



# 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.)  
Sergeant JD Strup, Commercial Vehicle Division  
PO Box 42614, Olympia WA 98504-2614  
Jd.strup@wsp.wa.gov  
(360) 596-3829

**DATE**  
08-04-16

**NAME (TYPE OR PRINT)**  
John R. Batiste

**TITLE**  
Chief

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STATE OF WASHINGTON  
FILED

**DATE:** August 22, 2016  
**TIME:** 12:25 PM  
**WSR 16-17-112**