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They Towed My Car*

(*or truck, motorcycle, RV, moped or other vehicle)

What is an impound?

It is a written order for a towing company to tow your car. There are 2 types.

1. **A private impound is a towing from private property.** A tow company can tow your car immediately if one of these is true:
 - You illegally left it on private property where someone lives.
 - You illegally left it on private non-residential property with a posted warning sign.
 - You illegally left it on private non-residential property with no posted notice. It has been more than 24 hours.

2. **A public impound is a towing from public property.** Examples:
 - You left your car on the street or the side of it in a dangerous way.
 - You illegally parked on the street or in a parking space for people with disabilities without a proper license plate, card, or decal.
 - You left your car on a highway. It has been tagged for 24 hours.
 - Your registration is expired. You parked on a public street.

The police can take your car for other reasons. Talk to a lawyer.

Can they tow my car from public property without first tagging it and giving me a chance to move it?

Sometimes. It depends on what law they say you have violated.

If you left your car within a highway right-of-way, law enforcement must tag your car with a sticker giving you 24 hours to remove it. ([RCW 46.55.085.](#)) Other laws let them tow right away, especially if your car is an obstruction or a danger.

Can they tow my car if they pull me over and arrest me?

Yes, if the arrest is for driving

- Under the influence of drugs or alcohol.
- Without a license.
- With a suspended or revoked license.

The police may have to consider “reasonable alternatives” to impounding your car. For example, they could leave it safely with a passenger. [State of Washington v. Villela](#), No. 96183-2 (October 17, 2019). Talk to your criminal defense lawyer about the towing and any defenses you may have to the impound.

When they tow you for driving with a suspended or revoked license, the agency ordering the impoundment can order your car held for up to 30 days. If you already have one or more convictions for this, they can hold it longer.

You must pay all removal, towing, and storage fees to get your car back. You can still appeal the impoundment. ([RCW 46.55.120.](#))

What happens after they tow my car? ([RCW 46.55.100 - 46.55.110](#))

Within 6-12 hours after the impoundment: Law enforcement gives the tow company your name, if you are the last legal or registered owner.

Within 24 hours of the impoundment: The tow company must mail notice of the towing to

- The legal or registered owner
- The owners of any campers, snowmobiles, jet skis, or other cars attached to or on the towed vehicle

This notice says:

- The tow company’s name and address, and a 24 hour phone number to contact them.

- Who authorized the tow.
- How to get the car back and challenge the towing in court. Ask the towing company for the hearing request form.

If the DoL does not have your current address, you may not get this notice. **This is not a defense to owing towing expenses.**

❖ **When you move, always let the DoL know your address!**

Can I get my car back? ([RCW 46.55.120](#))

Yes, if you pay for the towing and storage. The tow yard must keep normal weekday business hours for you. (Holidays do not count.)

You must bring valid ID to get the car back. You should also bring any other proof that you are the owner.

Can I write a check to get my car back?

Yes, if the account is in the state of Washington and you have 2 forms of valid ID. If your check bounces, you may owe over twice as much.

What if the towing was improper or if I think they charged too much for towing and storage? ([RCW 46.55.120](#))

You can go to court.

District Court hears private impound cases and public impounds authorized by the state's agents, such as the State Patrol. **Municipal Court** hears public impounds carried out by the local police.

❖ The tow company's notice has the right court's name and address.

❖ In some cities, administrative hearing officers hear impound cases.

Act quickly to ask for a hearing. If you do not ask for a hearing in writing within **ten days** of getting the towing notice, you have waived (given up) the right to a hearing. Use the form the towing company gave you.

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- ❖ The towing company must post towing and storage fees at its business. You cannot usually challenge a fee amount that is the same as the posted rates.
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Will I have to pay to go to court?

You must usually pay a court filing fee. If you cannot afford to pay it, you can ask the court to waive (excuse you from paying) it. Use [Ask the Court to Waive Your Filing Fee](#) at Washington LawHelp.org.

I missed the 10-day deadline to ask for a hearing. Can I file late?

Maybe. You might be able to argue that you have good cause for asking late. You can try adding a written statement to your hearing request explaining why you are filing late.

How do I get ready for my court date?

Within five days after asking for a hearing, the court will send you notice of the hearing date. At the hearing, you and any witnesses can give evidence that the towing was improper. Read [Getting Ready for a Hearing or Trial](#).

Before your hearing date, you may be able to ask for “discovery” about the impound. This means you can ask the police department for copies of their records and photos relating to the impound. The court clerk might have a discovery form. Procedures vary. Ask the clerk.

What happens if I win? What happens if I lose?

If the court decides the towing was proper, you must pay towing, storage, and court costs. Some courts might enter a monthly payment plan if you cannot pay the costs off all at once.

