
HOUSE BILL 2273

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Clibborn and Armstrong

Read first time 01/11/12. Referred to Committee on Transportation.

1 AN ACT Relating to processing vehicles impounded by law enforcement
2 for evidentiary purposes; and adding a new section to chapter 46.55
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.55 RCW
6 to read as follows:

7 (1) The last registered owner of record is responsible for the
8 costs of a vehicle impounded under this chapter. If the vehicle is
9 impounded for evidentiary purposes and directed to be towed to a secure
10 public storage facility, the procedures in this section apply.

11 (2)(a) If a law enforcement agency completes an investigation of an
12 impounded vehicle within thirty days of impound and the vehicle is no
13 longer needed for evidentiary purposes, the law enforcement agency may
14 either:

15 (i) Contact the registered tow truck operator that originally
16 impounded the evidentiary vehicle to reimpose the vehicle and any
17 items of personal property registered or titled with the department
18 that were impounded with the evidentiary vehicle to the operator's
19 secure storage facility. The reimpose constitutes a continuation of

1 the original impound and the charges in compliance with RCW 46.55.063
2 must be added to those of the original impound and the vehicles
3 processed under this chapter; or

4 (ii) Direct the person authorized under RCW 46.55.120 who wishes to
5 redeem the vehicle and any items of personal property registered or
6 titled with the department that were impounded with the evidentiary
7 vehicle to go to the registered tow truck operator that originally
8 impounded the evidentiary vehicle and pay the costs of removal and
9 towing resulting from the impound. Upon payment, the operator shall
10 mark a copy of the invoice as paid and give a copy to the person
11 redeeming the vehicle. Upon presentation of the proof of payment to
12 the law enforcement agency, the law enforcement agency shall release
13 the vehicle to the person authorized under RCW 46.55.120.

14 (b) If a law enforcement agency has not completed an investigation
15 of an impounded vehicle within thirty days of impound and the vehicle
16 is still needed for evidentiary purposes, the law enforcement agency
17 that ordered the impound is responsible for paying the costs of removal
18 and towing of the vehicle, and the governmental entity of which the
19 agency is a part becomes subrogated to the debt for services owed by
20 the registered owner and is entitled to collect the amount the entity
21 has paid and take any legal actions that are necessary to collect the
22 debt owed, in the entity's name, including assigning the debt to a
23 licensed collection agency for collection. Recoupment of the payment
24 of the costs of the evidentiary impound from the registered owner does
25 not terminate the evidentiary impound and the law enforcement agency
26 may retain possession and control of the vehicle until it is no longer
27 needed for evidentiary purposes.

28 (3) This section does not apply to the impounding of contaminated
29 vehicles under RCW 64.44.050.

30 (4) The department in consultation with the Washington state patrol
31 shall adopt rules necessary to implement this section.

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