
SUBSTITUTE SENATE BILL 5865

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators Kline, Long, Kohl-Welles, Sheahan, Patterson, Finkbeiner, Constantine, Oke and Carlson)

READ FIRST TIME 03/05/01.

1 AN ACT Relating to vehicle immobilization; adding a new section to
2 chapter 46.55 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.55 RCW
5 to read as follows:

6 (1)(a) A vehicle immobilization device is an apparatus that has
7 been approved by the Washington state patrol and is designed and
8 manufactured to render a vehicle immobile.

9 (b) Vehicle immobilization means the removal of a vehicle to the
10 registered owner's residence, other property, or to a location
11 specified by ordinance or rule and the placement of a vehicle
12 immobilization device on the vehicle for the impoundment periods
13 authorized in RCW 46.55.120.

14 (c) A vehicle immobilized under this section must be stored, while
15 immobilized, at a location specified by ordinance or rule, or on
16 private property with the consent of the owner of the property if the
17 owner of the property is not the owner of the vehicle.

18 (2) Any local government ordinance or state agency rule that
19 authorizes impoundment and redemption of vehicles as provided in RCW

1 46.55.113 and 46.55.120 may allow vehicle immobilization in lieu of
2 impoundment when the driver has been arrested for a violation of RCW
3 46.20.342. Vehicle immobilization is an alternative to impoundment by
4 a registered tow truck operator authorized by RCW 46.55.120. The
5 redemption rights and hearing procedures provided in RCW 46.55.120
6 apply to vehicle immobilization. The local government ordinance or
7 state agency rule shall provide that the owner or driver of the vehicle
8 be given the option of impoundment under RCW 46.55.120 or vehicle
9 immobilization under this section.

10 (3) The immobilized vehicle may be released only after all rental
11 and towing fees, including any fees for rental of, and for damage to,
12 the vehicle immobilization device, have been paid. Release may be made
13 only to a person who would qualify to redeem the vehicle under RCW
14 46.55.120.

15 (4)(a) A local ordinance or state agency rule may provide that if
16 the vehicle immobilization device on a vehicle is damaged, removed, or
17 rendered inoperative, the vehicle may be immediately impounded and held
18 for an additional period of time, not to exceed the maximum time for
19 which the vehicle could have been held initially by a registered tow
20 truck operator under RCW 46.55.120.

21 (b) A local ordinance may provide criminal penalties for damaging,
22 unlawfully removing, or rendering inoperative a vehicle immobilization
23 device used to immobilize a vehicle under this section.

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