

HOUSE BILL REPORT

ESB 5966

As Passed House:
April 6, 2005

Title: An act relating to vehicle immobilization.

Brief Description: Prohibiting vehicle immobilization.

Sponsors: By Senators McCaslin, Haugen and Honeyford.

Brief History:

Committee Activity:

Transportation: 3/30/05, 3/31/05 [DP].

Floor Activity:

Passed House: 4/6/05, 94-0.

Brief Summary of Engrossed Bill

- Prohibits vehicle immobilization through the use of locking wheel boots.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 26 members: Representatives Murray, Chair; Wallace, Vice Chair; Woods, Ranking Minority Member; Appleton, Buck, Campbell, Curtis, Dickerson, Ericksen, Flannigan, Hankins, Hudgins, Jarrett, Kilmer, Lovick, Morris, Nixon, Rodne, Schindler, Sells, Shabro, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

Staff: David Munnecke (786-7315).

Background:

Under current law, tow truck operators are required to be registered and licensed by the Department of Licensing (DOL). Under the tow truck operator statutes, "registered tow truck operator" means any person who engages in the impounding, transporting, or storage of unauthorized vehicles or the disposal of abandoned vehicles; "impound" means to take and hold a vehicle in legal custody. Unlicensed persons may not impound unauthorized vehicles.

Summary of Bill:

Property owners are prohibited from immobilizing any vehicle that is not owned by them. "Immobilize" is defined as the use of a locking wheel boot that, when attached to the wheel of a

vehicle, prevents the vehicle from moving without damage to the tire to which the locking wheel boot is attached.

Property owned by the state or any unit of local government is exempt from this prohibition.

A violation of this act is a gross misdemeanor.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The DOL is opposed to the practice of booting because, while there is a potential for an appeal in the case of an impoundment, there is no such process when it comes to booting. The Attorney General has also told the DOL that the practice of booting is illegal without a license.

Testimony Against: None.

Persons Testifying: (In support) Bill Wright, Department of Licensing.

Persons Signed In To Testify But Not Testifying: None.