

# SENATE BILL REPORT

## SHB 1037

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As of March 28, 2017

**Title:** An act relating to notice sent by and certain release of information affecting registered tow truck operators.

**Brief Description:** Concerning certain notice sent by registered tow truck operators.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Stanford, Vick and Short).

**Brief History:** Passed House: 2/20/17, 97-0.

**Committee Activity:** Transportation: 3/20/17.

### Brief Summary of Bill

- Changes the mailing requirement for notice of custody and sale for an abandoned vehicle from certified mail with return receipt requested to first class mail.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Kim Johnson (786-7472)

**Background:** Impounds, i.e., the taking and holding of a vehicle in legal custody without the consent of the owner, may only be performed by registered tow truck operators (RTTOs). When a vehicle is impounded, an RTTO must send an impound notice to the legal owner via first class mail, based on information received from law enforcement.

After a vehicle is held in impound for more than 120 hours it is considered abandoned, and an RTTO must file an abandoned vehicle report (AVR) with the Department of Licensing (DOL). In response to the AVR, DOL provides information to the RTTO regarding the owner of the vehicle, and the RTTO must send, by certified mail with return receipt requested, a notice of custody and sale to the owner. This notice also must contain information on the penalties for the traffic infraction "Littering—Abandoned Vehicle."

**Summary of Bill:** A notice of custody and sale and a notice of the penalties for the traffic infraction "Littering—Abandoned Vehicle" must be sent to the registered owner of an

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abandoned vehicle or personal property by first-class mail. The RTTO must obtain a certificate of mailing of such notices.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The increased costs associated with the certified mailing requirement does not translate to better customer service or notice. The majority of the certified letters sent are never picked up. RTTOs spend thousands of dollars on certified mailings and it seems like money wasted. This will help small businesses.

**Persons Testifying:** PRO: Representative Derek Stanford, Prime Sponsor; Peter Lukevich, Towing and Recovery Assn. of WA; Paul Bressi, Nisqually Towing; Darin Hendrickson, Agri Fix Towing and Tractor Repair.

**Persons Signed In To Testify But Not Testifying:** No one.