
SENATE BILL 6565

State of Washington

58th Legislature

2004 Regular Session

By Senators Kline, Kastama, Haugen, McCaslin, Esser, Spanel and Jacobsen

Read first time 01/23/2004. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to administrative procedures for abandoned
2 vehicles; amending RCW 46.12.101, 46.12.102, 46.55.100, 46.55.120, and
3 46.55.140; and prescribing penalties.

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

5 **Sec. 1.** RCW 46.12.101 and 2003 c 264 s 7 are each amended to read
6 as follows:

7 A transfer of ownership in a motor vehicle is perfected by
8 compliance with the requirements of this section.

9 (1)(a) If an owner transfers his or her interest in a vehicle,
10 other than by the creation, deletion, or change of a security interest,
11 the owner shall, at the time of the delivery of the vehicle, execute an
12 assignment to the transferee and provide an odometer disclosure
13 statement under RCW 46.12.124 on the certificate of ownership or as the
14 department otherwise prescribes, and cause the certificate and
15 assignment to be transmitted to the transferee. The owner shall notify
16 the department or its agents or subagents, in writing, on the
17 appropriate form, of the date of the sale or transfer, the name and
18 address of the owner and of the transferee, the transferee's driver's
19 license number if available, and such description of the vehicle,

1 including the vehicle identification number, the license plate number,
2 or both, as may be required in the appropriate form provided or
3 approved for that purpose by the department. The form provided or
4 approved by the department must include the statement "Providing false
5 information on a seller's report of sale submitted to the department or
6 its agents is a criminal violation of RCW 9A.76.175." The report of
7 sale will be deemed properly filed if all information required in this
8 section is provided on the form and includes a department-authorized
9 notation that the document was received by the department, its agents,
10 or subagents on or before the fifth day after the sale of the vehicle,
11 excluding Saturdays, Sundays, and state and federal holidays.

12 (b) Agents and subagents shall immediately electronically transmit
13 the seller's report of sale to the department. Reports of sale
14 processed and recorded by the department's agents or subagents may be
15 subject to fees as specified in RCW 46.01.140 (4)(a) or (5)(b). By
16 January 1, 2003, the department shall create a system enabling the
17 seller of a vehicle to transmit the report of sale electronically. The
18 system created by the department must immediately indicate on the
19 department's vehicle record that a seller's report of sale has been
20 filed. However, if an abandoned vehicle report has been filed by a tow
21 operator, the electronic submittal must be rejected and the owner must
22 file the report of sale on a form prescribed by the department that
23 includes the signature of the purchaser of the vehicle as evidence that
24 the purchaser is accepting liability for the vehicle.

25 (2) The requirements of subsection (1) of this section to provide
26 an odometer disclosure statement apply to the transfer of vehicles held
27 for lease when transferred to a lessee and then to the lessor at the
28 end of the leasehold and to vehicles held in a fleet when transferred
29 to a purchaser.

30 (3) Except as provided in RCW 46.55.100 and 46.70.122 the
31 transferee shall within fifteen days after delivery to the transferee
32 of the vehicle, execute the application for a new certificate of
33 ownership in the same space provided therefor on the certificate or as
34 the department prescribes, and cause the certificates and application
35 to be transmitted to the department.

36 (4) Upon request of the owner or transferee, a secured party in
37 possession of the certificate of ownership shall, unless the transfer
38 was a breach of its security agreement, either deliver the certificate

1 to the transferee for transmission to the department or, when the
2 secured party receives the owner's assignment from the transferee, it
3 shall transmit the transferee's application for a new certificate, the
4 existing certificate, and the required fee to the department.
5 Compliance with this section does not affect the rights of the secured
6 party.

7 (5) If a security interest is reserved or created at the time of
8 the transfer, the certificate of ownership shall be retained by or
9 delivered to the person who becomes the secured party, and the parties
10 shall comply with the provisions of RCW 46.12.170.

11 (6) If the purchaser or transferee fails or neglects to make
12 application to transfer the certificate of ownership and license
13 registration within fifteen days after the date of delivery of the
14 vehicle, he or she shall on making application for transfer be assessed
15 a twenty-five dollar penalty on the sixteenth day and two dollars
16 additional for each day thereafter, but not to exceed one hundred
17 dollars. The director may by rule establish conditions under which the
18 penalty will not be assessed when an application for transfer is
19 delayed for reasons beyond the control of the purchaser. Conditions
20 for not assessing the penalty may be established for but not limited to
21 delays caused by:

- 22 (a) The department requesting additional supporting documents;
- 23 (b) Extended hospitalization or illness of the purchaser;
- 24 (c) Failure of a legal owner to release his or her interest;
- 25 (d) Failure, negligence, or nonperformance of the department,
26 auditor, or subagent.

