

2303

Sponsor(s): Representatives O'Brien, Mielke, Upthegrove, Pearson, McCoy, Lovick and Clements

Brief Description: Regulating vehicle immobilization.

**HB 2303 - DIGEST**

Provides that a person may not engage or offer to engage in the activity of immobilizing vehicles without a current registration certificate from the department authorizing the person to engage in those activities. A person engaging in or offering to engage in the activity of immobilizing vehicles without the registration certificate required by this act is guilty of a gross misdemeanor.

Provides that, before issuing a registration certificate to an applicant, the department shall require the applicant to file with the department a surety bond in the amount of five thousand dollars running to the state and executed by a surety company authorized to do business in this state.

Provides that, before the department may issue a registration certificate to an applicant, the applicant shall provide proof of minimum insurance requirements of: (1) One hundred thousand dollars for liability for bodily injury or property damage per occurrence; and

(2) Fifty thousand dollars of legal liability per occurrence, to protect against vehicle damage, including but not limited to fire and theft, from the time a vehicle is immobilized until it is redeemed or impounded.

Declares that cancellation of or failure to maintain the insurance required by this act automatically cancels the operator's registration.

Provides that it is unlawful for a person to remove or cause to be removed a part from a vehicle to immobilize the vehicle in order to secure payment for a delinquent parking fee or charge, and it is unlawful to restrict the movement of or immobilize a vehicle parked or stored in a public or private garage or parking lot in any manner except as provided for in this act.

Provides that, when immobilizing a vehicle, registered vehicle immobilizers, or their agents, employees, or contractors, must affix conspicuously to the immobilized vehicle a written notice stating the name and address of the person or business who immobilized the vehicle and the address and telephone number of the person authorized and available to release the vehicle.

Declares that the immobilized vehicle must be released immediately after tender of payment of the posted parking charges due and unpaid at the time of the request for release, together with the posted immobilization fee.

Provides that any person seeking to redeem an immobilized vehicle under this act has a right to a hearing in the district or municipal court for the jurisdiction in which the vehicle was immobilized to contest the validity of the immobilization or the amount of immobilization charges.