

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2844

Chapter 200, Laws of 1992

52nd Legislature
1992 Regular Session

TOW TRUCK OPERATORS--DEFICIENCY CLAIMS ON LAW ENFORCEMENT IMPOUNDS

EFFECTIVE DATE: 6/11/92

Passed by the House March 7, 1992
Yeas 95 Nays 1

JOE KING
**Speaker of the
House of Representatives**

Passed by the Senate March 3, 1992
Yeas 40 Nays 0

JOEL PRITCHARD
President of the Senate

Approved April 2, 1992

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is HOUSE BILL 2844 as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

April 2, 1992 - 11:39 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 2844

AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Zellinsky and R. Fisher

Read first time 01/29/92. Referred to Committee on Transportation.

1 AN ACT Relating to deficiency claims against owners of impounded
2 vehicles; and amending RCW 46.55.140.

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

4 **Sec. 1.** RCW 46.55.140 and 1991 c 20 s 2 are each amended to read
5 as follows:

6 (1) A registered tow truck operator who has a valid and signed
7 impoundment authorization has a lien upon the impounded vehicle for
8 services provided in the towing and storage of the vehicle, unless the
9 impoundment is determined to have been invalid. The lien does not
10 apply to personal property in or upon the vehicle that is not
11 permanently attached to or is not an integral part of the vehicle. The
12 registered tow truck operator also has a deficiency claim against the
13 registered owner of the vehicle for services provided in the towing and
14 storage of the vehicle not to exceed the sum of three hundred dollars

1 less the amount bid at auction, and for vehicles of over ten thousand
2 pounds gross vehicle weight, the operator has a deficiency claim of one
3 thousand dollars less the amount bid at auction, unless the impound is
4 determined to be invalid. The limitation on towing and storage
5 deficiency claims does not apply to an impound directed by a law
6 enforcement officer. In no case may the cost of the auction or a
7 buyer's fee be added to the amount charged for the vehicle at the
8 auction, the vehicle's lien, or the overage due. A registered owner
9 who has completed and filed with the department the seller's report as
10 provided for by RCW 46.12.101 and has timely and properly filed the
11 seller's report is relieved of liability under this section. The
12 person named as the new owner of the vehicle on the timely and properly
13 filed seller's report shall assume liability under this section.

14 (2) Any person who tows, removes, or otherwise disturbs any vehicle
15 parked, stalled, or otherwise left on privately owned or controlled
16 property, and any person owning or controlling the private property, or
17 either of them, are liable to the owner or operator of a vehicle, or
18 each of them, for consequential and incidental damages arising from any
19 interference with the ownership or use of the vehicle which does not
20 comply with the requirements of this chapter.

Passed the House March 7, 1992.

Passed the Senate March 3, 1992.

Approved by the Governor April 2, 1992.

Filed in Office of Secretary of State April 2, 1992.