Z-0326.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 1518**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 68th Legislature 2023 Regular Session**

**By** Representatives Barkis, Leavitt, Schmidt, Eslick, Volz, and Graham; by request of Department of Transportation

AN ACT Relating to parking at rest areas; and amending RCW 47.38.020 and 46.55.010.

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

**Sec.**  RCW 47.38.020 and 2019 c 436 s 1 are each amended to read as follows:

(1) Except where specifically authorized by the department, it is unlawful for any person or persons to stop, stand, or park any vehicle, including but not limited to trailers, campers, and motorcycles, for more than eight hours within a ((~~twenty-four~~)) 24 hour period, or for any person or persons to camp or to maintain a camp, tent, or other sleeping accommodation or facility, in any safety rest area within the limits of the right-of-way of interstate highways or other state highways or in other areas of state or interstate highways as designated in RCW 47.12.250. The department may also designate zones within a safety rest area with shorter parking time limits for the purposes of maximum efficiency and safety. Commercial vehicles may park up to an hour beyond federally mandated rest periods.

(2) Except where specifically authorized by the department, it is unlawful for any person or persons to stop, stand, or park any disabled vehicle, including but not limited to trailers, campers, and motorcycles, in any safety rest area for more than ((~~forty-eight~~)) 48 hours((~~, after which time the vehicle is subject to mandatory impoundment under RCW 46.55.080(1)~~)).

(3) Any vehicle that violates the time restrictions in subsections (1) and (2) of this section is subject to impoundment under RCW 46.55.080(1).

(4) The department shall post appropriate signage ((~~consistent with RCW 46.55.070(1)~~)) at all safety rest areas regarding the parking time limits in this section. The signage shall be posted near each entrance and on the property in a clearly conspicuous and visible location to all who park on such property, and shall clearly indicate:

(a) When a vehicle may be impounded as an unauthorized vehicle; and

(b) A phone number for contacting the law enforcement agency or the department to locate the impounded vehicle.

((~~(4)~~)) (5) The Washington state patrol shall enforce this section consistent with RCW 46.55.080(1), and to the maximum extent practicable.

**Sec.**  RCW 46.55.010 and 2022 c 186 s 708 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter:

(1) "Abandoned vehicle" means a vehicle that a registered tow truck operator has impounded and held in the operator's possession for 120 consecutive hours.

(2) "Immobilize" means the use of a locking wheel boot that, when 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.

(4) "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.

(b) "Private impound" means that the vehicle has been impounded at the direction of a person having control or possession of the private property upon which the vehicle was located.

(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;

(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;

(d) Has an approximate fair market value equal only to the approximate value of the scrap in it.

(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.

(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.

(8) "Residential property" means property that has no more than four living units located on it.

(9) "Suspended license impound" means an impound ordered under RCW 46.55.113 because the operator was arrested for a violation of RCW 46.20.342 or 46.20.345.

(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.

(11) "Tow truck number" means the number issued by the department to tow trucks used by a registered tow truck operator in the state of Washington.

(12) "Tow truck permit" means the permit issued annually by the department that has the classification of service the tow truck may provide stamped upon it.

(13) "Tow truck service" means the transporting upon the public streets and highways of this state of vehicles, together with personal effects and cargo, by a tow truck of a registered operator.

(14) "Unauthorized vehicle" means a vehicle that is subject to impoundment after being left unattended in one of the following public or private locations for the indicated period of time:

|  |  |
| --- | --- |
| Subject to removal after: | |
| (a) | Public locations: |
| (i) | Constituting an accident or a traffic hazard as  defined in RCW 46.55.113 Immediately |
| (ii) | On a highway and tagged as described in RCW  46.55.085 24 hours |
| (iii) | In a publicly owned or controlled parking  facility, properly posted under RCW  46.55.070 Immediately |
| (iv) | During the 2021-2023 fiscal biennium, within the right-of-way used by a regional transit authority for high capacity transportation where the vehicle constitutes an obstruction to the operation of high capacity transportation vehicles or  jeopardizes public safety Immediately |
| (v) | In a safety rest area, properly posted under RCW 47.38.020 Immediately |
| (b) | Private locations: |
| (i) | On residential property Immediately |
| (ii) | On private, nonresidential property,  properly posted under RCW  46.55.070 Immediately |
| (iii) | On private, nonresidential property,  not posted 24 hours |

**--- END ---**