S-1682.1
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## SENATE BILL 5966

State of Washington 59th Legislature 2005 Regular Session

By Senators McCaslin, Haugen and Honeyford

Read first time 02/17/2005. Referred to Committee on Transportation.

- 1 AN ACT Relating to vehicle immobilization; amending RCW 46.55.010;
- 2 and adding a new section to chapter 46.55 RCW.
- 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 4 <u>NEW SECTION.</u> **Sec. 1.** A new section is added to chapter 46.55 RCW,
- 5 to be codified between RCW 46.55.240 and 46.55.900, to read as follows:
- 6 (1) A property owner shall not immobilize any vehicle owned by a 7 person other than the property owner.
- 8 (2) This section does not apply to property owned by the state or
- 9 any unit of local government.
- 10 **Sec. 2.** RCW 46.55.010 and 1999 c 398 s 2 are each amended to read 11 as follows:
- 12 The definitions set forth in this section apply throughout this 13 chapter:
- 14 (1) "Abandoned vehicle" means a vehicle that a registered tow truck
- 15 operator has impounded and held in the operator's possession for one
- 16 hundred twenty consecutive hours.
- 17 (2) "Immobilize" means the use of a locking wheel boot that, when

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- attached to the wheel of a vehicle, prevents the vehicle from moving without damage to the tire to which the locking wheel boot is attached.
  - (3) "Abandoned vehicle report" means the document prescribed by the state that the towing operator forwards to the department after a vehicle has become abandoned.
- $((\frac{3}{3}))$   $(\frac{4}{3})$  "Impound" means to take and hold a vehicle in legal custody. There are two types of impounds--public and private.
  - (a) "Public impound" means that the vehicle has been impounded at the direction of a law enforcement officer or by a public official having jurisdiction over the public property upon which the vehicle was located.
- 12 (b) "Private impound" means that the vehicle has been impounded at 13 the direction of a person having control or possession of the private 14 property upon which the vehicle was located.
- 15  $((\frac{4}{1}))$  (5) "Junk vehicle" means a vehicle certified under RCW 46.55.230 as meeting at least three of the following requirements:
  - (a) Is three years old or older;

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- (b) Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield, or missing wheels, tires, motor, or transmission;
  - (c) Is apparently inoperable;
- 22 (d) Has an approximate fair market value equal only to the 23 approximate value of the scrap in it.
  - (((5))) (6) "Master log" means the document or an electronic facsimile prescribed by the department and the Washington state patrol in which an operator records transactions involving impounded vehicles.
  - ((+6))) (7) "Registered tow truck operator" or "operator" means any person who engages in the impounding, transporting, or storage of unauthorized vehicles or the disposal of abandoned vehicles.
- 30  $(((\frac{7}{})))$  (8) "Residential property" means property that has no more than four living units located on it.
- 32 (((8))) (9) "Suspended license impound" means an impound ordered 33 under RCW 46.55.113 because the operator was arrested for a violation 34 of RCW 46.20.342 or ((46.20.420)) 46.20.345.
- $((\frac{(9)}{(9)}))$  (10) "Tow truck" means a motor vehicle that is equipped for and used in the business of towing vehicles with equipment as approved by the state patrol.

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3	state of Washington.	
4	(( <del>(11)</del> )) <u>(12)</u> "T	ow truck permit" means the permit issued annually
5	by the department that has the classification of service the tow truck	
6	may provide stamped upon it.	
7	(( <del>(12)</del> )) <u>(13)</u> "T	ow truck service" means the transporting upon the
8	public streets and h	nighways of this state of vehicles, together with
9	personal effects and	cargo, by a tow truck of a registered operator.
10	(( <del>(13)</del> )) <u>(14)</u> '	Unauthorized vehicle" means a vehicle that is
11	subject to impoundm	ent after being left unattended in one of the
12	following public or p	private locations for the indicated period of time:
13	Subject to removal after:	
14	(a)	Public locations:
15	(i)	Constituting an accident or a traffic hazard as
16		defined in RCW 46.55.113 Immediately
17	(ii)	On a highway and tagged as described in RCW
18		46.55.085
19	(iii)	In a publicly owned or controlled parking
20		facility, properly posted under RCW
21		46.55.070 Immediately
22	(b)	Private locations:
23	(i)	On residential property Immediately
24	(ii)	On private, nonresidential property,
25		properly posted under RCW
26		46.55.070 Immediately
27	(iii)	On private, nonresidential property,
28		not posted 24 hours
29	NEW SECTION. Se	c. 3. Section 1 of this act shall include a part
30	heading titled "VEHI	CLE IMMOBILIZATION."

 $((\frac{10}{10}))$  <u>(11)</u> "Tow truck number" means the number issued by the

department to tow trucks used by a registered tow truck operator in the

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