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**SENATE BILL 5317**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Nobles, J. Wilson, Frame, Lias, Lovick, Saldaña, Salomon, Shewmake, Wellman, and C. Wilson

Read first time 01/12/23. Referred to Committee on Transportation.

1 AN ACT Relating to the removal of vehicles by a regional transit  
2 authority when obstructing the operation of high capacity  
3 transportation vehicles or jeopardizing public safety; and amending  
4 RCW 46.55.010.

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

6 **Sec. 1.** RCW 46.55.010 and 2022 c 186 s 708 are each amended to  
7 read as follows:

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

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

13 (2) "Immobilize" means the use of a locking wheel boot that, when  
14 attached to the wheel of a vehicle, prevents the vehicle from moving  
15 without damage to the tire to which the locking wheel boot is  
16 attached.

17 (3) "Abandoned vehicle report" means the document prescribed by  
18 the state that the towing operator forwards to the department after a  
19 vehicle has become abandoned.

20 (4) "Impound" means to take and hold a vehicle in legal custody.  
21 There are two types of impounds—public and private.

1 (a) "Public impound" means that the vehicle has been impounded at  
2 the direction of a law enforcement officer or by a public official  
3 having jurisdiction over the public property upon which the vehicle  
4 was located.

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

8 (5) "Junk vehicle" means a vehicle certified under RCW 46.55.230  
9 as meeting at least three of the following requirements:

10 (a) Is three years old or older;

11 (b) Is extensively damaged, such damage including but not limited  
12 to any of the following: A broken window or windshield, or missing  
13 wheels, tires, motor, or transmission;

14 (c) Is apparently inoperable;

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

17 (6) "Master log" means the document or an electronic facsimile  
18 prescribed by the department and the Washington state patrol in which  
19 an operator records transactions involving impounded vehicles.

20 (7) "Registered tow truck operator" or "operator" means any  
21 person who engages in the impounding, transporting, or storage of  
22 unauthorized vehicles or the disposal of abandoned vehicles.

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

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

28 (10) "Tow truck" means a motor vehicle that is equipped for and  
29 used in the business of towing vehicles with equipment as approved by  
30 the state patrol.

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

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

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

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

4 Subject to removal after:

- 5 (a) Public locations:
  - 6 (i) Constituting an accident or a traffic hazard as  
7 defined in RCW 46.55.113 . . . . . Immediately
  - 8 (ii) On a highway and tagged as described in RCW  
9 46.55.085 . . . . . 24 hours
  - 10 (iii) In a publicly owned or controlled parking  
11 facility, properly posted under RCW  
12 46.55.070 . . . . . Immediately
  - 13 (iv) (~~During the 2021-2023 fiscal biennium, within~~  
14 ~~the~~) On or within 10 feet on either side of a  
15 right-of-way used by a regional transit authority  
16 for high capacity transportation where the vehicle  
17 constitutes an obstruction to the operation of high  
18 capacity transportation vehicles or  
19 jeopardizes public safety. . . . . Immediately
- 20 (b) Private locations:
  - 21 (i) On residential property . . . . . Immediately
  - 22 (ii) On private, nonresidential property,  
23 properly posted under RCW  
24 46.55.070 . . . . . Immediately
  - 25 (iii) On private, nonresidential property,  
26 not posted . . . . . 24 hours

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