

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1088

58th Legislature
2003 Regular Session

Passed by the House April 21, 2003
Yeas 96 Nays 1

Speaker of the House of Representatives

Passed by the Senate April 15, 2003
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1088** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1088

AS AMENDED BY THE SENATE

Passed Legislature - 2003 Regular Session

State of Washington 58th Legislature 2003 Regular Session

By Representatives Fromhold and Moeller

Read first time 01/15/2003. Referred to Committee on Transportation.

1 AN ACT Relating to removal of illegally parked vehicles; and
2 amending RCW 46.55.113.

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

4 **Sec. 1.** RCW 46.55.113 and 1998 c 203 s 4 are each amended to read
5 as follows:

6 Whenever the driver of a vehicle is arrested for a violation of RCW
7 46.61.502 ~~((or))~~, 46.61.504 ~~((or of RCW))~~, 46.20.342, or ~~((46.20.420))~~
8 46.20.345, the vehicle is subject to impoundment, pursuant to
9 applicable local ordinance or state agency rule at the direction of a
10 law enforcement officer. In addition, a police officer may take
11 custody of a vehicle and provide for its prompt removal to a place of
12 safety under any of the following circumstances:

13 (1) Whenever a police officer finds a vehicle standing upon the
14 roadway in violation of any of the provisions of RCW 46.61.560, the
15 officer may provide for the removal of the vehicle or require the
16 driver or other person in charge of the vehicle to move the vehicle to
17 a position off the roadway;

18 (2) Whenever a police officer finds a vehicle unattended upon a

1 highway where the vehicle constitutes an obstruction to traffic or
2 jeopardizes public safety;

3 (3) Whenever a police officer finds an unattended vehicle at the
4 scene of an accident or when the driver of a vehicle involved in an
5 accident is physically or mentally incapable of deciding upon steps to
6 be taken to protect his or her property;

7 (4) Whenever the driver of a vehicle is arrested and taken into
8 custody by a police officer;

9 (5) Whenever a police officer discovers a vehicle that the officer
10 determines to be a stolen vehicle;

11 (6) Whenever a vehicle without a special license plate, card, or
12 decal indicating that the vehicle is being used to transport a disabled
13 person under RCW 46.16.381 is parked in a stall or space clearly and
14 conspicuously marked under RCW 46.61.581 which space is provided on
15 private property without charge or on public property;

16 (7) Upon determining that a person is operating a motor vehicle
17 without a valid driver's license in violation of RCW 46.20.005 or with
18 a license that has been expired for ninety days or more;

19 (8) When a vehicle is illegally occupying a truck, commercial
20 loading zone, restricted parking zone, bus, loading, hooded-meter,
21 taxi, street construction or maintenance, or other similar zone where,
22 by order of the director of transportation or chiefs of police or fire
23 or their designees, parking is limited to designated classes of
24 vehicles or is prohibited during certain hours, on designated days or
25 at all times, if the zone has been established with signage for at
26 least twenty-four hours and where the vehicle is interfering with the
27 proper and intended use of the zone. Signage must give notice to the
28 public that a vehicle will be removed if illegally parked in the zone.

29 Nothing in this section may derogate from the powers of police
30 officers under the common law. For the purposes of this section, a
31 place of safety may include the business location of a registered tow
32 truck operator.

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