

PIERCE COUNTY DISTRICT COURT
Civil/Infraction Division
1902 96th Street South
Tacoma, WA 98444
www.piercecountywa.org/districtct

**Petition/Request for Hearing to Determine Validity Of Vehicle Impoundment and/or
Determine if Fees Charged are Correct; Hearing Notice**

Petitioner (Name, Address & phone)

Case No. _____

- ____ **I contest the validity of the tow.**
- ____ **I contest the amount of the towing/
storage fees. Fees are not in
compliance with posted or
contractual rates.**

Daytime phone – Include Area Code

Date vehicle impounded _____

Respondent (Name Address Phone of Person/Agency
Authorizing Tow)

Location of Impoundment _____

Fees charged \$ _____

Copy of tow bill must be attached.

Vehicle Make/Model/Year/License/ID #

Daytime phone – Include Area Code

Respondent (Name Address Phone of Tow Co.)

Officer Name and Badge Number

Statement of Facts: (Why you believe tow is invalid or tow rates are not in compliance with posted rates)

Petitioner Signature

If the impound is found to be proper, the fees for towing and storage may be assessed against the petitioner. If the impound is determined to be improper, the registered/legal owners of the vehicle shall bear no impoundment, towing or storage fees and the person/agency who authorized the impoundment may be liable for any fees/costs and loss of use incurred.

**PETITIONER AND RESPONDENT(S): YOU ARE DIRECTED TO APPEAR FOR HEARING ON _____
AT _____ AT CIVIL/INFRACTION DIVISION, PIERCE COUNTY DISTRICT COURT, 1902 96TH ST S,
TACOMA, WA 98444.**

RESPONDENT (S): FAILURE TO APPEAR FOR THIS HEARING MAY RESULT IN A JUDGMENT ENTERED AGAINST YOU.

Date: _____

Clerk _____

Two copies of this form must be filed with the court.

PLEASE PRINT

Legal Owner

Registered Owner

Name

Name

Address

Address

City, State, Zip

City, State, Zip

Daytime phone

Daytime phone

An impounded vehicle shall be released upon timely payment of towing and storage fees. The following are the only persons who may redeem an impound vehicle:

- Legal or registered owner
- Person authorized in writing by the registered owner
- Vehicle's insurer
- Person who is determined and verified by the tow operator to have the permission of the registered owner
- One who has purchased the vehicle from the registered owner who produces proof of ownership or written authorization and signed a receipt therefore

The tow truck operator must give each person who seeks to redeem an impounded vehicle written notice of the right of redemption and opportunity for a hearing. The notice must be accompanied by a form to be used for requesting a hearing in Pierce County District Court. This request for hearing form must be received by District Court within ten (10) days of the date the opportunity was provided for the petitioner to redeem or attempt to redeem the impounded vehicle. There is a court filing fee of **\$73 payable by cash, VISA/MASTERCARD**. If the court does not receive the hearing request within the ten-day period, the right to a hearing is waived and the registered owner is liable for any towing, storage or other impoundment charges permitted.

District Court will send notice of the hearing date and time to the tow truck operator, the person requesting the hearing if not the owner, the registered and legal owners of the vehicle and the person or agency authorizing the impound. The hearing will be held at the Civil/Infraction Division of Pierce County District Court, 1902 96th Street South, Tacoma, WA 98444.

At the hearing, the Petitioner may produce any relevant evidence to show that the impound was not proper and/or that the fees charged by the towing company were not in compliance with posted rates. At the conclusion of the hearing the Court shall determine if the impound was proper, if the towing or storage fees were in compliance with the posted rates, and who is responsible for the payment of the fees. The court may not adjust fees or charges that are in compliance with the posted or contract rates.

PROPER TOW. If the impound is found to be proper, the impound, towing and storage fees as permitted, together with court costs, shall be assessed against the person or persons requesting the hearing, unless the tow operator did not have a signed and valid impound authorization from a private property owner or an authorized agent.

IMPROPER TOW. If the impound is determined to be improper, the registered/legal owners shall bear no impound, towing or storage fees and any security shall be ordered returned or discharged as appropriate. The person/agency who authorized the tow shall be liable for any towing, storage or other fees. The Court shall enter judgment in favor of the tow company and against the person or agency authorizing the impound for the impoundment, towing and storage fees paid. The Court shall enter judgment in favor of the registered/legal owner for amount of the filing fee required by law and for reasonable damages for loss of use of the vehicle during the time the vehicle was impounded.

If any judgment is not paid within fifteen (15) days of the notice of entry of judgment, the Court shall award reasonable attorneys' fees and costs against the defendant in any action to enforce the judgment. Notice of entry of judgment form is available from the court clerk and may be served by registered or certified mail. Proof of mailing may be made by affidavit or declaration of service.

Any impounded or abandoned vehicle not redeemed within fifteen (15) days of mailing the notice of custody and sale shall be sold at public auction. A vehicle may be redeemed at any time before the start of the auction upon payment of towing and storage fees.

Please see RCW 46.55 for complete statutes governing towing and impoundment.