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C.B 117568

Amend as follows:

Page 6, lines 7-8

6.214.230 Consent required for towing from privately-owned property

A. No tow company shall perform any private impound without the consent of the vehicle operator, unless:

1. the tow company has entered into a contract for private impounds with the owner of the property;

2. signs are posted in compliance with Chapter 46.55 RCW;

3. the property owner has authorized the tow company to remove the particular motor vehicle in accordance with RCW 46.55.080;

4. the tow company tows the motor vehicle to a secure storage facility that is located within a reasonable distance of the property from which the vehicle was towed;

5. the tow company has taken digital photographs to demonstrate that the vehicle as parked was subject to impound, showing: 1) the date and time; 2) the impounded vehicle ~~from all four sides as~~ parked prior to being hooked to a tow truck; 3) that the vehicle, as parked, was on the property governed by the contract between the private property owner or agent and the tow company; and 4) that appropriate signs were posted pursuant to Chapter 46.55 RCW.

B. No person in possession or control of private property shall authorize the towing of any motor vehicle parked for an unauthorized purpose or at a time during which such parking is not permitted on the private property without the consent of the vehicle operator, unless:

1. the person in possession or control of the private property has contracted with a towing company for removal of vehicles parked on the property without authorization.

2. signs are posted in conformance with Chapter 46.55 RCW.

Each violation of this subsection 6.214.230.B shall be a Class 1 civil infraction under Chapter 7.80 RCW.

C. This Section 6.214.230 shall not apply to a motor vehicle parked in front of any driveway or garage entrance where the motor vehicle is blocking access to that driveway or garage entrance.

6.214.340 Complaint process

A. Upon receiving a complaint alleging a possible violation of this Chapter 6.214, the Director shall determine whether there are reasonable grounds to believe that a violation has occurred. If the Director determines that there are no reasonable grounds to believe that a violation occurred, or that the violation was inadvertent and minor, the Director shall dismiss the complaint. If the Director does so dismiss the complaint, he or she shall do so in writing, setting forth the reasons for the dismissal. If the Director determines that there are reasonable grounds to believe that a violation has occurred and that the violation was not inadvertent and minor, the Director may do one or more of the following:

1. Issue a notice of complaint to the applicable tow company representative advising such person of the allegation(s) made in the complaint.
2. Require the company to respond in writing to the allegation(s) in the notice of complaint within ten business days of receipt of the notice of complaint, including:
 - a. digital photographs to demonstrate that the vehicle as parked was subject to impound, showing: 1) the date and time; 2) the impounded vehicle ~~from all four sides~~ as parked prior to being hooked to a tow truck; 3) that the vehicle, as parked, was on the property governed by the contract between the private property owner or agent and the tow company; and 4) that appropriate signs were posted pursuant to Chapter 46.55 RCW.