vehicle or other item of personal property registered or
7 titled with the department, if the vehicle or personal property has
8 been redeemed.

9 **Sec. 6.** RCW 46.55.113 and 1998 c 203 s 4 are each amended to read
10 as follows:

11 Whenever the driver of a vehicle is arrested for a violation of RCW
12 46.61.502 (~~(or)~~), 46.61.504 (~~(or of RCW)~~), 46.20.342 (~~(or 46.20.420)~~),
13 46.20.345, or 46.30.020 the vehicle is subject to impoundment, pursuant
14 to applicable local ordinance or state agency rule at the direction of
15 a law enforcement officer. In addition, a police officer may take
16 custody of a vehicle and provide for its prompt removal to a place of
17 safety under any of the following circumstances:

18 (1) Whenever a police officer finds a vehicle standing upon the
19 roadway in violation of any of the provisions of RCW 46.61.560, the
20 officer may provide for the removal of the vehicle or require the
21 driver or other person in charge of the vehicle to move the vehicle to
22 a position off the roadway;

23 (2) Whenever a police officer finds a vehicle unattended upon a
24 highway where the vehicle constitutes an obstruction to traffic or
25 jeopardizes public safety;

26 (3) Whenever a police officer finds an unattended vehicle at the
27 scene of an accident or when the driver of a vehicle involved in an
28 accident is physically or mentally incapable of deciding upon steps to
29 be taken to protect his or her property;

30 (4) Whenever the driver of a vehicle is arrested and taken into
31 custody by a police officer;

32 (5) Whenever a police officer discovers a vehicle that the officer
33 determines to be a stolen vehicle;

34 (6) Whenever a vehicle without a special license plate, card, or
35 decal indicating that the vehicle is being used to transport a disabled
36 person under RCW 46.16.381 is parked in a stall or space clearly and
37 conspicuously marked under RCW 46.61.581 which space is provided on
38 private property without charge or on public property;

1 (7) Upon determining that a person is operating a motor vehicle
2 without a valid driver's license in violation of RCW 46.20.005 or with
3 a license that has been expired for ninety days or more;

4 (8) Upon determining that a person is operating a motor vehicle
5 without valid mandatory liability insurance in violation of RCW
6 46.30.020.

7 Nothing in this section may derogate from the powers of police
8 officers under the common law. For the purposes of this section, a
9 place of safety may include the business location of a registered tow
10 truck operator.

11 **Sec. 7.** RCW 46.55.120 and 1999 c 398 s 7 and 1999 c 327 s 5 are
12 each reenacted and amended to read as follows:

13 (1) Vehicles or other items of personal property registered or
14 titled with the department that are impounded by registered tow truck
15 operators pursuant to RCW 46.55.080, 46.55.085, 46.55.113, or 9A.88.140
16 may be redeemed only under the following circumstances:

17 (a) Only the legal owner, the registered owner, a person authorized
18 in writing by the registered owner or the vehicle's insurer, a person
19 who is determined and verified by the operator to have the permission
20 of the registered owner of the vehicle or other item of personal
21 property registered or titled with the department, or one who has
22 purchased a vehicle or item of personal property registered or titled
23 with the department from the registered owner who produces proof of
24 ownership or written authorization and signs a receipt therefor, may
25 redeem an impounded vehicle or items of personal property registered or
26 titled with the department. In addition, a vehicle impounded because
27 the operator is in violation of RCW 46.20.342(1)(c) or 46.30.020 shall
28 not be released until a person eligible to redeem it under this
29 subsection (1)(a) satisfies the requirements of (e) of this subsection,
30 including paying all towing, removal, and storage fees, notwithstanding
31 the fact that the hold was ordered by a government agency. If the
32 department's records show that the operator has been convicted of a
33 violation of RCW 46.20.342 or 46.30.020 or a similar local ordinance
34 within the past five years, the vehicle may be held for up to thirty
35 days at the written direction of the agency ordering the vehicle
36 impounded. A vehicle impounded because the operator is arrested for a
37 violation of RCW 46.20.342 or 46.30.020 may be released only pursuant
38 to a written order from the agency that ordered the vehicle impounded

1 or from the court having jurisdiction. An agency may issue a written
2 order to release pursuant to a provision of an applicable state agency
3 rule or local ordinance authorizing release on the basis of economic or
4 personal hardship to the spouse of the operator, taking into
5 consideration public safety factors, including the operator's criminal
6 history and driving record.

