

# SENATE BILL REPORT

## SB 5213

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As Reported By Senate Committee On:  
Judiciary, February 7, 2003

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

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

**Sponsors:** Senator Carlson.

**Brief History:**

**Committee Activity:** Judiciary: 1/31/03, 2/7/03 [DPS].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** That Substitute Senate Bill No. 5213 be substituted therefor, and the substitute bill do pass.

Signed by Senators Esser, Vice Chair; Brandland, Hargrove, Johnson, Kline and Thibaudeau.

**Staff:** Lidia Mori (786-7755)

**Background:** A police officer is allowed to take custody of a vehicle and provide for its prompt removal to a place of safety under certain circumstances. The circumstances include a vehicle left on the roadway outside of incorporated cities and towns or left unattended on a highway where it is an obstruction to traffic or jeopardizes public safety. An officer may also have a vehicle removed when the driver is arrested and taken into custody or when the officer discovers a vehicle that he or she determines to be stolen.

Proponents of this bill believe that clear statutory authority does not exist to effect the immediate towing of an unattended vehicle that is parked in a signed area and is obstructing a construction or loading zone. Concern exists that current statutes pertaining to this issue require the car to have been left unattended for at least 24 hours. This can result in costly construction delays or a financial impact to a business when a car is in its loading zone.

**Summary of Substitute 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. The zone must be established with signage for at least 24 hours. Some of the zones included in this provision are truck, commercial loading, restricted parking, bus, hooded-meter, taxi, street construction and street maintenance.

**Substitute Bill Compared to Original Bill:** The substitute allows a police officer to remove a vehicle that is illegally parked in a zone only if the zone is marked by signs 24 hours in advance that establish it as a restricted parking area.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Cities need specific statutory authority to remove vehicles that are illegally parked in restricted parking zones. The typical scenario is, signs are put out notifying people that a particular street will be repaved on a certain day. That day comes and a car is parked on that street. Under current law, it can take 48 hours to be able to remove that car. This plays havoc with city construction and maintenance schedules.

**Testimony Against:** None

**Testified:** Senator Don Carlson; Dan Swenson, city of Vancouver; Jeff Rybeck, city of Vancouver.