If the court decides the towing was improper, you do not have to pay. They must return all fees you already paid. Whoever authorized the impoundment will owe you for filing fees and damages from loss of use of the car. (If law enforcement authorized the impoundment, talk to a lawyer.)

I lost in court. What if I do not pay what the judge said I owe?

If you do not pay within fifteen days, you may also have to pay the tow company's attorney fees and other costs. The reverse is true if you win and the judge ordered the tow company to pay you back for the fees.

If you think the court's decision was wrong, you might be able to appeal it again. Talk to a lawyer.

What if I do not redeem my car or belongings or I do not challenge the towing in court?

Once the towing company has your vehicle for 120 hours, they consider it and any campers, snowmobiles, jet skis, or other cars attached to or on the towed vehicle abandoned.

After it has your vehicle for 120 hours, the tow company must give DoL an abandoned vehicle report. Within 72 hours of getting that report, DoL must give the tow company your contact info.

Within 24 hours of getting your contact info, not counting weekends or holidays, the towing company must mail you a notice of custody and sale. It must get proof of mailing from the post office.

If 15 days or more have passed since mailing the notice of custody and sale, and you have not gotten your car back or challenged the towing, the towing company will sell the car and registered or titled property at public auction. Any time before the auction, you can buy back the property by paying towing and storage fees.

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- ❖ The towing company must run the auction date and time in the newspaper. You can try to buy your things back at the auction.
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After the auction, you may still owe the towing company up to \$500 if their costs are more than what they got from selling your car. You may owe more if law enforcement authorized the impoundment. Read [Debtor's Rights: Dealing with Collection Agencies](#).

What if the towing company sold my car at auction for more than the costs of towing and storage? ([RCW 46.55.130](#))

They must send the extra money to the Washington State motor vehicle fund within 30 days after the auction. The car's registered owner can send the DoL a notarized form asking for the extra money. Contact the DoL for the form, or get it here: www.dol.wa.gov/forms/430542.pdf

Can I get a ticket for an abandoned car?

Yes, possibly. Once the towing company has your car for 120 hours, they consider it abandoned. Then you could get a ticket. There are exceptions:

- Someone stole the car. You filed a theft report with the police. You will not get a ticket. You still owe the charges.
- You sold the car. You filed a record of sale or transfer with the DoL before the towing. You will not get a ticket or have to pay towing or disposal costs.

I cannot pay for the towing. Will they suspend my license?

Yes, possibly. DoL can suspend your license if you do not pay for a ticket for an abandoned car, or do not pay what you owe for towing. Read your tickets or notices of traffic infraction closely.

In these cases, DoL can suspend your license until you give them court proof that you have paid. DoL will not suspend your license if, before its effective date, the court sends DoL a certificate showing you have settled the case. [RCW 46.20.289](#).

What happens to the things I left in the car?

For up to 20 days after the impound, you can get those things out during the tow company's weekday business hours (not counting holidays). Bring your photo ID and proof that you are the car's owner. The towing company cannot charge you to get your things out of the car during this 20-day period.

Any belongings left in the car and not claimed within 20 days are considered abandoned. The tow company can get rid of it or sell it at auction with the car. If you cannot get your stuff out within 20 days, you can sign and give the tow company a **personal belongings storage request form**. Then they must store your things for an extra 30 days. The tow company should give you this form on request. They should also include it with any initial notices you get from them.

Can I file a complaint against a tow company?

Yes. You can file online at

www.dol.wa.gov/business/vehicletransport/vtcomplaint.html, or call (360) 664-6466. Other offices' info is at www.dol.wa.gov/officelocations.html?fldt.

If the police or sheriff had your car towed, you may be able to file a complaint with the police department. Check their website for other tow-related complaint forms.

Filing a complaint is different from asking for a hearing on the impound. To challenge the impound, you must ask for a hearing.

I am not the car's registered owner. Can my things out of it or get it out of the tow yard?

Yes, if one of these is true:

- the owner is with you when you go
- you have signed authorization from the owner allowing you access to the car
- you have proof that you bought the car and now own it

Some tow companies require written authorization from the registered owner to be notarized.

Get Legal Help

Outside King County: Call the CLEAR Hotline at 1-888-201-1014 weekdays from 9:15 a.m. - 12:15 p.m.

In King County: Call 211 for referral to a legal services provider weekdays from 8:00 am – 6:00 pm.

Persons 60 and Over can call CLEAR*Sr at 1-888-387-7111 statewide.

Deaf, hard of hearing or speech impaired callers can call CLEAR or 211 (or toll-free 1-877-211-9274) using a relay service of your choice.

Apply online with CLEAR*Online - nwjustice.org/get-legal-help

CLEAR and 211 will provide a free interpreter.

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