

WAC 204-91A-120 Business office hours and records. (1) Business hours will be in accordance with RCW 46.55.060(6). Businesses that close for an hour between 11:00 a.m. and 1:00 p.m. must:

(a) Designate the hour that they intend to use on a daily basis and notify the patrol of the designated hour annually at the time of inspection. The designated hour may be:

(i) Changed by providing notice to the patrol at least seventy-two hours in advance. Electronic notification to the inspector will be considered an acceptable form of providing notice.

(ii) Adjusted the same day if a customer transaction occurs during the designated hour or an emergent business need arises provided that:

(A) The adjusted time is taken between 11:00 a.m. and 1:00 p.m.;

(B) The total amount of time the business office is closed does not exceed one hour; and

(C) Notice is provided:

(I) At the door regarding the return time with a telephone number at which personnel can be reached as required per RCW 46.55.060; and

(II) To the inspector electronically within twenty-four hours if adjusted for an emergent business need.

(b) Notify the public of the designated hour that they intend to be closed, which must be posted on the door with a telephone number at which personnel can be reached as required by RCW 46.55.060.

(c) Remain accessible to law enforcement or department of licensing if they are in the process of performing an inspection or investigation. Adjustments to the designated hour may be made if an investigation or inspection occurs during the designated hour provided that:

(i) The adjusted time is taken between 11:00 a.m. and 1:00 p.m.;

(ii) Notice is provided at the door regarding the return time with a telephone number at which personnel can be reached as required per RCW 46.55.060; and

(iii) The total amount of time the business office is closed does not exceed one hour.

(2) The owner/operator must have personnel at the place of business during business hours to answer phone calls and to release vehicles and personal property. Persons from adjoining or neighboring businesses may not be used to meet this requirement. Phones may not be forwarded to an answering service during normal business hours.

(3) When a tow operator is not open for business and does not have personnel present at the place of business, the tow operator must post a clearly visible telephone number at the business location to advise the public how to make contact for the release of vehicles or personal property.

(4) The owner/operator must maintain personnel who must be:

(a) Available twenty-four hours a day to release impounded vehicles within a sixty-minute period of time. If personnel are contacted during the hour the business has designated to be closed under subsection (1) of this section, personnel must:

(i) Log the time of the call;

(ii) Return to the business within no more than one-half hour;

(iii) Calculate the storage fees based on the time of the call. If the vehicle's legal or registered owner or the owner's authorized representative does not redeem the vehicle at the time the tow operator returns to the business, the vehicle storage fees will accrue as if charges had not ceased at the time of the call.

(b) Identifiable as representing the company.

(5) All billing invoices must be numbered and must contain the following information:

- (a) Business name, business address, and phone number.
 - (b) Date of service and tow truck driver's first initial and last name.
 - (c) Time of departure in response to the call.
 - (d) Time tow truck arrived at the yard.
 - (e) Time the vehicle is unloaded and the necessary and required paperwork is completed.
 - (f) Class of tow truck used.
 - (g) If the tow was in response to a Washington state patrol request.
 - (h) The date and time the vehicle was released.
 - (i) The number of storage spaces used, and if more than one storage space is used, the size of vehicle as measured in feet from front bumper to rear bumper.
- (6) All fees for service must be itemized on the invoice, including each item of additional labor, ancillary equipment, or removal of debris, cargo, or other items.
- (7) Yard cards containing the information in subsection (5) of this section may be used for internal control of vehicles by the tow operator until the vehicle is released, sold, or otherwise disposed of. Yard cards are supplemental to, and do not replace the invoice required above.
- (8) A copy of the invoice must be filed by invoice number at the business location and a copy of any voided invoice must be retained in this same file. Another copy of the invoice must be included with the transaction file items identified in RCW 46.55.150.

[Statutory Authority: RCW 46.55.115 and 46.55.063. WSR 20-08-080, § 204-91A-120, filed 3/27/20, effective 4/27/20. Statutory Authority: RCW 46.55.115. WSR 15-19-105, § 204-91A-120, filed 9/18/15, effective 10/19/15. Statutory Authority: RCW 46.37.005, 46.55.050, and 46.55.115. WSR 09-09-118, § 204-91A-120, filed 4/21/09, effective 5/22/09. Statutory Authority: RCW 46.37.005. WSR 04-20-021, § 204-91A-120, filed 9/28/04, effective 10/29/04. Statutory Authority: RCW 46.37.005, 46.55.050, and 46.55.115. WSR 02-07-056, § 204-91A-120, filed 3/15/02, effective 4/15/02. Statutory Authority: RCW 46.61.567. WSR 89-21-044, § 204-91A-120, filed 10/13/89, effective 11/13/89. Statutory Authority: RCW 46.35.005 [46.37.005]. WSR 89-14-015 (Order 89-04-ESR), § 204-91A-120, filed 6/23/89.]