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HOUSE BILL 1111

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State of Washington

59th Legislature

2005 Regular Session

By Representatives Upthegrove, Woods, Morris, Skinner, B. Sullivan, Jarrett, Wallace, Morrell and Chase

Read first time 01/14/2005. Referred to Committee on Transportation.

1 AN ACT Relating to notice to owners of impounded vehicles; and  
2 amending RCW 46.55.110.

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

4 **Sec. 1.** RCW 46.55.110 and 2002 c 279 s 11 are each amended to read  
5 as follows:

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

1 shall also include the written notice of the right of redemption and  
2 opportunity for a hearing to contest the validity of the impoundment  
3 pursuant to RCW 46.55.120.

4 (2) In addition, if a suspended license impound has been ordered,  
5 the notice must state the length of the impound, the requirement of the  
6 posting of a security deposit to ensure payment of the costs of  
7 removal, towing, and storage, notification that if the security deposit  
8 is not posted the vehicle will immediately be processed and sold at  
9 auction as an abandoned vehicle, and the requirements set out in RCW  
10 46.55.120(1)(b) regarding the payment of the costs of removal, towing,  
11 and storage as well as providing proof of satisfaction of any  
12 penalties, fines, or forfeitures before redemption. The notice must  
13 also state that the registered owner is ineligible to purchase the  
14 vehicle at the abandoned vehicle auction, if held.

15 (3) In the case of an abandoned vehicle, or other item of personal  
16 property registered or titled with the department, within twenty-four  
17 hours after receiving information on the owners from the department  
18 through the abandoned vehicle report, the tow truck operator shall send  
19 by certified mail, with return receipt requested, a notice of custody  
20 and sale to the legal and registered owners and of the penalties for  
21 the traffic infraction littering--abandoned vehicle.

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

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

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