

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 345

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-1806, IDAHO CODE, TO PROVIDE
THAT CERTAIN VEHICLES SHALL NOT BE SUBJECT TO REMOVAL OR BOOTING.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-1806, Idaho Code, be, and the same is hereby
amended to read as follows:

49-1806. REMOVAL -- BOOTING OF UNAUTHORIZED AND ABANDONED VEHICLE
FROM REAL PROPERTY. (1) Any person having possession or control of real
property who finds an unauthorized vehicle standing upon his property is
permitted to have the vehicle removed or booted if there is posted on or near
the property in a clearly conspicuous location, in large print, a sign or
notice that unauthorized vehicles will be removed or booted at the owner's
expense and designating the name of the towing firm. Unauthorized vehicles
need not meet the provision of section 49-102(2), Idaho Code, in this in-
stance. No vehicle shall be considered unauthorized and subject to removal
or booting pursuant to the provisions of this subsection solely on the basis
of the vehicle having expired or improper vehicle registration.

(2) Any person having possession or control of real property who finds
an abandoned vehicle standing on his property, where the property is not
posted as set out in subsection (1) of this section, may contact an au-
thorized officer, who must in turn comply with the provisions of section
49-1804, Idaho Code, in accomplishing the removal of the vehicle except un-
der those circumstances set out in subsection (3) of this section.

(3) Where access into or out of private property or substantial in-
terference with the use and enjoyment of private property is created by an
unauthorized or abandoned vehicle being parked or otherwise left on pri-
vate property, the person owning or controlling the property may contact an
authorized officer who may, without regard for the provisions of section
49-1804, Idaho Code, immediately proceed to have the vehicle removed to a
garage or nearest place of safety. All other provisions of this chapter
shall be complied with.