



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Washington State Patrol

Subject of possible rule making: Towing Businesses

Statutes authorizing the agency to adopt rules on this subject: RCW 46.55.115

Reasons why rules on this subject may be needed and what they might accomplish:

There is a need to update sections within Chapter 204-91A WAC to clarify the language of the rules as follows:

- Under the definitions section clean up to the definitions are provided and terms are amended throughout to ensure consistency within the chapter.
- Definitions are consolidated and new definitions are added for inspection certificate and section commander.
- Procedural rules are amended with regard to hearings to clarify representation and deposition processes.
- Language regarding complaint investigations is amended to provide clarification.
- Personal property handling procedures are amended to clarify tow operators responsibilities.
- Tow operator restrictions are clarified with regard to repeated refusal or failure to respond, requirements for notification if a tow operator is unavailable or changes business hours and professional conduct.
- Requirements are clarified to require the tow truck drivers first and last name on the inventory record and first name on their clothing.
- Clarification is provided regarding who can request a tow operator at a collision scene and where impounded vehicles from a collision must be taken.
- Owners authorized representative is added to clarify who is authorized to reclaim a vehicle at the conclusion of a special event or overflow situation.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Department of Licensing will keep informed of the proposed changes throughout the rulemaking process and asked to provide feedback.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) The agency plans to develop a draft and provide the language to stakeholders for review and input as part of the CR-102 process.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE
08-04-16

NAME (TYPE OR PRINT)
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STATE OF WASHINGTON
FILED

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