7 If a vehicle is impounded because the operator is in violation of
8 RCW 46.20.342(1) (a) or (b) or 46.30.020, the vehicle may be held for
9 up to thirty days at the written direction of the agency ordering the
10 vehicle impounded. However, if the department's records show that the
11 operator has been convicted of a violation of RCW 46.20.342(1) (a) or
12 (b) or 46.30.020 or a similar local ordinance within the past five
13 years, the vehicle may be held at the written direction of the agency
14 ordering the vehicle impounded for up to sixty days, and for up to
15 ninety days if the operator has two or more such prior offenses. If a
16 vehicle is impounded because the operator is arrested for a violation
17 of RCW 46.20.342 or 46.30.020, the vehicle may not be released until a
18 person eligible to redeem it under this subsection (1)(a) satisfies the
19 requirements of (e) of this subsection, including paying all towing,
20 removal, and storage fees, notwithstanding the fact that the hold was
21 ordered by a government agency.

22 (b) If the vehicle is directed to be held for a suspended license
23 impound or a mandatory insurance impound, a person who desires to
24 redeem the vehicle at the end of the period of impound shall within
25 five days of the impound at the request of the tow truck operator pay
26 a security deposit to the tow truck operator of not more than one-half
27 of the applicable impound storage rate for each day of the proposed
28 suspended license impound. The tow truck operator shall credit this
29 amount against the final bill for removal, towing, and storage upon
30 redemption. The tow truck operator may accept other sufficient
31 security in lieu of the security deposit. If the person desiring to
32 redeem the vehicle does not pay the security deposit or provide other
33 security acceptable to the tow truck operator, the tow truck operator
34 may process and sell at auction the vehicle as an abandoned vehicle
35 within the normal time limits set out in RCW 46.55.130(1). The
36 security deposit required by this section may be paid and must be
37 accepted at any time up to twenty-four hours before the beginning of
38 the auction to sell the vehicle as abandoned. The registered owner is
39 not eligible to purchase the vehicle at the auction, and the tow truck

1 operator shall sell the vehicle to the highest bidder who is not the
2 registered owner.

3 (c) Notwithstanding (b) of this subsection, a rental car business
4 may immediately redeem a rental vehicle it owns by payment of the costs
5 of removal, towing, and storage, whereupon the vehicle will not be held
6 for a suspended license impound.

7 (d) Notwithstanding (b) of this subsection, a motor vehicle dealer
8 or lender with a perfected security interest in the vehicle may redeem
9 or lawfully repossess a vehicle immediately by payment of the costs of
10 removal, towing, and storage, whereupon the vehicle will not be held
11 for a suspended license impound. A motor vehicle dealer or lender with
12 a perfected security interest in the vehicle may not knowingly and
13 intentionally engage in collusion with a registered owner to repossess
14 and then return or resell a vehicle to the registered owner in an
15 attempt to avoid a suspended license impound. However, this provision
16 does not preclude a vehicle dealer or a lender with a perfected
17 security interest in the vehicle from repossessing the vehicle and then
18 selling, leasing, or otherwise disposing of it in accordance with
19 chapter 62A.9 RCW, including providing redemption rights to the debtor
20 under RCW 62A.9-506. If the debtor is the registered owner of the
21 vehicle, the debtor's right to redeem the vehicle under chapter 62A.9
22 RCW is conditioned upon the debtor obtaining and providing proof from
23 the impounding authority or court having jurisdiction that any fines,
24 penalties, and forfeitures owed by the registered owner, as a result of
25 the suspended license impound, have been paid, and proof of the payment
26 must be tendered to the vehicle dealer or lender at the time the debtor
27 tenders all other obligations required to redeem the vehicle. Vehicle
28 dealers or lenders are not liable for damages if they rely in good
29 faith on an order from the impounding agency or a court in releasing a
30 vehicle held under a suspended license impound.

