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HOUSE BILL 2741

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State of Washington                      54th Legislature                      1996 Regular Session

By Representatives Honeyford, Lambert, Silver, Lisk and Thompson

Read first time 01/17/96. Referred to Committee on Transportation.

1            AN ACT Relating to impoundment of a vehicle driven by a person  
2 without a driver's license; and amending RCW 46.55.113.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 46.55.113 and 1994 c 275 s 32 are each amended to read  
5 as follows:

6            Whenever the driver of a vehicle is arrested for a violation of RCW  
7 46.20.021(1), 46.20.190, 46.20.342, or 46.20.420, the arresting officer  
8 shall take custody of the vehicle and provide for its prompt removal to  
9 a place of safety.

10            Whenever the driver of a vehicle is arrested for a violation of RCW  
11 46.61.502 or 46.61.504, the arresting officer may take custody of the  
12 vehicle and provide for its prompt removal to a place of safety. In  
13 addition, a police officer may take custody of a vehicle and provide  
14 for its prompt removal to a place of safety under any of the following  
15 circumstances:

16            (1) Whenever a police officer finds a vehicle standing upon the  
17 roadway in violation of any of the provisions of RCW 46.61.560, the  
18 officer may provide for the removal of the vehicle or require the

1 driver or other person in charge of the vehicle to move the vehicle to  
2 a position off the roadway;

3 (2) Whenever a police officer finds a vehicle unattended upon a  
4 highway where the vehicle constitutes an obstruction to traffic or  
5 jeopardizes public safety;

6 (3) Whenever a police officer finds an unattended vehicle at the  
7 scene of an accident or when the driver of a vehicle involved in an  
8 accident is physically or mentally incapable of deciding upon steps to  
9 be taken to protect his or her property;

10 (4) Whenever the driver of a vehicle is arrested and taken into  
11 custody by a police officer;

12 (5) Whenever a police officer discovers a vehicle that the officer  
13 determines to be a stolen vehicle;

14 (6) Whenever a vehicle without a special license plate, card, or  
15 decal indicating that the vehicle is being used to transport a disabled  
16 person under RCW 46.16.381 is parked in a stall or space clearly and  
17 conspicuously marked under RCW 46.61.581 which space is provided on  
18 private property without charge or on public property.

19 Nothing in this section may derogate from the powers of police  
20 officers under the common law. For the purposes of this section, a  
21 place of safety may include the business location of a registered tow  
22 truck operator.

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