

FINAL BILL REPORT

SSB 5343

C 43 L 17
Synopsis as Enacted

Brief Description: Concerning notice sent by and certain release of information affecting registered tow truck operators.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Warnick and Takko).

Senate Committee on Transportation
House Committee on Transportation

Background: Impounds, i.e., 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). When a vehicle is impounded, an RTTO must send an impound notice to the legal owner via first class mail, based on information received from law enforcement.

After a vehicle is held in impound for more than 120 hours it is considered abandoned, and an RTTO must file an abandoned vehicle report (AVR) with the Department of Licensing (DOL). In response to the AVR, DOL provides information to the RTTO regarding the owner of the vehicle, and the RTTO must send, by certified mail with return receipt requested, a notice of custody and sale to the owner. This notice also must contain information on the penalties for the traffic infraction "Littering—Abandoned Vehicle."

The DOL is permitted to furnish an abstract of a person's driving record on proper request. The abstract, whenever possible, must include: (1) information related to motor vehicle accidents in which the person was driving; (2) any reported convictions, forfeitures of bail, or findings that an infraction was committed based on a violation of any motor vehicle law; (3) the status of the person's driving privilege in the state; and (4) any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served by an arresting officer. The abstract may only be provided to specified entities which include but are not limited to prospective employers, county prosecuting attorneys, and insurance companies.

Abstracts provided to an insurance company may not contain any information related to actions committed by law enforcement officers or firefighters while driving official vehicles in the performance of their occupational duties. This exception does not apply when the vehicle has been used in the commission of a misdemeanor or a felony.

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.

Summary: A notice of custody and sale and a notice of the penalties for the traffic infraction "Littering—Abandoned Vehicle" must be sent to the registered owner of an abandoned vehicle or personal property by first-class mail. The RTTO must obtain a certificate of mailing of such notices.

The abstract provided to an insurance company may not contain any information related to actions committed by RTTOs in the performance of their occupational duties while at the scene of a roadside impound or recovery. This exception does not apply when the vehicle has been used in the commission of a misdemeanor or a felony, or when the RTTO was issued a citation

Votes on Final Passage:

Senate	43	1
House	97	0

Effective: July 23, 2017