

# HOUSE BILL REPORT

## HB 1088

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### As Passed House:

March 3, 2003

**Title:** An act relating to removal of illegally parked vehicles.

**Brief Description:** Authorizing removal of vehicles from restricted parking zones.

**Sponsors:** By Representatives Fromhold and Moeller.

### Brief History:

#### Committee Activity:

Transportation: 2/5/03, 2/13/03 [DP].

#### Floor Activity:

Passed House: 3/3/03, 97-0.

### Brief Summary of Bill

- Allows police officers to take custody of a vehicle and provide for its prompt removal to a place of safety when the vehicle is illegally occupying a zone where parking is limited to certain classes of vehicles.

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## HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 29 members: Representatives Murray, Chair; Rockefeller, Vice Chair; Simpson, Vice Chair; Ericksen, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Anderson, Armstrong, Bailey, Campbell, Clibborn, Cooper, Dickerson, Edwards, Flannigan, Hankins, Hatfield, Hudgins, Kristiansen, Lovick, Mielke, Morris, Nixon, Romero, Schindler, Shabro, Sullivan, Wallace, Wood and Woods.

**Staff:** Jill Satran (786-7315).

### Background:

A police officer may take immediate custody of a vehicle and provide for its prompt removal to a place of safety under certain limited circumstances, such as when a vehicle is discovered to be stolen, when a driver is arrested and taken into custody, or when a vehicle is left unattended on a highway in an unincorporated area and is obstructing

traffic or jeopardizing public safety. Other unauthorized vehicles left unattended on a public highway are subject to impoundment, but only after 24 hours have passed and the vehicle has been tagged with proper notification by an officer.

Proponents of this bill believe that clear statutory authority does not exist to effect the immediate removal of an unattended vehicle that is parked in a signed area and is obstructing a construction, restricted parking or loading zone. Concern exists that current statutes require a vehicle to be left in these zones, unattended, at least 24 hours. This can result in costly construction delays and impede local businesses.

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**Summary of Bill:**

A police officer may take custody of a vehicle and have it removed to a place of safety when it is illegally occupying a zone where, by order of the director of transportation or chiefs of police or fire, parking is limited to certain classes of vehicles or is prohibited during designated times. The vehicle must be interfering with the proper and intended use of the zone. Some of the zones included in this provision are truck, commercial loading, restricted parking, bus, taxi, street construction and street maintenance.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** The bill will assist local governments to more efficiently maintain existing roads and build new roadways by providing them another tool for ensuring construction and maintenance projects remain on schedule.

**Testimony Against:** None.

**Testified:** Representative Moeller, prime sponsor; Dan Swenson, City of Vancouver; and Jeff Rybedl, City of Vancouver.