

**WAC 172-100-140 Immobilization and impoundment of motor vehicles and bicycles.** (1) The vice president for business and finance or designee may order the immobilization, impoundment and storage of any vehicle:

(a) That is parked, in violation of these rules:

(i) In an emergency access area, no parking area, or restricted parking area;

(ii) In a loading zone or service drive or area without a department permit as noted in WAC 172-100-230;

(iii) In a parking space designated for another person or vehicle; or

(iv) In a disabled parking space;

(b) That is disabled or inoperative; or

(c) That is parked on university property and is connected to a parking permit account that has unpaid fines in accordance with WAC 172-100-130.

(2) The owner and/or driver of an immobilized or impounded motor vehicle is responsible for all immobilization and impoundment costs, and any related costs, and may not recover the motor vehicle until arrangements have been made with parking services. To have the motor vehicle released pending any appeal, the owner and/or driver must post a bond in the amount of the unpaid fines, fees, and costs relating to the immobilization and/or impoundment. If the owner and/or driver timely appeals the immobilization and/or impoundment in accordance with subsection (5) of this section and the fines, fees, or costs are overturned, the university will refund the bond to the owner and/or driver. The university and its employees or representatives are not liable for loss or damage of any kind resulting from impoundment or storage. The university is also not financially responsible for any incidentals accrued by the owner and/or driver through this process.

(3) Bicycles may be impounded for violations of the above parking rules. The university is authorized to break any bicycle lock to facilitate impoundment. The university and parking services are not responsible for any damage resulting from the impoundment of a bicycle, including removal of a lock.

(4) Definitions.

(a) "Impoundment" means to take and hold a motor vehicle or bicycle in legal custody, which includes, but is not limited to, securing, towing, and storing the motor vehicle or bicycle.

(b) "Immobilization" means the use of a locking wheel boot or similar device that, when attached to the wheel of a motor vehicle, prevents the motor vehicle from moving without damage to the tire which the locking wheel boot or similar device is attached.

(5) Immobilization and impoundments may be appealed by submitting a written appeal to parking services within fourteen calendar days of the date of the immobilization or impoundment of the motor vehicle. Appeals may be submitted to parking services in person. If an appeal is not timely filed, the fees, fines, or costs are final.

(6) Appeals will be reviewed by a board consisting of voting members from the following groups: Associated students, classified staff, faculty, and exempt staff. A parking services representative will invite members to join the board and will act as a consultant to the board. A quorum of members must be present to adjudicate. The board may uphold or dismiss any fees, fines, or costs of the immobilization/impoundment, the owner and/or driver is responsible for paying all fees, fines, and costs. If the board upholds the fees, fines, or costs related to the immobilization or impoundment, the owner and/or driver

is responsible for paying all fees, fines, and costs. If the board overturns the immobilization or impoundment, the owner and/or driver is not responsible for the costs related to such immobilization or impoundment. In the case of a tie vote, the board will continue discussion and vote again until a majority vote is obtained. If an impasse exists, the decision will be in the favor of the immobilization or impoundment.

(7) Within five calendar days following the board's review, parking services shall notify the appellant, by mail or by electronic mail, of the board's determination. The board will meet every two weeks, with additional meetings as necessary. Additional appeal rights are governed by RCW 28B.10.560.

[Statutory Authority: RCW 28B.35.120(12). WSR 20-12-060, § 172-100-140, filed 5/29/20, effective 6/29/20; WSR 13-24-119, § 172-100-140, filed 12/4/13, effective 1/4/14.]