

HOUSE BILL REPORT

HB 2493

As Reported by House Committee On:
Transportation

Title: An act relating to limiting access to law enforcement and emergency equipment and vehicles.

Brief Description: Limiting access to law enforcement and emergency equipment and vehicles.

Sponsors: Representatives Kilmer, Lantz and Ericks.

Brief History:

Committee Activity:

Transportation: 1/16/06, 1/31/06 [DPS].

Brief Summary of Substitute Bill

- In addition to public agencies, a business, entity, or person must remove the emergency equipment and designations prior to selling or donating a vehicle to a person or entity that is not a state or local law enforcement or recognized law enforcement emergency agency in other countries and private ambulance business..
- Addresses a sale or donation to a broker or charitable organization where the intent is to resell the vehicle to an emergency agency or private ambulance service.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 26 members: Representatives Wallace, Vice Chair; Woods, Ranking Minority Member; Appleton, Buck, Campbell, Clibborn, Curtis, Dickerson, Ericksen, Flannigan, Holmquist, Hudgins, Jarrett, Kilmer, Lovick, Morris, Nixon, Rodne, Schindler, Sells, Shabro, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

Staff: Jerry Long (786-7306).

Background:

In statute, the definition of an authorized emergency vehicle is any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington State Patrol, ambulance service, public or private. A person or entity wanting to have a

vehicle registered as an authorized emergency vehicle will apply to the Washington State Patrol to have the vehicle classified as an emergency vehicle. The Washington State Patrol also has the authority to make rules and regulations relating to emergency vehicles.

The majority of emergency vehicles are manufactured by the vehicle manufacturers and then the emergency equipment and designations are added by the purchasing entity or a business that provides that service.

When an emergency vehicle has reached the end of its useful life to the entity, the vehicle is disposed of through sale, auction, donation, transfer or can be scrapped.

A person can be guilty of criminal impersonation in the second degree if the person claims to be a law enforcement officer or creates an impression that he or she is a law enforcement officer.

Summary of Substitute Bill:

In addition to a public agency, a business, entity, or person cannot sell or give emergency vehicle lighting equipment or other equipment to a person who lawfully can not operate the equipment on public streets and highways.

Prior to selling or giving an emergency vehicle to a person or entity that is not a state or local law enforcement or emergency agency, the seller or donor must remove all emergency lighting, radios, decals, law enforcement designations, and other emergency equipment that was not originally installed by the original vehicle manufacturer.

If the emergency equipment is not sold to another state or law enforcement or emergency agency, the equipment must be dismantled with the individual parts being recycled or destroyed prior to being disposed of.

Substitute Bill Compared to Original Bill:

Recognizes that emergency personnel may be public or private.

Recognized law enforcement or emergency agency in other countries and private ambulance businesses have been added to the entities in which vehicles or equipment can be sold or donated to without the seller or donor entity having to remove vehicle equipment and designations from the vehicle and the requirement to dismantle the equipment with the individual parts being recycled or destroyed prior to being disposed of.

A section has been added to the original bill to address a sale or donation to a broker or charitable organization where the broker or charitable organization intends on delivering the vehicle to a public law enforcement or emergency agency within or outside the state or another country or private ambulance service. If the broker or charitable organization sells or donates the emergency vehicle to a person or entity that is not a public law enforcement or emergency agency, or private ambulance service, the broker or charitable organization will be accountable and responsible for the removal of the equipment and designations not installed

by the original vehicle manufacturer. The broker or charitable organization must follow the same equipment disposal rules as a law enforcement or emergency agency.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: It is illegal to impersonate a law enforcement officer. There are law enforcement and emergency agencies that are not removing the emergency equipment prior to selling the vehicles. It is important that this equipment is removed so persons acquiring these vehicles cannot mislead people into thinking they are law enforcement when their real intent is to harm a person.

There are a couple of areas that the bill does not address and would recommend an amendment to add these areas. The first item is recognizing that emergency personnel may be public or private. The second area is that in addition to state and local law enforcement and emergency agencies, the entities eligible to receive vehicles either sold or donated would be a recognized law enforcement or emergency agency in other countries and private ambulance services.

A recommendation to add a section to the bill to address the current process where an emergency agency sells or donates a vehicle to a broker or charitable organization with the intent to resell or donate the vehicle to another emergency agency.

Testimony Against: None.

Persons Testifying: Representative Kilmer, prime sponsor; Representative Lantz; Pat Jones, Retired Sheriff of Kitsap County; and Bob Berschauer, Washington Ambulance Association.

Persons Signed In To Testify But Not Testifying: None.