27 Failure or neglect to make application to transfer the certificate
28 of ownership and license registration within forty-five days after the
29 date of delivery of the vehicle is a misdemeanor.

30 (7) Upon receipt of an application for reissue or replacement of a
31 certificate of ownership and transfer of license registration,
32 accompanied by the endorsed certificate of ownership or other
33 documentary evidence as is deemed necessary, the department shall, if
34 the application is in order and if all provisions relating to the
35 certificate of ownership and license registration have been complied
36 with, issue new certificates of title and license registration as in
37 the case of an original issue and shall transmit the fees together with
38 an itemized detailed report to the state treasurer.

1 (8) Once each quarter the department shall report to the department
2 of revenue a list of those vehicles for which a seller's report has
3 been received but no transfer of title has taken place.

4 **Sec. 2.** RCW 46.12.102 and 2002 c 279 s 2 are each amended to read
5 as follows:

6 (1) An owner who has made a bona fide sale or transfer of a vehicle
7 and has delivered possession of it to a purchaser shall not by reason
8 of any of the provisions of this title be deemed the owner of the
9 vehicle so as to be subject to civil liability or criminal liability
10 for the operation of the vehicle thereafter by another person when the
11 owner has also fulfilled both of the following requirements:

12 (a) When the owner has made proper endorsement and delivery of the
13 certificate of ownership and has delivered the certificate of
14 registration as provided in this chapter;

15 (b) When the owner has delivered to the department either a
16 properly filed report of sale that includes all of the information
17 required in RCW 46.12.101(1) and is delivered to the department within
18 five days of the sale of the vehicle excluding Saturdays, Sundays, and
19 state and federal holidays, or appropriate documents for registration
20 of the vehicle pursuant to the sale or transfer.

21 (2) When a registered tow truck operator submits an abandoned
22 vehicle report to the department for a vehicle sold at an abandoned
23 vehicle auction, any previous owner is relieved of civil or criminal
24 liability for the operation of the vehicle from the date of sale
25 thereafter, and liability is transferred to the purchaser of the
26 vehicle as listed on the abandoned vehicle report.

27 (3) Providing false information on a seller's report of sale
28 submitted to the department or its agents is a violation of RCW
29 9A.76.175.

30 **Sec. 3.** RCW 46.55.100 and 2002 c 279 s 9 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

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

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

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

26 (4) (~~Within fourteen days of~~) Upon receiving payment for the sale
27 of an abandoned vehicle at public auction, the towing operator shall
28 send a copy of the abandoned vehicle report showing the disposition of
29 the abandoned vehicle and any other items of personal property
30 registered or titled with the department to the department. The
31 vehicle buyer information sent to the department on the abandoned
32 vehicle report relieves the previous owner of the vehicle from any
33 civil or criminal liability for the operation of the vehicle from the
34 date of sale thereafter and transfers full liability for the vehicle to
35 the buyer. By January 1, 2003, the department shall create a system
36 enabling tow truck operators the option of sending the portion of the
37 abandoned vehicle report that contains the vehicle's buyer information
38 to the department electronically.

1 (5) Abandoned vehicles purchased at public auction may not be
2 released to the purchaser until the purchaser has executed an
3 application for a new certificate of ownership or shown evidence that
4 he or she has executed an application for a new certificate of
5 ownership signifying that he or she is the new registered owner. The
6 department shall create a system to enable a tow company to serve as a
7 limited agent for the purposes of registering a vehicle for a new
8 certificate of ownership for vehicles purchased at a public auction
9 held by the same tow company.

10 (6) If the operator sends an abandoned vehicle report to the
11 department and the department finds no owner information, an operator
12 may proceed with an inspection of the vehicle and any other items of
13 personal property registered or titled with the department to determine
14 whether owner identification is within the vehicle.

15 (~~(6)~~) (7) If the operator finds no owner identification, the
16 operator shall immediately notify the appropriate law enforcement
17 agency, which shall search the vehicle and any other items of personal
18 property registered or titled with the department for the vehicle
19 identification number or other appropriate identification numbers and
20 check the necessary records to determine the vehicle's or other
21 property's owners.