31 (e) The vehicle or other item of personal property registered or
32 titled with the department shall be released upon the presentation to
33 any person having custody of the vehicle of commercially reasonable
34 tender sufficient to cover the costs of towing, storage, or other
35 services rendered during the course of towing, removing, impounding, or
36 storing any such vehicle, with credit being given for the amount of any
37 security deposit paid under (b) of this subsection. In addition, if a
38 vehicle is impounded because the operator was arrested for a violation
39 of RCW 46.20.342 (~~(or 46.20.420)~~), 46.20.345, or 46.30.020 and was

1 being operated by the registered owner when it was impounded under
2 local ordinance or agency rule, it must not be released to any person
3 until the registered owner establishes with the agency that ordered the
4 vehicle impounded or the court having jurisdiction that any penalties,
5 fines, or forfeitures owed by him or her have been satisfied.
6 Registered tow truck operators are not liable for damages if they rely
7 in good faith on an order from the impounding agency or a court in
8 releasing a vehicle held under a suspended license impound.
9 Commercially reasonable tender shall include, without limitation, cash,
10 major bank credit cards, or personal checks drawn on in-state banks if
11 accompanied by two pieces of valid identification, one of which may be
12 required by the operator to have a photograph. If the towing firm can
13 determine through the customer's bank or a check verification service
14 that the presented check would not be paid by the bank or guaranteed by
15 the service, the towing firm may refuse to accept the check. Any
16 person who stops payment on a personal check or credit card, or does
17 not make restitution within ten days from the date a check becomes
18 insufficient due to lack of funds, to a towing firm that has provided
19 a service pursuant to this section or in any other manner defrauds the
20 towing firm in connection with services rendered pursuant to this
21 section shall be liable for damages in the amount of twice the towing
22 and storage fees, plus costs and reasonable attorney's fees.

23 (2)(a) The registered tow truck operator shall give to each person
24 who seeks to redeem an impounded vehicle, or item of personal property
25 registered or titled with the department, written notice of the right
26 of redemption and opportunity for a hearing, which notice shall be
27 accompanied by a form to be used for requesting a hearing, the name of
28 the person or agency authorizing the impound, and a copy of the towing
29 and storage invoice. The registered tow truck operator shall maintain
30 a record evidenced by the redeeming person's signature that such
31 notification was provided.

32 (b) Any person seeking to redeem an impounded vehicle under this
33 section has a right to a hearing in the district or municipal court for
34 the jurisdiction in which the vehicle was impounded to contest the
35 validity of the impoundment or the amount of towing and storage
36 charges. The district court has jurisdiction to determine the issues
37 involving all impoundments including those authorized by the state or
38 its agents. The municipal court has jurisdiction to determine the
39 issues involving impoundments authorized by agents of the municipality.

1 Any request for a hearing shall be made in writing on the form provided
2 for that purpose and must be received by the appropriate court within
3 ten days of the date the opportunity was provided for in subsection
4 (2)(a) of this section and more than five days before the date of the
5 auction. At the time of the filing of the hearing request, the
6 petitioner shall pay to the court clerk a filing fee in the same amount
7 required for the filing of a suit in district court. If the hearing
8 request is not received by the court within the ten-day period, the
9 right to a hearing is waived and the registered owner is liable for any
10 towing, storage, or other impoundment charges permitted under this
11 chapter. Upon receipt of a timely hearing request, the court shall
12 proceed to hear and determine the validity of the impoundment.

