

RCW 79A.60.045

Vessel impoundment—Procedure— Forfeiture.

Wade Alonzo, State Parks

Rob Norton, Department of Licensing

Mercer Island PD Sgt. Brian Noel



EMBRACE YOUR
NATURE

Overview

- Purpose of the law
- General process
- What's next



EMBRACE YOUR
NATURE

Purpose

- Give boating safety officers and marinas:
 - Authority
 - Immunity
 - Means to deal with a logistical problem
- Give boaters
 - Due process, protections



EMBRACE YOUR
NATURE

General Process

- Arrest
 - Exhausting reasonable alternatives to impound
- Impoundment
 - Must have facility permission
 - Officer/Deputy fills out Vessel Impound Auth. Form
 - Copies given to facility and all legal/reg. owners
- Boater given a hearing request notice



EMBRACE YOUR
NATURE

General Process

- Redemption of vessel by boater
 - Facility can request law enforcement presence
 - When all expenses paid, may be released to owner, or agent.
 - Operator/Owner may not redeem within 12 hours
 - 15 day limit or foreclosure process may begin



EMBRACE YOUR
NATURE

General Process

- Foreclosure
 - After 15 days - notice of foreclosure sent
 - After 20 add'l days, vessel is forfeited, sold
 - Foreclosing entity (can be law enforcement if facility chooses) – files a forfeited vessel disposition form
 - Proceeds > \$1000 (after expenses) remitted to Derelict Vessel Account



EMBRACE YOUR
NATURE

Major Provisions of Vessel Impound

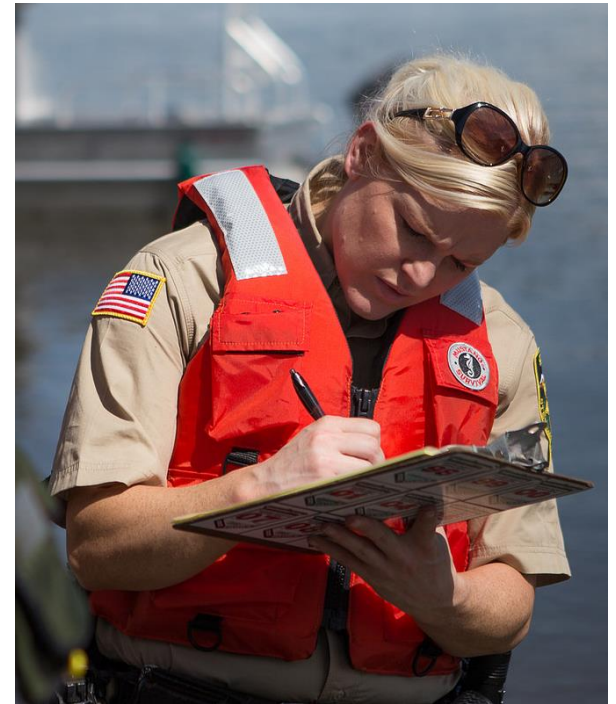
- Express authority –S1
- Reasonable alternatives –S3
- Exigent circumstances –S5
- Facility permission –S8
- Foreclosure lead – S8



EMBRACE YOUR
NATURE

Major Provisions of Vessel Impound

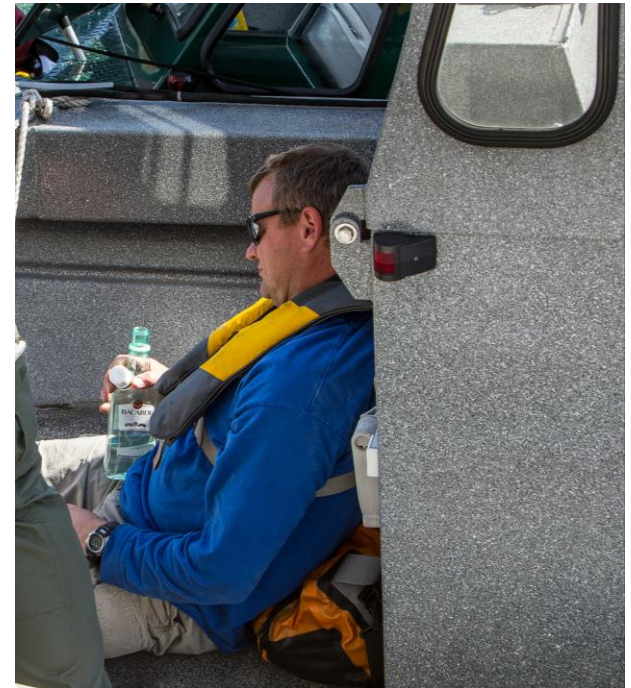
- Notification / Impound form – S9
- 12 hr. rule for operator – S9c
- Moorage costs – S10
- Payment - redemption – S11



EMBRACE YOUR
NATURE

Major Provisions of Vessel Impound

- Agency rep at redemption – S11
- Foreclosure process – S12
- Liability - S13 & S14
- Hearings process – S15



EMBRACE YOUR
NATURE

Working with law enforcement

- Marina opt in, critical to success
- Encouraging cooperative agreements ahead of time, so expectations/process are clear
- Preventing foreclosure should be a goal



EMBRACE YOUR
NATURE

What's next?

- State Parks/DOL convening a work group:
 - December 12
 - State Parks HQ – Tumwater
 - 10 AM to Noon
- You are welcome to attend
- You are invited to comment on the draft forms
- Send comments to: rnorton@dol.wa.gov



EMBRACE YOUR
NATURE

Thank you

Wade Alonzo
Washington State Parks
(360) – 902 - 8836
Wade.Alonzo@parks.wa.gov

Robert Norton
Dept. of Licensing
(360) 902 - 3710
rnorton@dol.wa.gov



EMBRACE YOUR
NATURE



EMBRACE YOUR
NATURE

