

1 AN ACT Relating to impounds of vehicles used as residences;
2 amending RCW 43.185A.140, 46.55.120, 46.68.175, and 6.13.010;
3 reenacting and amending RCW 46.55.010; adding a new section to
4 chapter 46.55 RCW; adding a new section to chapter 46.53 RCW;
5 creating a new section; and providing an effective date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that the
8 characterization of illegally parked vehicles as homesteads in *City*
9 *of Seattle v. Long*, 198 Wn.2d 136 (2021), has incentivized more
10 people to live in vehicles on the streets and unfortunately
11 exacerbated Washington's homelessness crisis. Therefore, to address
12 unsafe and unsanitary living situations, the legislature intends to
13 establish that vehicles illegally parked in public places do not
14 qualify as homesteads under chapter 6.13 RCW.

15 **Sec. 2.** RCW 46.55.010 and 2023 c 326 s 1 are each reenacted and
16 amended to read as follows:

17 The definitions set forth in this section apply throughout this
18 chapter:

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

4 (2) "Abandoned vehicle report" means the document prescribed by
5 the state that the towing operator forwards to the department after a
6 vehicle has become abandoned.

7 (3) "Immobilize" means the use of a locking wheel boot that, when
8 attached to the wheel of a vehicle, prevents the vehicle from moving
9 without damage to the tire to which the locking wheel boot is
10 attached.

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

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

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

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

22 (a) Is three years old or older;

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

26 (c) Is apparently inoperable;

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

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

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

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

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

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

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

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

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

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

16 Subject to removal after:

- 17 (a) Public locations:
 - 18 (i) Constituting an accident or a traffic hazard as
19 defined in RCW 46.55.113 Immediately
 - 20 (ii) On a highway and tagged as described in RCW
21 46.55.085 24 hours
 - 22 (iii) On publicly owned or controlled property and
23 tagged for a first offense as described in section
24 3 of this act. 72 hours
 - 25 (iv) On publicly owned or controlled property and
26 tagged for a subsequent offense as described in
27 section 3 of this act. 24 hours
 - 28 (v) In a publicly owned or controlled parking
29 facility, properly posted under RCW
30 46.55.070 Immediately
 - 31 ~~((iv))~~ Within the right-of-way used by a regional
32 (vi) transit authority for high capacity
33 transportation where the vehicle constitutes an
34 obstruction to the operation of high capacity
35 transportation vehicles or jeopardizes public
36 safety. Immediately
- 37 (b) Private locations:
 - 38 (i) On residential property Immediately

- 1 (ii) On private, nonresidential property,
2 properly posted under RCW
3 46.55.070..... Immediately
- 4 (iii) On private, nonresidential property,
5 not posted..... 24 hours

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.55
7 RCW to read as follows:

8 (1) A law enforcement officer discovering an unauthorized vehicle
9 left on publicly owned or controlled property shall attach to the
10 vehicle a readily visible notification sticker. The sticker shall
11 contain the following information:

- 12 (a) The date and time the sticker was attached;
- 13 (b) The identity of the officer;
- 14 (c) (i) For the first offense, a statement that the owner has 72
15 hours to declare the vehicle is being used as a residence and move
16 the vehicle to a safe parking area or the law enforcement officer may
17 provide for the vehicle's removal to a place of safety and stored at
18 the owner's expense;
- 19 (ii) For any subsequent offense, a statement that if the vehicle
20 is not removed within 24 hours, the law enforcement officer may
21 provide for the vehicle's removal to a place of safety and stored at
22 the owner's expense;
- 23 (d) A statement that if the vehicle is not redeemed as provided
24 in RCW 46.55.120, the registered owner will have committed the
25 traffic infraction of littering—abandoned vehicle; and
- 26 (e) The address and telephone number where additional information
27 may be obtained.

28 (2) If the vehicle has Washington license plates, the officer
29 shall check the records to learn the identity of the last owner of
30 record. The officer or his or her department shall make a reasonable
31 effort to contact the owner by telephone in order to give the owner
32 the information on the notification sticker.

33 (3) For the purposes of this section, a place of safety includes
34 the business location of a registered tow truck operator.