22 **Sec. 4.** RCW 46.55.120 and 2003 c 177 s 2 are each amended to read
23 as follows:

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

28 (a) Only the legal owner, the registered owner, a person authorized
29 in writing by the registered owner or the vehicle's insurer, a person
30 who is determined and verified by the operator to have the permission
31 of the registered owner of the vehicle or other item of personal
32 property registered or titled with the department, or one who has
33 purchased a vehicle or item of personal property registered or titled
34 with the department from the registered owner who produces proof of
35 ownership or written authorization and signs a receipt therefor, may
36 redeem an impounded vehicle or items of personal property registered or
37 titled with the department. In addition, a vehicle impounded because

1 the operator is in violation of RCW 46.20.342(1)(c) shall not be
2 released until a person eligible to redeem it under this subsection
3 (1)(a) satisfies the requirements of (e) of this subsection, including
4 paying all towing, removal, and storage fees, notwithstanding the fact
5 that the hold was ordered by a government agency. If the department's
6 records show that the operator has been convicted of a violation of RCW
7 46.20.342 or a similar local ordinance within the past five years, the
8 vehicle may be held for up to thirty days at the written direction of
9 the agency ordering the vehicle impounded. A vehicle impounded because
10 the operator is arrested for a violation of RCW 46.20.342 may be
11 released only pursuant to a written order from the agency that ordered
12 the vehicle impounded or from the court having jurisdiction. An agency
13 may issue a written order to release pursuant to a provision of an
14 applicable state agency rule or local ordinance authorizing release on
15 the basis of the following:

16 (i) Economic or personal hardship to the spouse of the operator,
17 taking into consideration public safety factors, including the
18 operator's criminal history and driving record; or

19 (ii) The owner of the vehicle was not the driver, the owner did not
20 know that the driver's license was suspended or revoked, and the owner
21 has not received a prior release under this subsection or RCW
22 46.55.113(3).

23 In order to avoid discriminatory application, other than for the
24 reasons for release set forth in (a)(i) and (ii) of this subsection, an
25 agency shall, under a provision of an applicable state agency rule or
26 local ordinance, deny release in all other circumstances without
27 discretion.

28 If a vehicle is impounded because the operator is in violation of
29 RCW 46.20.342(1) (a) or (b), the vehicle may be held for up to thirty
30 days at the written direction of the agency ordering the vehicle
31 impounded. However, if the department's records show that the operator
32 has been convicted of a violation of RCW 46.20.342(1) (a) or (b) or a
33 similar local ordinance within the past five years, the vehicle may be
34 held at the written direction of the agency ordering the vehicle
35 impounded for up to sixty days, and for up to ninety days if the
36 operator has two or more such prior offenses. If a vehicle is
37 impounded because the operator is arrested for a violation of RCW
38 46.20.342, the vehicle may not be released until a person eligible to

1 redeem it under this subsection (1)(a) satisfies the requirements of
2 (e) of this subsection, including paying all towing, removal, and
3 storage fees, notwithstanding the fact that the hold was ordered by a
4 government agency.

5 (b) If the vehicle is directed to be held for a suspended license
6 impound, a person who desires to redeem the vehicle at the end of the
7 period of impound shall within five days of the impound at the request
8 of the tow truck operator pay a security deposit to the tow truck
9 operator of not more than one-half of the applicable impound storage
10 rate for each day of the proposed suspended license impound. The tow
11 truck operator shall credit this amount against the final bill for
12 removal, towing, and storage upon redemption. The tow truck operator
13 may accept other sufficient security in lieu of the security deposit.
14 If the person desiring to redeem the vehicle does not pay the security
15 deposit or provide other security acceptable to the tow truck operator,
16 the tow truck operator may process and sell at auction the vehicle as
17 an abandoned vehicle within the normal time limits set out in RCW
18 46.55.130(1). The security deposit required by this section may be
19 paid and must be accepted at any time up to twenty-four hours before
20 the beginning of the auction to sell the vehicle as abandoned. The
21 registered owner is not eligible to purchase the vehicle at the
22 auction, and the tow truck operator shall sell the vehicle to the
23 highest bidder who is not the registered owner.

