
SUBSTITUTE SENATE BILL 5652

State of Washington

66th Legislature

2019 Regular Session

By Senate Transportation (originally sponsored by Senators Fortunato, Rivers, Becker, Hawkins, Brown, Hobbs, Warnick, Honeyford, Wilson, L., Short, and Palumbo)

READ FIRST TIME 03/01/19.

1 AN ACT Relating to personal belongings disposal; and amending RCW
2 46.55.090 and 46.55.110.

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

4 **Sec. 1.** RCW 46.55.090 and 1995 c 360 s 4 are each amended to
5 read as follows:

6 (1) All vehicles impounded shall be taken to the nearest storage
7 location that has been inspected and is listed on the application
8 filed with the department.

9 (2) All vehicles shall be handled and returned in substantially
10 the same condition as they existed before being towed.

11 (3) ~~((All))~~ For purposes of this subsection, "personal
12 belongings" means personal property and contents in ((the)) a
13 vehicle, with the exception of those items of personal property that
14 are registered or titled with the department((r)). For a period of
15 thirty days from impound if a personal belongings storage request has
16 not been submitted to the registered tow truck operator, or sixty
17 days from impound if a personal belongings storage request has been
18 submitted to the registered tow truck operator, personal belongings
19 shall be kept intact, and shall be returned to the vehicle's owner or
20 agent during normal business hours upon request and presentation of a
21 driver's license or other sufficient identification. ((Personal

1 ~~belongings, with the exception of those items of personal property~~
2 ~~that are registered or titled with the department, shall not))~~ If a
3 personal belongings storage request is submitted to the registered
4 tow truck operator within thirty days of receipt of the impound
5 notice sent pursuant to RCW 46.55.110, the personal belongings must
6 be stored for sixty days from date of the impound. If a personal
7 belongings storage request form is not submitted, personal belongings
8 not claimed within thirty days from the date of the impound are
9 considered abandoned and may be disposed of at the registered tow
10 truck operator's discretion. If a personal belongings storage request
11 form is submitted to the registered tow truck operator, personal
12 belongings not claimed within sixty days of the date of impound are
13 considered abandoned and may be disposed of at the registered tow
14 truck operator's discretion. Abandoned personal belongings may be
15 sold at auction with the vehicle to fulfill a lien against the
16 vehicle. The department shall adopt rules prescribing the content and
17 format of the personal belongings storage request form.

18 (4) ~~((All personal belongings, with the exception of those items~~
19 ~~of personal property that are registered or titled with the~~
20 ~~department, not claimed before the auction shall be turned over to~~
21 ~~the local law enforcement agency to which the initial notification of~~
22 ~~impoundment was given. Such personal belongings shall be disposed of~~
23 ~~pursuant to chapter 63.32 or 63.40 RCW.~~

24 ~~(5))~~ Tow truck drivers shall have a Washington state driver's
25 license endorsed for the appropriate classification under chapter
26 46.25 RCW or the equivalent issued by another state.

27 ~~((6))~~ (5) Any person who shows proof of ownership or written
28 authorization from the impounded vehicle's registered or legal owner
29 or the vehicle's insurer may view the vehicle without charge during
30 normal business hours.

31 **Sec. 2.** RCW 46.55.110 and 2017 c 43 s 1 are each amended to read
32 as follows:

33 (1) When an unauthorized vehicle is impounded, the impounding
34 towing operator shall notify the legal and registered owners of the
35 impoundment of the unauthorized vehicle and the owners of any other
36 items of personal property registered or titled with the department.
37 The notification shall be sent by first-class mail within twenty-four
38 hours after the impoundment to the last known registered and legal
39 owners of the vehicle, and the owners of any other items of personal

1 property registered or titled with the department, as provided by the
2 law enforcement agency, and shall inform the owners of the identity
3 of the person or agency authorizing the impound. The notification
4 shall include the name of the impounding tow firm, its address, and
5 telephone number. The notice shall also include the location, time of
6 the impound, and by whose authority the vehicle was impounded. The
7 notice shall also include the written notice of the right of
8 redemption and opportunity for a hearing to contest the validity of
9 the impoundment pursuant to RCW 46.55.120. The notice must include a
10 personal belongings storage request form, providing notice that the
11 registered tow truck operator will store personal belongings found in
12 the vehicle for thirty days from the date of impound. However, if the
13 personal belongings storage request form is submitted to the
14 registered tow truck operator, the personal belongings will be stored
15 for sixty days from the date of impound.

16 (2) In addition, if a suspended license impound has been ordered,
17 the notice must state the length of the impound, the requirement of
18 the posting of a security deposit to ensure payment of the costs of
19 removal, towing, and storage, notification that if the security
20 deposit is not posted the vehicle will immediately be processed and
21 sold at auction as an abandoned vehicle, and the requirements set out
22 in RCW 46.55.120(1)(c) regarding the payment of the costs of removal,
23 towing, and storage as well as providing proof of satisfaction of any
24 penalties, fines, or forfeitures before redemption. The notice must
25 also state that the registered owner is ineligible to purchase the
26 vehicle at the abandoned vehicle auction, if held.

27 (3) In the case of an abandoned vehicle, or other item of
28 personal property registered or titled with the department, within
29 twenty-four hours after receiving information on the legal and
30 registered owners from the department through the abandoned vehicle
31 report, the tow truck operator shall send by first-class mail a
32 notice of custody and sale to the legal and registered owners and of
33 the penalties for the traffic infraction littering—abandoned vehicle.
34 The tow truck operator shall obtain a certificate of mailing from the
35 United States postal service when notice is mailed.

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

1 (5) No notices need be sent to the legal or registered owners of
2 an impounded vehicle or other item of personal property registered or
3 titled with the department, if the vehicle or personal property has
4 been redeemed.

--- **END** ---