

# HOUSE BILL REPORT

## SHB 1892

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### As Passed Legislature

**Title:** An act relating to the impoundment of vehicles by police officers.

**Brief Description:** Addressing the impoundment of vehicles parked on public streets by police officers.

**Sponsors:** By House Committee on Transportation (originally sponsored by Representatives Goodman, Rodne, O'Brien, Jarrett, Lovick and Priest).

### Brief History:

#### Committee Activity:

Transportation: 2/19/07, 3/1/07 [DPS].

#### Floor Activity:

Passed House: 3/12/07, 90-8.

Passed Senate: 4/12/07, 33-15.

Passed Legislature.

### Brief Summary of Substitute Bill

- Allows a police officer to impound a vehicle parked on a public street with registration that has been expired for more than 45 days.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 22 members: Representatives Clibborn, Chair; Flannigan, Vice Chair; Jarrett, Ranking Minority Member; Schindler, Assistant Ranking Minority Member; Appleton, Campbell, Curtis, Dickerson, Eddy, Hankins, Hudgins, Lovick, Rodne, Rolfes, Sells, Simpson, Springer, B. Sullivan, Takko, Upthegrove, Wallace and Wood.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Armstrong, Ericksen, Hailey and Kristiansen.

**Staff:** David Munnecke (786-7315).

### Background:

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

A police officer is allowed by statute to take custody of a motor vehicle and have it impounded under the following circumstances:

- if the vehicle's driver is arrested for certain offenses or taken into custody;
- when the officer finds the vehicle unattended upon a highway where the vehicle is an obstruction to traffic or jeopardizes public safety;
- when the vehicle is stolen;
- when the vehicle is illegally parked; and
- upon a determination that a person is operating the vehicle without a valid driver's license.

Once a vehicle is impounded, the impounding tow truck operator is required to notify the legal and registered owners of the vehicle. This notice must be sent by first-class mail within 24 hours of impoundment and must inform the owner of the identity of the person or agency authorizing the impound. The notification must also include the name of the impounding tow firm, its address, and telephone number.

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**Summary of Substitute Bill:**

A police officer may impound a vehicle parked on a public street with registration that has been expired for more than 45 days.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) This is a public safety bill. There are currently a lot of parked cars on the streets, and this bill would give people the ability to open up the streets by removing some of these vehicles. Cities are also spending a great deal of money dealing with abandoned vehicles. People will move cars around once the vehicle has been tagged in order to avoid towing. This practice is common enough to have its own name -- auto-ranching.

Waiting until a registration has been expired for 60 days before allowing it to be towed seems reasonable, since it won't catch people who simply forgot about their registration for a short period of time.

(Opposed) None.

**Persons Testifying:** Representative Goodman, prime sponsor; Tom Parker, City of Spokane; and Stu Halsan, Towing and Recovery Association of Washington.

**Persons Signed In To Testify But Not Testifying:** None.