
SUBSTITUTE SENATE BILL 6727

State of Washington

59th Legislature

2006 Regular Session

By Senate Committee on Transportation (originally sponsored by Senator Haugen)

READ FIRST TIME 02/07/06.

1 AN ACT Relating to the impoundment of motorcycles and motor-driven
2 cycles; and 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 2005 c 390 s 5 are each amended to read
5 as follows:

6 (1) Whenever the driver of a vehicle is arrested for a violation of
7 RCW 46.61.502, 46.61.504, 46.20.342, or 46.20.345, the vehicle is
8 subject to summary impoundment, pursuant to the terms and conditions of
9 an applicable local ordinance or state agency rule at the direction of
10 a law enforcement officer.

11 (2) In addition, a police officer may take custody of a vehicle, at
12 his or her discretion, and provide for its prompt removal to a place of
13 safety under any of the following circumstances:

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

1 (b) Whenever a police officer finds a vehicle unattended upon a
2 highway where the vehicle constitutes an obstruction to traffic or
3 jeopardizes public safety;

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

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

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

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

17 (g) Upon determining that a person is operating a motor vehicle:
18 (i) Without a valid driver's license in violation of RCW 46.20.005
19 ((~~or~~)); (ii) with a license that has been expired for ninety days or
20 more; or (iii) without a valid endorsement in violation of RCW
21 46.20.500;

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

32 (3) When an arrest is made for a violation of RCW 46.20.342, if the
33 vehicle is a commercial vehicle and the driver of the vehicle is not
34 the owner of the vehicle, before the summary impoundment directed under
35 subsection (1) of this section, the police officer shall attempt in a
36 reasonable and timely manner to contact the owner of the vehicle and
37 may release the vehicle to the owner if the owner is reasonably

1 available, as long as the owner was not in the vehicle at the time of
2 the stop and arrest and the owner has not received a prior release
3 under this subsection or RCW 46.55.120(1)(a)(ii).

4 (4) Nothing in this section may derogate from the powers of police
5 officers under the common law. For the purposes of this section, a
6 place of safety may include the business location of a registered tow
7 truck operator.

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