35 **Sec. 4.** RCW 43.185A.140 and 2023 c 275 s 3 are each amended to
36 read as follows:

1 (1) The department must use moneys from the housing trust fund
2 and other legislative appropriations to finance in whole or in part
3 any loan or grant projects that will provide affordable housing for
4 persons and families with special housing needs and who are low-
5 income households.

6 (2) At least thirty percent of these moneys used in any given
7 funding cycle must be for the benefit of projects located in rural
8 areas of the state as defined by the department. If the department
9 determines that it has not received an adequate number of suitable
10 applications for rural projects during any given funding cycle, the
11 department may allocate unused moneys for projects in nonrural areas
12 of the state.

13 (3) The department must prioritize allocating at least, but not
14 limited to, 10 percent of these moneys used in any given funding
15 cycle to organizations that serve and are substantially governed by
16 individuals disproportionately impacted by homelessness, including
17 black, indigenous, and other people of color and, lesbian, gay,
18 bisexual, queer, transgender, and other gender-diverse individuals.

19 (4) Activities eligible for assistance from the housing trust
20 fund and other legislative appropriations include, but are not
21 limited to:

22 (a) New construction, rehabilitation, or acquisition of low and
23 very low-income housing units;

24 (b) Preconstruction technical assistance, design and finance
25 services and consultation, and administrative costs for eligible
26 nonprofit community or neighborhood-based organizations;

27 (c) Administrative costs for housing assistance groups or
28 organizations when such grant or loan will substantially increase the
29 recipient's access to housing funds other than those available under
30 this chapter;

31 (d) Shelters for the homeless, including emergency shelters and
32 overnight youth shelters;

33 (e) Safe parking areas for low and very low-income households
34 using a vehicle as their residence;

35 (f) Down payment or closing costs assistance for low-income
36 first-time homebuyers;

37 (~~(f)~~) (g) Acquisition of housing units for the purpose of
38 preservation as low-income housing;

1 (~~(g)~~) (h) Projects making affordable housing projects more
2 accessible to low-income households with members who have
3 disabilities; and

4 (~~(h)~~) (i) Remodeling and improvements as required to meet
5 building code, licensing requirements, or legal operations to
6 residential properties owned and operated by an entity eligible under
7 RCW 43.185A.040, which were transferred as described in RCW
8 82.45.010(3)(t) by the parent of a child with developmental
9 disabilities.

10 (5)(a) Legislative appropriations from capital bond proceeds may
11 be used for the costs of projects authorized under subsection (4) of
12 this section, except for costs of subsection (4)(c) of this section.

13 (b) The department may use up to three percent of the
14 appropriations from capital bond proceeds or other new appropriations
15 for affordable housing investments for administrative costs
16 associated with application, distribution, and project development
17 activities of the affordable housing program.

18 (c) Reappropriations must not be included in the calculation of
19 the annual funds available for determining the administrative costs.

20 (6)(a) Moneys received from repayment of housing trust fund loans
21 or other affordable housing appropriations may be used for all
22 activities necessary for the proper functioning of the affordable
23 housing program, including, but not limited to, providing
24 preservation funding, as provided in RCW 43.185A.180, and
25 preconstruction technical assistance as provided in RCW 43.185A.170.

26 (b) Administrative costs associated with compliance and
27 monitoring activities of the department may not exceed four-tenths of
28 one percent annually of the contracted amount of state investment in
29 affordable housing programs.

30 **Sec. 5.** RCW 46.55.120 and 2017 c 152 s 1 are each amended to
31 read as follows:

32 (1)(a) Vehicles or other items of personal property registered or
33 titled with the department that are impounded by registered tow truck
34 operators pursuant to RCW 46.55.080, 46.55.085, 46.55.113, section 3
35 of this act, or 9A.88.140 may be redeemed only by the following
36 persons or entities:

37 (i) The legal owner;

38 (ii) The registered owner;

39 (iii) A person authorized in writing by the registered owner;

1 (iv) The vehicle's insurer or a vendor working on behalf of the
2 vehicle's insurer;

