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**SENATE BILL 5865**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senators Kline, Long, Kohl-Welles, Sheahan, Patterson, Finkbeiner, Constantine, Oke and Carlson

Read first time 02/06/2001. Referred to Committee on Judiciary.

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 (2) Any local government ordinance or state agency rule that  
15 authorizes impoundment and redemption of vehicles as provided in RCW  
16 46.55.113 and 46.55.120 may allow vehicle immobilization in lieu of  
17 impoundment when the driver has been arrested for a violation of RCW  
18 46.20.342. Vehicle immobilization is an alternative to impoundment by  
19 a registered tow truck operator authorized by RCW 46.55.120. The

1 redemption rights and hearing procedures provided in RCW 46.55.120  
2 apply to vehicle immobilization. The local government ordinance or  
3 state agency rule shall provide that the owner or driver of the vehicle  
4 be given the option of impoundment under RCW 46.55.120 or vehicle  
5 immobilization under this section.

6 (3) The immobilized vehicle may be released only after all rental  
7 and towing fees, including any fees for damage to the vehicle  
8 immobilization device, have been paid and only to a person who would  
9 qualify to redeem the vehicle under RCW 46.55.120.

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

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

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