
HOUSE BILL 2275

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Goodman and Armstrong

Read first time 01/11/12. Referred to Committee on Transportation.

1 AN ACT Relating to allowing a registered tow truck operator to
2 reimpond a vehicle that has been redeemed from storage or purchased at
3 auction and not removed from the operator's business premises; and
4 amending RCW 46.55.035.

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

6 **Sec. 1.** RCW 46.55.035 and 2010 c 56 s 1 are each amended to read
7 as follows:

8 (1) No registered tow truck operator may:

9 (a) Except as authorized under RCW 46.55.037, ask for or receive
10 any compensation, gratuity, reward, or promise thereof from a person
11 having control or possession of private property or from an agent of
12 the person authorized to sign an impound authorization, for or on
13 account of the impounding of a vehicle;

14 (b) Be beneficially interested in a contract, agreement, or
15 understanding that may be made by or between a person having control or
16 possession of private property and an agent of the person authorized to
17 sign an impound authorization. A registered tow truck operator may,
18 however, on the operator's own authorization, reimpond a previously

1 impounded vehicle that has been redeemed from storage or purchased at
2 auction and left by the person redeeming or purchasing the vehicle at
3 the operator's place of business for more than twenty-four hours;

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

8 (d)((+i+)) Enter into any contract or agreement or offer any
9 program that provides an incentive to a person authorized to order a
10 private impound under RCW 46.55.080 that is related to the
11 authorization of an impound or a number of impounds.

12 ((+ii+)) (i) The incentives prohibited by this section may be
13 either monetary or nonmonetary things of value, such as gifts or prizes
14 which are contingent on, or as a reward for the authorization of
15 impounds.

16 ((+iii+)) (ii) Gifts of de minimus value that are given in the
17 ordinary course of business and are not tied to any specific decision
18 to authorize an impound or impounds are not prohibited. Permitted
19 gifts would include promotional items such as pens, calendars, cups,
20 and other items labeled with the registered tow truck operator's
21 business information, holiday gifts such as cookies or candy, flowers
22 for occasions such as illness or death, or the cost of a single meal
23 for one person when discussing business.

24 ((+iv+)) (iii) The provision of the actual physical signs required
25 by this chapter to be posted on private property and the labor and
26 materials for placing them is not a violation of this section.

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

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

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