3 (v) A third-party insurer that has a duty to repair or replace
4 the vehicle, has obtained consent from the registered owner or the
5 owner's agent to move the vehicle, and has documented that consent in
6 the insurer's claim file, or a vendor working on behalf of a third-
7 party insurer that has received such consent; provided, however, that
8 at all times the registered owner must be granted access to and may
9 reclaim possession of the vehicle. For the purposes of this
10 subsection, "owner's agent" means the legal owner of the vehicle, a
11 driver in possession of the vehicle with the registered owner's
12 permission, or an adult member of the registered owner's family;

13 (vi) A person who is determined and verified by the operator to
14 have the permission of the registered owner of the vehicle or other
15 item of personal property registered or titled with the department;

16 (vii) A person who has purchased a vehicle or item of personal
17 property registered or titled with the department from the registered
18 owner who produces proof of ownership or written authorization and
19 signs a receipt therefor; ((~~or~~))

20 (viii) If (a)(i) through (vii) of this subsection do not apply, a
21 person, who is known to the registered or legal owner of a motorcycle
22 or moped, as each are defined in chapter 46.04 RCW, that was towed
23 from the scene of an accident, may redeem the motorcycle or moped as
24 a bailment in accordance with RCW 46.55.125 while the registered or
25 legal owner is admitted as a patient in a hospital due to the
26 accident; or

27 (ix) A person who is authorized by a court to redeem the vehicle
28 after an impound hearing or other procedure.

29 (A) A court or administrative hearing officer, for the
30 jurisdiction in which the vehicle was impounded, may order the
31 release of the vehicle to any person meeting the criteria in (a)(i)
32 through (viii) of this subsection after a hearing or legal
33 proceeding.

34 (B) If ownership of the vehicle or authorization from the legal
35 or registered owner to use, reside in, or retrieve the vehicle is
36 disputed, a court or hearing officer may review any additionally
37 presented information and evidence at a court or administrative
38 hearing. If a person is unable to present sufficient evidence that
39 the person meets the criteria in (a)(i) through (viii) of this
40 subsection, a court, with good cause, may set aside the hearing for

1 up to 15 business days, unless extenuating circumstances require
2 additional time, to allow the person an opportunity to file
3 appropriate ownership paperwork with the department or to obtain
4 written authorization from the legal or registered owner to redeem
5 the vehicle. If a claimant files a claim under RCW 46.12.680 during
6 this additional time, a court may grant an additional continuance
7 until that legal proceeding has ended.

8 (b) In addition, a vehicle impounded because the operator is in
9 violation of RCW 46.20.342(1)(c) shall not be released until a person
10 eligible to redeem it under (a) of this subsection satisfies the
11 requirements of (f) of this subsection, including paying all towing,
12 removal, and storage fees, notwithstanding the fact that the hold was
13 ordered by a government agency. If the department's records show that
14 the operator has been convicted of a violation of RCW 46.20.342 or a
15 similar local ordinance within the past five years, the vehicle may
16 be held for up to (~~thirty~~) 30 days at the written direction of the
17 agency ordering the vehicle impounded. A vehicle impounded because
18 the operator is arrested for a violation of RCW 46.20.342 may be
19 released only pursuant to a written order from the agency that
20 ordered the vehicle impounded or from the court having jurisdiction.
21 An agency shall issue a written order to release pursuant to a
22 provision of an applicable state agency rule or local ordinance
23 authorizing release on the basis of the following:

24 (i) Economic or personal hardship to the spouse of the operator,
25 taking into consideration public safety factors, including the
26 operator's criminal history and driving record; or

27 (ii) The owner of the vehicle was not the driver, the owner did
28 not know that the driver's license was suspended or revoked, and the
29 owner has not received a prior release under this subsection or RCW
30 46.55.113(3).

31 In order to avoid discriminatory application, other than for the
32 reasons for release set forth in (b)(i) and (ii) of this subsection,
33 an agency shall, under a provision of an applicable state agency rule
34 or local ordinance, deny release in all other circumstances without
35 discretion.

