

**WAC 504-14-870 Vehicle immobilization-eligible list.** (1) The parking administrator is responsible for creating and maintaining the vehicle immobilization-eligible list. See definition of "vehicle immobilization-eligible vehicle" under WAC 504-14-100(48).

(2) A vehicle immobilization-eligible vehicle is placed on the vehicle immobilization-eligible list after notice has been issued as provided in subsection (3) of this section and an appeal of the vehicle immobilization eligibility determination, if requested, under subsection (4) of this section.

(3) At least ten days prior to placing a vehicle on the vehicle immobilization-eligible list, the parking administrator must mail a notice to the owner. The parking administrator mails the notice to the address stated on the most current registration records available to the university from a state, or any more current address of which the parking administrator has actual written notice. The notice is sent by first class United States mail, postage prepaid. The notice must set forth:

(a) The make and license plate number of the alleged vehicle immobilization-eligible vehicle.

(b) A specified date on which the vehicle immobilization-eligible vehicle is subject to placement on the vehicle immobilization-eligible list.

(c) A list of the three or more alleged unpaid parking tickets, including the parking ticket number, date, time, place of the violation, and the nature of the violation. This list must include all unpaid parking tickets issued to a particular vehicle to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(d) That the owner may avoid the placement of the vehicle on the vehicle immobilization-eligible list by making payment in full of fines and late fees on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees by the specified date on which the vehicle is subject to placement on the vehicle immobilization-eligible list.

(e) The name, mailing address (and street address if different), and telephone number of the parking office that may be contacted to appeal the vehicle immobilization eligibility determination. Such an appeal only considers whether an individual vehicle was properly placed on the vehicle immobilization-eligible list and not the merits of an individual parking ticket, which may be addressed pursuant to a separate appeals process described in WAC 504-14-860.

(f) That the vehicle is subject to vehicle immobilization, towing, or both once it is placed on the vehicle immobilization-eligible list.

(g) That all late fees, vehicle immobilization fees, towing, and storage fees are payable in full to obtain the release of a vehicle immobilized or towed pursuant to this chapter in addition to payment of any and all unpaid parking tickets on this vehicle or other vehicles owned by the registered owner to include the payment of fines and fees related to parking tickets not yet eligible for late fees.

(4) If a request for an appeal of a vehicle immobilization eligibility determination is received by the parking administrator before the specified date in the notice for placement of the vehicle on the vehicle immobilization-eligible list, then the parking administrator must afford the owner an opportunity to appeal the vehicle immobilization eligibility determination prior to the placing of a vehicle on the vehicle immobilization-eligible list. Although the parking admin-

istrator does not have the authority to adjudicate the merits of any parking ticket, they must, however, receive evidence and other input from the owner appealing the vehicle immobilization eligibility determination that the notice given under subsection (3) of this section was erroneous or based on erroneous information.

(5) If an owner timely participates in the appeal as scheduled by the parking administrator, the administrator must furnish the owner written notice of their decision prior to placing the vehicle on the vehicle immobilization-eligible list.

(6) After the specified date provided in the notice issued under subsection (3) of this section, the parking administrator must review the records to ensure that the alleged unpaid parking tickets have not been paid or otherwise resolved, and that no information has been received indicating that the notice was erroneous.

(7) Once a vehicle has been placed on the vehicle immobilization-eligible list, it must not be removed from the list unless and until:

(a) The fines and fees on all unpaid parking tickets issued during the time it has been registered to or otherwise held by the owner are paid or otherwise resolved to include the payment of fines and fees related to parking tickets not yet eligible for late fees;

(b) The parking administrator receives reliable information that title to the vehicle has been transferred; or

(c) The parking administrator determines that the placement of the vehicle on the vehicle immobilization-eligible list was erroneous.

(8) If a vehicle is not properly registered in any state or no registration information is available to the university and the vehicle is vehicle immobilization eligible, then notice is provided by posting on the vehicle a conspicuous notice, which must set forth:

(a) A description of the alleged vehicle immobilization-eligible vehicle;

(b) A specified date on which the vehicle immobilization-eligible vehicle is subject to placement on the vehicle immobilization-eligible list;

(c) That the owner may avoid placement of the vehicle on the vehicle immobilization-eligible list by making payment in full of fines and late fees on all unpaid parking tickets to include the payment of fines and fees related to parking tickets not yet eligible for late fees by the specified date certain on which the vehicle is subject to placement on the vehicle immobilization-eligible list; and

(d) That the vehicle is subject to vehicle immobilization, towing, or both once it is placed on the vehicle immobilization-eligible list.

(9) An officer must attempt to provide vehicle immobilization on any vehicle which appears on the vehicle immobilization-eligible list when parked, lawfully or unlawfully, on campus.

(10) The parking administrator must ensure officers are on duty or services are available to remove vehicle immobilization devices from vehicles Monday through Friday between 8:00 a.m. and 5:00 p.m.; except during recognized holidays.

[Statutory Authority: RCW 28B.30.150. WSR 20-24-091, § 504-14-870, filed 11/25/20, effective 12/26/20; WSR 19-09-080, § 504-14-870, filed 4/17/19, effective 5/18/19; WSR 08-08-048, § 504-14-870, filed 3/27/08, effective 7/1/08.]