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**SUBSTITUTE HOUSE BILL 1625**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** House Transportation (originally sponsored by Representatives Pollet, Clibborn, Kagi, Pedersen, Hunt, Riccelli, Appleton, Hudgins, Moscoso, Fitzgibbon, Morrell, Sells, and Bergquist)

READ FIRST TIME 02/22/13.

1 AN ACT Relating to consumer protection for tow truck services;  
2 adding a new section to chapter 46.55 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the use of a  
5 motor vehicle is often a necessity for residents' livelihood and  
6 families. Therefore, the legislature finds it is important for the  
7 public to know what the charges and fees will be for the private  
8 impound of cars and other vehicles parked on private property, and that  
9 those charges should be reasonable to ensure that residents may  
10 retrieve impounded vehicles.

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

13 (1) For a private impound performed by any registered tow truck  
14 operator using tow trucks classified by the Washington state patrol by  
15 rule under RCW 46.55.050(1) as class A, class E, or class D only, the  
16 following limitations apply:

17 (a) The maximum towing hourly rate listed on the fee schedule filed  
18 with the department under RCW 46.55.063(1) may not exceed one hundred

1 thirty-five percent of the maximum hourly rate for a class A tow truck  
2 at the time of filing as negotiated by the Washington state patrol,  
3 pursuant to rule, and contained in the letter of contractual agreement  
4 and letter of appointment authorizing a registered tow truck operator  
5 to respond to state patrol-originated calls.

6 (b) The maximum daily storage rate listed on the fee schedule filed  
7 with the department under RCW 46.55.063(1) may not exceed one hundred  
8 thirty-five percent of the maximum daily storage rate for an impound at  
9 the time of filing as negotiated by the Washington state patrol,  
10 pursuant to rule, and contained in the letter of contractual agreement  
11 and letter of appointment authorizing a registered tow truck operator  
12 to respond to state patrol-originated calls.

13 (c) The maximum after hours release fee listed on the fee schedule  
14 filed with the department under RCW 46.55.063(1) may not exceed one  
15 hundred percent of the maximum after hours release fee for an impound  
16 at the time of filing as negotiated by the Washington state patrol,  
17 pursuant to rule, and contained in the letter of contractual agreement  
18 and letter of appointment authorizing a registered tow truck operator  
19 to respond to state patrol-originated calls.

20 (2) The limitations set forth in subsection (1) of this section  
21 apply to all registered tow truck operators whether or not they hold,  
22 have applied for, or received letters of appointment from the  
23 Washington state patrol to respond to state patrol-originated calls.

24 (3) The limitations set forth in subsection (1) of this section do  
25 not apply to:

26 (a) Any other classes of tow trucks classified by the Washington  
27 state patrol by rule under RCW 46.55.050(1); or

28 (b) Law enforcement impounds or private voluntary towing.

29 (4) The limitations set forth in subsection (1) of this section  
30 only apply if the vehicle is parked and upright, has all its wheels and  
31 tires attached, does not have a broken axle, and has not been involved  
32 in an accident at the location from which it is being impounded.

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