36 If a vehicle is impounded because the operator is in violation of
37 RCW 46.20.342(1)(a) or (b), the vehicle may be held for up to thirty
38 days at the written direction of the agency ordering the vehicle
39 impounded. However, if the department's records show that the
40 operator has been convicted of a violation of RCW 46.20.342(1)(a) or

1 (b) or a similar local ordinance within the past five years, the
2 vehicle may be held at the written direction of the agency ordering
3 the vehicle impounded for up to (~~sixty~~) 60 days, and for up to
4 (~~ninety~~) 90 days if the operator has two or more such prior
5 offenses. If a vehicle is impounded because the operator is arrested
6 for a violation of RCW 46.20.342, the vehicle may not be released
7 until a person eligible to redeem it under (a) of this subsection
8 satisfies the requirements of (f) of this subsection, including
9 paying all towing, removal, and storage fees, notwithstanding the
10 fact that the hold was ordered by a government agency.

11 (c) If the vehicle is directed to be held for a suspended license
12 impound, a person who desires to redeem the vehicle at the end of the
13 period of impound shall within five days of the impound at the
14 request of the tow truck operator pay a security deposit to the tow
15 truck operator of not more than one-half of the applicable impound
16 storage rate for each day of the proposed suspended license impound.
17 The tow truck operator shall credit this amount against the final
18 bill for removal, towing, and storage upon redemption. The tow truck
19 operator may accept other sufficient security in lieu of the security
20 deposit. If the person desiring to redeem the vehicle does not pay
21 the security deposit or provide other security acceptable to the tow
22 truck operator, the tow truck operator may process and sell at
23 auction the vehicle as an abandoned vehicle within the normal time
24 limits set out in RCW 46.55.130(1). The security deposit required by
25 this section may be paid and must be accepted at any time up to
26 (~~twenty-four~~) 24 hours before the beginning of the auction to sell
27 the vehicle as abandoned. The registered owner is not eligible to
28 purchase the vehicle at the auction, and the tow truck operator shall
29 sell the vehicle to the highest bidder who is not the registered
30 owner.

31 (d) Notwithstanding (c) of this subsection, a rental car business
32 may immediately redeem a rental vehicle it owns by payment of the
33 costs of removal, towing, and storage, whereupon the vehicle will not
34 be held for a suspended license impound.

35 (e) Notwithstanding (c) of this subsection, a motor vehicle
36 dealer or lender with a perfected security interest in the vehicle
37 may redeem or lawfully repossess a vehicle immediately by payment of
38 the costs of removal, towing, and storage, whereupon the vehicle will
39 not be held for a suspended license impound. A motor vehicle dealer
40 or lender with a perfected security interest in the vehicle may not

1 knowingly and intentionally engage in collusion with a registered
2 owner to repossess and then return or resell a vehicle to the
3 registered owner in an attempt to avoid a suspended license impound.
4 However, this provision does not preclude a vehicle dealer or a
5 lender with a perfected security interest in the vehicle from
6 repossessing the vehicle and then selling, leasing, or otherwise
7 disposing of it in accordance with chapter 62A.9A RCW, including
8 providing redemption rights to the debtor under RCW 62A.9A-623. If
9 the debtor is the registered owner of the vehicle, the debtor's right
10 to redeem the vehicle under chapter 62A.9A RCW is conditioned upon
11 the debtor obtaining and providing proof from the impounding
12 authority or court having jurisdiction that any fines, penalties, and
13 forfeitures owed by the registered owner, as a result of the
14 suspended license impound, have been paid, and proof of the payment
15 must be tendered to the vehicle dealer or lender at the time the
16 debtor tenders all other obligations required to redeem the vehicle.
17 Vehicle dealers or lenders are not liable for damages if they rely in
18 good faith on an order from the impounding agency or a court in
19 releasing a vehicle held under a suspended license impound.

20 (f) The vehicle or other item of personal property registered or
21 titled with the department shall be released upon the presentation to
22 any person having custody of the vehicle of commercially reasonable
23 tender sufficient to cover the costs of towing, storage, or other
24 services rendered during the course of towing, removing, impounding,
25 or storing any such vehicle, with credit being given for the amount
26 of any security deposit paid under (c) of this subsection. In
27 addition, if a vehicle is impounded because the operator was arrested
28 for a violation of RCW 46.20.342 or 46.20.345 and was being operated
29 by the registered owner when it was impounded under local ordinance
30 or agency rule, it must not be released to any person until the
31 registered owner establishes with the agency that ordered the vehicle
32 impounded or the court having jurisdiction that any penalties, fines,
33 or forfeitures owed by him or her have been satisfied. Registered tow
34 truck operators are not liable for damages if they rely in good faith
35 on an order from the impounding agency or a court in releasing a
36 vehicle held under a suspended license impound. Commercially
37 reasonable tender shall include, without limitation, cash, major bank
38 credit cards issued by financial institutions, or personal checks
39 drawn on Washington state branches of financial institutions if
40 accompanied by two pieces of valid identification, one of which may