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

28 (d) Notwithstanding (b) of this subsection, a motor vehicle dealer
29 or lender with a perfected security interest in the vehicle may redeem
30 or lawfully repossess a vehicle immediately by payment of the costs of
31 removal, towing, and storage, whereupon the vehicle will not be held
32 for a suspended license impound. A motor vehicle dealer or lender with
33 a perfected security interest in the vehicle may not knowingly and
34 intentionally engage in collusion with a registered owner to repossess
35 and then return or resell a vehicle to the registered owner in an
36 attempt to avoid a suspended license impound. However, this provision
37 does not preclude a vehicle dealer or a lender with a perfected
38 security interest in the vehicle from repossessing the vehicle and then

1 selling, leasing, or otherwise disposing of it in accordance with
2 chapter 62A.9A RCW, including providing redemption rights to the debtor
3 under RCW 62A.9A-623. If the debtor is the registered owner of the
4 vehicle, the debtor's right to redeem the vehicle under chapter 62A.9A
5 RCW is conditioned upon the debtor obtaining and providing proof from
6 the impounding authority or court having jurisdiction that any fines,
7 penalties, and forfeitures owed by the registered owner, as a result of
8 the suspended license impound, have been paid, and proof of the payment
9 must be tendered to the vehicle dealer or lender at the time the debtor
10 tenders all other obligations required to redeem the vehicle. Vehicle
11 dealers or lenders are not liable for damages if they rely in good
12 faith on an order from the impounding agency or a court in releasing a
13 vehicle held under a suspended license impound.

14 (e) The vehicle or other item of personal property registered or
15 titled with the department shall be released upon the presentation to
16 any person having custody of the vehicle of commercially reasonable
17 tender sufficient to cover the costs of towing, storage, or other
18 services rendered during the course of towing, removing, impounding, or
19 storing any such vehicle, with credit being given for the amount of any
20 security deposit paid under (b) of this subsection. In addition, if a
21 vehicle is impounded because the operator was arrested for a violation
22 of RCW 46.20.342 or 46.20.345 and was being operated by the registered
23 owner when it was impounded under local ordinance or agency rule, it
24 must not be released to any person until the registered owner
25 establishes with the agency that ordered the vehicle impounded or the
26 court having jurisdiction that any penalties, fines, or forfeitures
27 owed by him or her have been satisfied. Registered tow truck operators
28 are not liable for damages if they rely in good faith on an order from
29 the impounding agency or a court in releasing a vehicle held under a
30 suspended license impound. Commercially reasonable tender shall
31 include, without limitation, cash, major bank credit cards issued by
32 financial institutions, or personal checks drawn on Washington state
33 branches of financial institutions if accompanied by two pieces of
34 valid identification, one of which may be required by the operator to
35 have a photograph. If the towing firm cannot determine through the
36 customer's bank or a check verification service that the presented
37 check would be paid by the bank or guaranteed by the service, the
38 towing firm may refuse to accept the check. Any person who stops

1 payment on a personal check or credit card, or does not make
2 restitution within ten days from the date a check becomes insufficient
3 due to lack of funds, to a towing firm that has provided a service
4 pursuant to this section or in any other manner defrauds the towing
5 firm in connection with services rendered pursuant to this section
6 shall be liable for damages in the amount of twice the towing and
7 storage fees, plus costs and reasonable attorney's fees.

8 (2)(a) The registered tow truck operator shall give to each person
9 who seeks to redeem an impounded vehicle, or item of personal property
10 registered or titled with the department, written notice of the right
11 of redemption and opportunity for a hearing, which notice shall be
12 accompanied by a form to be used for requesting a hearing, the name of
13 the person or agency authorizing the impound, and a copy of the towing
14 and storage invoice. The registered tow truck operator shall maintain
15 a record evidenced by the redeeming person's signature that such
16 notification was provided.

17 (b) (~~Any person~~) Only a legal or registered owner seeking to
18 redeem an impounded vehicle under this section has a right to a hearing
19 in the district or municipal court for the jurisdiction in which the
20 vehicle was impounded to contest the validity of the impoundment or the
21 amount of towing and storage charges. The district court has
22 jurisdiction to determine the issues involving all impoundments
23 including those authorized by the state or its agents. The municipal
24 court has jurisdiction to determine the issues involving impoundments
25 authorized by agents of the municipality. Any request for a hearing
26 shall be made in writing on the form provided for that purpose and must
27 be received by the appropriate court within ten days of the date the
28 opportunity was provided for in subsection (2)(a) of this section and
29 more than five days before the date of the auction. At the time of the
30 filing of the hearing request, the petitioner shall pay to the court
31 clerk a filing fee in the same amount required for the filing of a suit
32 in district court. If the hearing request is not received by the court
33 within the ten-day period, the right to a hearing is waived and the
34 registered owner is liable for any towing, storage, or other
35 impoundment charges permitted under this chapter. Upon receipt of a
36 timely hearing request, the court shall proceed to hear and determine
37 the validity of the impoundment.