13 (3)(a) The court, within five days after the request for a hearing,
14 shall notify the registered tow truck operator, the person requesting
15 the hearing if not the owner, the registered and legal owners of the
16 vehicle or other item of personal property registered or titled with
17 the department, and the person or agency authorizing the impound in
18 writing of the hearing date and time.

19 (b) At the hearing, the person or persons requesting the hearing
20 may produce any relevant evidence to show that the impoundment, towing,
21 or storage fees charged were not proper. The court may consider a
22 written report made under oath by the officer who authorized the
23 impoundment in lieu of the officer's personal appearance at the
24 hearing.

25 (c) At the conclusion of the hearing, the court shall determine
26 whether the impoundment was proper, whether the towing or storage fees
27 charged were in compliance with the posted rates, and who is
28 responsible for payment of the fees. The court may not adjust fees or
29 charges that are in compliance with the posted or contracted rates.

30 (d) If the impoundment is found proper, the impoundment, towing,
31 and storage fees as permitted under this chapter together with court
32 costs shall be assessed against the person or persons requesting the
33 hearing, unless the operator did not have a signed and valid
34 impoundment authorization from a private property owner or an
35 authorized agent.

36 (e) If the impoundment is determined to be in violation of this
37 chapter, then the registered and legal owners of the vehicle or other
38 item of personal property registered or titled with the department
39 shall bear no impoundment, towing, or storage fees, and any security

1 shall be returned or discharged as appropriate, and the person or
2 agency who authorized the impoundment shall be liable for any towing,
3 storage, or other impoundment fees permitted under this chapter. The
4 court shall enter judgment in favor of the registered tow truck
5 operator against the person or agency authorizing the impound for the
6 impoundment, towing, and storage fees paid. In addition, the court
7 shall enter judgment in favor of the registered and legal owners of the
8 vehicle, or other item of personal property registered or titled with
9 the department, for the amount of the filing fee required by law for
10 the impound hearing petition as well as reasonable damages for loss of
11 the use of the vehicle during the time the same was impounded, for not
12 less than fifty dollars per day, against the person or agency
13 authorizing the impound. However, if an impoundment arising from an
14 alleged violation of RCW 46.20.342 or (~~46.20.420~~) 46.20.345 is
15 determined to be in violation of this chapter, then the law enforcement
16 officer directing the impoundment and the government employing the
17 officer are not liable for damages if the officer relied in good faith
18 and without gross negligence on the records of the department in
19 ascertaining that the operator of the vehicle had a suspended or
20 revoked driver's license. If any judgment entered is not paid within
21 fifteen days of notice in writing of its entry, the court shall award
22 reasonable attorneys' fees and costs against the defendant in any
23 action to enforce the judgment. Notice of entry of judgment may be
24 made by registered or certified mail, and proof of mailing may be made
25 by affidavit of the party mailing the notice. Notice of the entry of
26 the judgment shall read essentially as follows:

27 TO:
28 YOU ARE HEREBY NOTIFIED JUDGMENT was entered against you in the
29 Court located at in the sum of
30 \$., in an action entitled, Case No.
31 YOU ARE FURTHER NOTIFIED that attorneys fees and costs
32 will be awarded against you under RCW . . . if the judgment is
33 not paid within 15 days of the date of this notice.
34 DATED this day of, (year) . . .
35 Signature
36 Typed name and address
37 of party mailing notice

1 (4) Any impounded abandoned vehicle or item of personal property
2 registered or titled with the department that is not redeemed within
3 fifteen days of mailing of the notice of custody and sale as required
4 by RCW 46.55.110(3) shall be sold at public auction in accordance with
5 all the provisions and subject to all the conditions of RCW 46.55.130.
6 A vehicle or item of personal property registered or titled with the
7 department may be redeemed at any time before the start of the auction
8 upon payment of the applicable towing and storage fees.

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