1 be required by the operator to have a photograph. If the towing firm
2 cannot determine through the customer's bank or a check verification
3 service that the presented check would be paid by the bank or
4 guaranteed by the service, the towing firm may refuse to accept the
5 check. Any person who stops payment on a personal check or credit
6 card, or does not make restitution within (~~ten~~) 10 days from the
7 date a check becomes insufficient due to lack of funds, to a towing
8 firm that has provided a service pursuant to this section or in any
9 other manner defrauds the towing firm in connection with services
10 rendered pursuant to this section shall be liable for damages in the
11 amount of twice the towing and storage fees, plus costs and
12 reasonable (~~attorney's~~) attorneys' fees.

13 (2) (a) The registered tow truck operator shall give to each
14 person who seeks to redeem an impounded vehicle, or item of personal
15 property registered or titled with the department, written notice of
16 the right of redemption and opportunity for a hearing, which notice
17 shall be accompanied by a form to be used for requesting a hearing,
18 the name of the person or agency authorizing the impound, and a copy
19 of the towing and storage invoice. The registered tow truck operator
20 shall maintain a record evidenced by the redeeming person's signature
21 that such notification was provided.

22 (b) Any person seeking to redeem an impounded vehicle under this
23 section has a right to a hearing in the district or municipal court
24 for the jurisdiction in which the vehicle was impounded to contest
25 the validity of the impoundment or the amount of towing and storage
26 charges. The district court has jurisdiction to determine the issues
27 involving all impoundments including those authorized by the state or
28 its agents. The municipal court has jurisdiction to determine the
29 issues involving impoundments authorized by agents of the
30 municipality. Any request for a hearing shall be made in writing on
31 the form provided for that purpose and must be received by the
32 appropriate court within (~~ten~~) 10 days of the date the opportunity
33 was provided for in (a) of this subsection and more than five days
34 before the date of the auction. The court may consider a late request
35 for a hearing for good cause when the vehicle is used as a residence
36 if the request is made in writing on a form provided for that purpose
37 more than five days before the date of the auction. At the time of
38 the filing of the hearing request, the petitioner shall pay to the
39 court clerk a filing fee in the same amount required for the filing
40 of a suit in district court. If the hearing request is not received

1 by the court within the (~~ten-day~~) 10-day period or by the extended
2 deadline authorized for a vehicle used as a residence, the right to a
3 hearing is waived and the registered owner is liable for any towing,
4 storage, or other impoundment charges permitted under this chapter.
5 Upon receipt of a timely hearing request, the court shall proceed to
6 hear and determine the validity of the impoundment.

7 (3) (a) The court, within five days after the request for a
8 hearing, shall notify the registered tow truck operator, the person
9 requesting the hearing if not the owner, the registered and legal
10 owners of the vehicle or other item of personal property registered
11 or titled with the department, and the person or agency authorizing
12 the impound in writing of the hearing date and time.

13 (b) At the hearing, the person or persons requesting the hearing
14 may produce any relevant evidence to show that the impoundment,
15 towing, or storage fees charged were not proper. The court may
16 consider a written report made under oath by the officer who
17 authorized the impoundment in lieu of the officer's personal
18 appearance at the hearing.

19 (c) At the conclusion of the hearing, the court shall determine
20 whether the impoundment was proper, whether the towing or storage
21 fees charged were in compliance with the posted rates, and who is
22 responsible for payment of the fees.

23 (i) The court may not adjust fees or charges that are in
24 compliance with the posted or contracted rates.

25 (ii) If the court finds that a vehicle is used as a residence,
26 the court may consider the person's ability to pay the towing and
27 storage fees charged and may reduce such fees if the court finds the
28 person to be indigent. The department must pay the difference between
29 the reduced fees and the tow truck operator's actual costs for the
30 towing and storage if the tow truck operator applies for
31 reimbursement to the department as authorized under section 6 of this
32 act.