1 (3)(a) The court, within five days after the request for a hearing,
2 shall notify the registered tow truck operator, (~~the person requesting~~
3 ~~the hearing if not the owner,~~) the registered and legal owners of the
4 vehicle or other item of personal property registered or titled with
5 the department, and the person or agency authorizing the impound in
6 writing of the hearing date and time.

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

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

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

24 (e) If the impoundment is determined to be in violation of this
25 chapter, then the registered and legal owners of the vehicle or other
26 item of personal property registered or titled with the department
27 shall bear no impoundment, towing, or storage fees, and any security
28 shall be returned or discharged as appropriate, and the person or
29 agency who authorized the impoundment shall be liable for any towing,
30 storage, or other impoundment fees permitted under this chapter. The
31 court shall enter judgment in favor of the registered tow truck
32 operator against the person or agency authorizing the impound for the
33 impoundment, towing, and storage fees paid. In addition, the court
34 shall enter judgment in favor of the registered and legal owners of the
35 vehicle, or other item of personal property registered or titled with
36 the department, for the amount of the filing fee required by law for
37 the impound hearing petition as well as reasonable damages for loss of
38 the use of the vehicle during the time the same was impounded, for not

1 less than fifty dollars per day, against the person or agency
2 authorizing the impound. However, if an impoundment arising from an
3 alleged violation of RCW 46.20.342 or 46.20.345 is determined to be in
4 violation of this chapter, then the law enforcement officer directing
5 the impoundment and the government employing the officer are not liable
6 for damages if the officer relied in good faith and without gross
7 negligence on the records of the department in ascertaining that the
8 operator of the vehicle had a suspended or revoked driver's license.
9 If any judgment entered is not paid within fifteen days of notice in
10 writing of its entry, the court shall award reasonable attorneys' fees
11 and costs against the defendant in any action to enforce the judgment.
12 Notice of entry of judgment may be made by registered or certified
13 mail, and proof of mailing may be made by affidavit of the party
14 mailing the notice. Notice of the entry of the judgment shall read
15 essentially as follows:

16 TO:
17 YOU ARE HEREBY NOTIFIED JUDGMENT was entered against you in the
18 Court located at in the sum of
19 \$., in an action entitled, Case No.
20 YOU ARE FURTHER NOTIFIED that attorneys fees and costs
21 will be awarded against you under RCW . . . if the judgment is
22 not paid within 15 days of the date of this notice.
23 DATED this day of, (year) . . .
24 Signature
25 Typed name and address
26 of party mailing notice

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

35 **Sec. 5.** RCW 46.55.140 and 1995 c 360 s 8 are each amended to read
36 as follows:

37 (1) A registered tow truck operator who has a valid and signed

1 impoundment authorization has a lien upon the impounded vehicle for
2 services provided in the towing and storage of the vehicle, unless the
3 impoundment is determined to have been invalid. The lien does not
4 apply to personal property in or upon the vehicle that is not
5 permanently attached to or is not an integral part of the vehicle
6 except for items of personal property registered or titled with the
7 department. The registered tow truck operator also has a deficiency
8 claim against the registered owner of the vehicle for services provided
9 in the towing and storage of the vehicle not to exceed the sum of five
10 hundred dollars after deduction of the amount bid at auction, and for
11 vehicles of over ten thousand pounds gross vehicle weight, the operator
12 has a deficiency claim of one thousand dollars after deduction of the
13 amount bid at auction, unless the impound is determined to be invalid.
14 The limitation on towing and storage deficiency claims does not apply
15 to an impound directed by a law enforcement officer. In no case may
16 the cost of the auction or a buyer's fee be added to the amount charged
17 for the vehicle at the auction, the vehicle's lien, or the overage due.
18 A registered owner who has completed and filed with the department the
19 seller's report as provided for by RCW 46.12.101 and has timely and
20 properly filed the seller's report is relieved of liability under this
21 section. The person named as the new owner of the vehicle on the
22 timely and properly filed seller's report shall assume liability under
23 this section. Providing false information on a seller's report
24 submitted to the department or its agents is a violation of RCW
25 9A.76.175.

26 (2) Any person who tows, removes, or otherwise disturbs any vehicle
27 parked, stalled, or otherwise left on privately owned or controlled
28 property, and any person owning or controlling the private property, or
29 either of them, are liable to the owner or operator of a vehicle, or
30 each of them, for consequential and incidental damages arising from any
31 interference with the ownership or use of the vehicle which does not
32 comply with the requirements of this chapter.

--- END ---