

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5317**

68th Legislature  
2023 Regular Session

Passed by the Senate April 17, 2023  
Yeas 47 Nays 1

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**President of the Senate**

Passed by the House March 24, 2023  
Yeas 95 Nays 1

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**Speaker of the House of  
Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5317** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5317**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2023 Regular Session

**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Nobles, J. Wilson, Frame, Lias, Lovick, Saldaña, Salomon, Shewmake, Wellman, and C. Wilson)

READ FIRST TIME 01/30/23.

1           AN ACT Relating to the removal of vehicles by a regional transit  
2 authority when obstructing the operation of high capacity  
3 transportation vehicles or jeopardizing public safety; amending RCW  
4 46.55.010; and reenacting RCW 46.55.080.

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

6           **Sec. 1.** RCW 46.55.010 and 2022 c 186 s 708 are each amended to  
7 read as follows:

8           The definitions set forth in this section apply throughout this  
9 chapter:

10           (1) "Abandoned vehicle" means a vehicle that a registered tow  
11 truck operator has impounded and held in the operator's possession  
12 for 120 consecutive hours.

13           (2) "Immobilize" means the use of a locking wheel boot that, when  
14 attached to the wheel of a vehicle, prevents the vehicle from moving  
15 without damage to the tire to which the locking wheel boot is  
16 attached.

17           (3) "Abandoned vehicle report" means the document prescribed by  
18 the state that the towing operator forwards to the department after a  
19 vehicle has become abandoned.

20           (4) "Impound" means to take and hold a vehicle in legal custody.  
21 There are two types of impounds—public and private.

1 (a) "Public impound" means that the vehicle has been impounded at  
2 the direction of a law enforcement officer or by a public official  
3 having jurisdiction over the public property upon which the vehicle  
4 was located.

5 (b) "Private impound" means that the vehicle has been impounded  
6 at the direction of a person having control or possession of the  
7 private property upon which the vehicle was located.

8 (5) "Junk vehicle" means a vehicle certified under RCW 46.55.230  
9 as meeting at least three of the following requirements:

10 (a) Is three years old or older;

11 (b) Is extensively damaged, such damage including but not limited  
12 to any of the following: A broken window or windshield, or missing  
13 wheels, tires, motor, or transmission;

14 (c) Is apparently inoperable;

15 (d) Has an approximate fair market value equal only to the  
16 approximate value of the scrap in it.

17 (6) "Master log" means the document or an electronic facsimile  
18 prescribed by the department and the Washington state patrol in which  
19 an operator records transactions involving impounded vehicles.

20 (7) "Registered tow truck operator" or "operator" means any  
21 person who engages in the impounding, transporting, or storage of  
22 unauthorized vehicles or the disposal of abandoned vehicles.

23 (8) "Residential property" means property that has no more than  
24 four living units located on it.

25 (9) "Suspended license impound" means an impound ordered under  
26 RCW 46.55.113 because the operator was arrested for a violation of  
27 RCW 46.20.342 or 46.20.345.

28 (10) "Tow truck" means a motor vehicle that is equipped for and  
29 used in the business of towing vehicles with equipment as approved by  
30 the state patrol.

31 (11) "Tow truck number" means the number issued by the department  
32 to tow trucks used by a registered tow truck operator in the state of  
33 Washington.

34 (12) "Tow truck permit" means the permit issued annually by the  
35 department that has the classification of service the tow truck may  
36 provide stamped upon it.

37 (13) "Tow truck service" means the transporting upon the public  
38 streets and highways of this state of vehicles, together with  
39 personal effects and cargo, by a tow truck of a registered operator.

1 (14) "Unauthorized vehicle" means a vehicle that is subject to  
2 impoundment after being left unattended in one of the following  
3 public or private locations for the indicated period of time:

4 Subject to removal after:

- 5 (a) Public locations:
  - 6 (i) Constituting an accident or a traffic hazard as  
7 defined in RCW 46.55.113 ..... Immediately
  - 8 (ii) On a highway and tagged as described in RCW  
9 46.55.085 ..... 24 hours
  - 10 (iii) In a publicly owned or controlled parking  
11 facility, properly posted under RCW  
12 46.55.070 ..... Immediately
  - 13 (iv) (~~During the 2021-2023 fiscal biennium, within~~  
14 ~~the~~) Within the right-of-way used by a regional  
15 transit authority for high capacity transportation  
16 where the vehicle constitutes an obstruction to the  
17 operation of high capacity transportation vehicles  
18 or  
19 jeopardizes public safety. .... Immediately
- 20 (b) Private locations:
  - 21 (i) On residential property ..... Immediately
  - 22 (ii) On private, nonresidential property,  
23 properly posted under RCW  
24 46.55.070 ..... Immediately
  - 25 (iii) On private, nonresidential property,  
26 not posted ..... 24 hours

27 **Sec. 2.** RCW 46.55.080 and 2022 c 186 s 709 are each reenacted to  
28 read as follows:

29 (1) If a vehicle is in violation of the time restrictions of RCW  
30 46.55.010(14), it may be impounded by a registered tow truck operator  
31 at the direction of a law enforcement officer, authorized regional  
32 transit authority representative under the conditions described in  
33 RCW 46.55.010(14)(a)(iv), or other public official with jurisdiction  
34 if the vehicle is on public property, or at the direction of the  
35 property owner or an agent if it is on private property. A law  
36 enforcement officer may also direct the impoundment of a vehicle  
37 pursuant to a writ or court order.

1           (2) The person requesting a private impound or a law enforcement  
2 officer, authorized regional transit authority representative, or  
3 public official requesting a public impound shall provide a signed  
4 authorization for the impound at the time and place of the impound to  
5 the registered tow truck operator before the operator may proceed  
6 with the impound. A registered tow truck operator, employee, or his  
7 or her agent may not serve as an agent of a property owner for the  
8 purposes of signing an impound authorization or, independent of the  
9 property owner, identify a vehicle for impound.

10           (3) In the case of a private impound, the impound authorization  
11 shall include the following statement: "A person authorizing this  
12 impound, if the impound is found in violation of chapter 46.55 RCW,  
13 may be held liable for the costs incurred by the vehicle owner."

14           (4) A registered tow truck operator shall record and keep in the  
15 operator's files the date and time that a vehicle is put in the  
16 operator's custody and released. The operator shall make an entry  
17 into a master log regarding transactions relating to impounded  
18 vehicles. The operator shall make this master log available, upon  
19 request, to representatives of the department or the state patrol.

20           (5) A person who engages in or offers to engage in the activities  
21 of a registered tow truck operator may not be associated in any way  
22 with a person or business whose main activity is authorizing the  
23 impounding of vehicles.

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