

PIERCE COUNTY DISTRICT COURT
Petition/Request for Hearing to Determine Validity of Vehicle Impoundment and/or
Determine if Fees Charged are in Compliance; Hearing Notice

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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 contracted
rates.**

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

Date vehicle impounded _____

Location of Impoundment _____

Fees charged \$ _____
Copy of tow bill must be attached.

Vehicle Make/Model/Year/License/ID #

Respondent (Tow Company if contesting fees)
OTHER (Tow Company if not contesting fees)
(Name Address Phone of Tow Company)

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/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/ loss of use incurred.

**PETITIONER AND RESPONDENT(S): You are directed to appear from hearing on _____
at _____ in Courtroom _____, Pierce County District Court, 930 Tacoma Ave S., Tacoma, WA 98402.**

FAILURE TO APPEAR FOR THIS HEARING MAY RESULT IN A JUDGMENT OR DISMISSAL BEING ENTERED AGAINST YOU.

Date: _____

Clerk: _____

Pierce County District Court
930 Tacoma Ave S, Room 239
Tacoma, WA 98402

See reverse for additional information

Legal Owner

Name

Address

City, State, Zip

Daytime phone

Registered Owner

Name

Address

City, State, Zip

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/company 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 from the date the opportunity was provided for the petitioner to redeem or attempted to redeem the impounded vehicle. There is a court filing fee **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/company, the petitioner, the registered and legal owners of the vehicle and the person or agency authorizing the impound. The hearing will be held at Pierce County District Court, 930 Tacoma Avenue South, Tacoma, WA 98402. Courtroom to be assigned by clerk.

At the hearing, the Petitioner may produce any relevant evidence to show 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 that 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 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 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.