

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2746

Chapter 18, Laws of 1992

52nd Legislature
1992 Regular Session

TOW TRUCK OPERATORS--COMPENSATION FOR PRIVATE IMPOUNDS

EFFECTIVE DATE: 6/11/92

Passed by the House February 17, 1992
Yeas 92 Nays 0

JOE KING

**Speaker of the
House of Representatives**

Passed by the Senate March 4, 1992
Yeas 46 Nays 0

JOEL PRITCHARD

President of the Senate

Approved March 20, 1992

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is HOUSE BILL 2746 as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON

Chief Clerk

FILED

March 20, 1992 - 9:18 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 2746

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Zellinsky, R. Fisher, Ballard, Van Luven and
Ferguson

Read first time 01/27/92. Referred to Committee on Transportation.

1 AN ACT Relating to payment of charges for private impounds;
2 amending RCW 46.55.035; and adding a new section to chapter 46.55 RCW.

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

4 **Sec. 1.** RCW 46.55.035 and 1989 c 111 s 4 are each amended to read
5 as follows:

6 (1) No registered tow truck operator may:

7 (a) Except as authorized under section 2 of this act, ask for or
8 receive any compensation, gratuity, reward, or promise thereof from a
9 person having control or possession of private property or from an
10 agent of the person authorized to sign an impound authorization, for or
11 on account of the impounding of a vehicle;

12 (b) Be beneficially interested in a contract, agreement, or
13 understanding that may be made by or between a person having control or

1 possession of private property and an agent of the person authorized to
2 sign an impound authorization;

3 (c) Have a financial, equitable, or ownership interest in a firm,
4 partnership, association, or corporation whose functions include acting
5 as an agent or a representative of a property owner for the purpose of
6 signing impound authorizations.

7 (2) This section does not prohibit the registered tow truck
8 operator from collecting the costs of towing, storage, or other
9 services rendered during the course of towing, removing, impounding, or
10 storing of an impounded vehicle as provided by RCW 46.55.120.

11 (3) A violation of this section is a gross misdemeanor.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.55 RCW
13 to read as follows:

14 A registered tow truck operator may receive compensation from a
15 private property owner or agent for a private impound of an
16 unauthorized vehicle that has an approximate fair market value equal
17 only to the approximate value of the scrap in it. The private property
18 owner or an agent must authorize the impound under RCW 46.55.080. The
19 registered tow truck operator shall process the vehicle in accordance
20 with this chapter and shall deduct any compensation received from the
21 private property owner or agent from the amount of the lien on the
22 vehicle in accordance with this chapter.

Passed the House February 17, 1992.

Passed the Senate March 4, 1992.

Approved by the Governor March 20, 1992.

Filed in Office of Secretary of State March 20, 1992.