33 (d) If the impoundment is found proper, the impoundment, towing,
34 and storage fees as permitted under this chapter together with court
35 costs shall be assessed against the person or persons requesting the
36 hearing, unless the operator did not have a signed and valid
37 impoundment authorization from a private property owner or an
38 authorized agent.

39 (e) If the impoundment is determined to be in violation of this
40 chapter, then the registered and legal owners of the vehicle or other

1 item of personal property registered or titled with the department
2 shall bear no impoundment, towing, or storage fees, and any security
3 shall be returned or discharged as appropriate, and the person or
4 agency who authorized the impoundment shall be liable for any towing,
5 storage, or other impoundment fees permitted under this chapter. The
6 court shall enter judgment in favor of the registered tow truck
7 operator against the person or agency authorizing the impound for the
8 impoundment, towing, and storage fees paid. In addition, the court
9 shall enter judgment in favor of the registered and legal owners of
10 the vehicle, or other item of personal property registered or titled
11 with the department, for the amount of the filing fee required by law
12 for the impound hearing petition as well as reasonable damages for
13 loss of the use of the vehicle during the time the same was impounded
14 against the person or agency authorizing the impound. However, if an
15 impoundment arising from an alleged violation of RCW 46.20.342 or
16 46.20.345 is determined to be in violation of this chapter, then the
17 law enforcement officer directing the impoundment and the government
18 employing the officer are not liable for damages if the officer
19 relied in good faith and without gross negligence on the records of
20 the department in ascertaining that the operator of the vehicle had a
21 suspended or revoked driver's license. If any judgment entered is not
22 paid within (~~fifteen~~) 15 days of notice in writing of its entry,
23 the court shall award reasonable attorneys' fees and costs against
24 the defendant in any action to enforce the judgment. Notice of entry
25 of judgment may be made by registered or certified mail, and proof of
26 mailing may be made by affidavit of the party mailing the notice.
27 Notice of the entry of the judgment shall read essentially as
28 follows:

29 TO:
30 YOU ARE HEREBY NOTIFIED JUDGMENT was entered against you in
31 the Court located at in the sum of
32 \$., in an action entitled, Case
33 No. YOU ARE FURTHER NOTIFIED that attorneys fees and
34 costs will be awarded against you under RCW . . . if the
35 judgment is not paid within 15 days of the date of this
36 notice.
37 DATED this day of, (year) . . .
38 Signature
39 Typed name and address

1 of party mailing notice

2 (4) Any impounded abandoned vehicle or item of personal property
3 registered or titled with the department that is not redeemed within
4 (~~fifteen~~) 15 days of mailing of the notice of custody and sale as
5 required by RCW 46.55.110(3) shall be sold at public auction in
6 accordance with all the provisions and subject to all the conditions
7 of RCW 46.55.130. A vehicle or item of personal property registered
8 or titled with the department may be redeemed at any time before the
9 start of the auction upon payment of the applicable towing and
10 storage fees.

11 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.53
12 RCW to read as follows:

13 (1) If a court reduces towing and storage fees of a vehicle used
14 as a residence by a person found to be indigent by the court, the
15 registered tow truck operator may apply to the department on a form
16 prescribed by the department for cost reimbursement to pay the
17 difference between any reduced towing and storage fees and the tow
18 truck operator's actual costs for the towing and storage.

19 (2) The department may only use funds as authorized under RCW
20 46.68.175 for cost reimbursement of a vehicle used as a residence. If
21 at any time funds do not exist in the abandoned recreational vehicle
22 disposal account to reimburse claims submitted under subsection (1)
23 of this section, the department must create and maintain a waitlist
24 and distribute funds in the order the claims are received. Payment of
25 any claims on the waitlist must be made only from the abandoned
26 recreational vehicle disposal account. The department is not civilly
27 or criminally liable and may not have any penalty or cause of action
28 of any nature arise against it regarding the provision or lack of
29 provision of funds for reimbursement.

