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**SUBSTITUTE SENATE BILL 5213**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** Senate Committee on Judiciary (originally sponsored by Senator Carlson)

READ FIRST TIME 02/10/03.

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 or utility construction or maintenance, or other similar  
22 zone for which, by order of the director of transportation or chiefs of  
23 police or fire or their designees, parking is limited to designated  
24 classes of vehicles or is prohibited during certain hours, on  
25 designated days or at all times, if the zone has been established with  
26 signage for at least twenty-four hours and the vehicle is interfering  
27 with the proper and intended use of the zone.

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

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