30 **Sec. 7.** RCW 46.68.175 and 2018 c 287 s 6 are each amended to
31 read as follows:

32 (1) The abandoned recreational vehicle disposal account is
33 created in the state treasury. All receipts from the fee imposed in
34 RCW 46.17.380 must be deposited into the account. The account may
35 receive fund transfers and appropriations from the general fund, as
36 well as gifts, grants, and endowments from public or private sources,
37 in trust or otherwise, for the use and benefit of the purposes of

1 chapter 287, Laws of 2018 or section 6, chapter . . . , Laws of 2024
2 (section 6 of this act), and expend any income according to the terms
3 of the gifts, grants, or endowments, provided that those terms do not
4 conflict with any provisions of this section or any guidelines
5 developed to prioritize reimbursement of removal projects associated
6 with chapter 287, Laws of 2018 or section 6, chapter . . . , Laws of
7 2024 (section 6 of this act).

8 (2) Moneys in the account may be spent only after appropriation.
9 Expenditures from the account may be used only by the department to
10 reimburse (~~registered~~):

11 (a) Registered tow truck operators and licensed dismantlers for
12 up to (~~one hundred~~) 100 percent of the total reasonable and
13 auditable administrative costs for transport, dismantling, and
14 disposal of abandoned recreational vehicles under RCW 46.53.010 when
15 the last registered owner is unknown after a reasonable search
16 effort. Compliance with RCW 46.55.100 is considered a reasonable
17 effort to locate the last registered owner of the abandoned
18 recreational vehicle. Any funds received by the registered tow truck
19 operators or licensed dismantlers through collection efforts from the
20 last owner of record shall be turned over to the department for
21 vehicles reimbursed under RCW 46.53.010; or

22 (b) A registered tow truck operator for costs related to a
23 vehicle used as a residence to pay the difference between any reduced
24 towing and storage fees and the tow truck operator's actual costs for
25 the towing and storage.

26 (3) Funds in the account resulting from transfers from the
27 general fund must be used to reimburse (~~one hundred~~) 100 percent of
28 eligible costs up to a limit of (~~ten thousand dollars~~) \$10,000 per
29 vehicle for which cost reimbursements are requested.

30 (4) In each fiscal biennium, beginning in the 2019-2021 fiscal
31 biennium, up to (~~fifteen~~) 15 percent of the expenditures from the
32 account may be used for administrative expenses of the department in
33 implementing this chapter.

34 **Sec. 8.** RCW 6.13.010 and 2021 c 290 s 2 are each amended to read
35 as follows:

36 (1) The homestead consists of real or personal property that the
37 owner or a dependent of the owner uses as a residence.

38 (a) In the case of a dwelling house or mobile home, the homestead
39 consists of the dwelling house or the mobile home in which the owner

1 resides or intends to reside, with appurtenant buildings, and the
2 land on which the same are situated and by which the same are
3 surrounded, or improved or unimproved land, regardless of area, owned
4 with the intention of placing a house or mobile home thereon and
5 residing thereon. A mobile home may be exempted under this chapter
6 whether or not it is permanently affixed to the underlying land and
7 whether or not the mobile home is placed upon a lot owned by the
8 mobile home owner or a dependent of the owner. Property included in
9 the homestead must be actually intended or used as the principal home
10 for the owner.

11 (b) A vehicle that is illegally parked on public property or in a
12 public right-of-way is not a homestead for the purposes of this
13 chapter.

14 (2) As used in this chapter:

15 (a) "Owner" includes but is not limited to a purchaser under a
16 deed of trust, mortgage, or real estate contract.

17 (b) "Net value" means market value less all liens and
18 encumbrances senior to the judgment being executed upon and not
19 including the judgment being executed upon.

20 (c) "Forced sale" includes any sale of homestead property in a
21 bankruptcy proceeding under Title 11 of the United States Code. The
22 reinvestment provisions of RCW 6.13.070 do not apply to the proceeds.

23 (d) "Dependent" has the meaning given in Title 11 U.S.C. Sec.
24 522(a)(1), as it existed on the effective date of this section.

25 (e) "Vehicle" means a device designed to be moved upon a public
26 highway, and in, upon, or by which any persons or property is or may
27 be transported or drawn upon a public highway, and includes a vehicle
28 that is inoperative.

29 NEW SECTION. **Sec. 9.** Sections 2 through 7 of this act take
30 effect January 1, 2025.

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