
SUBSTITUTE SENATE BILL 6391

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Long, Prentice, Owen, Prince, Schow, Sellar and Haugen)

Read first time 02/02/96.

1 AN ACT Relating to vehicles that have been rebuilt from salvage;
2 amending RCW 46.12.005, 46.32.005, 46.12.040, 46.12.050, and 46.12.075;
3 adding a new section to chapter 46.32 RCW; and creating a new section.

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

5 **Sec. 1.** RCW 46.12.005 and 1967 c 140 s 5 are each amended to read
6 as follows:

7 ~~((As used in this amendatory act,))~~ The definitions set forth in
8 this section apply throughout this chapter.

9 (1) The words "delivery," (()) "notice," (()) "send," and "security
10 interest" ((shall)) have the same meaning as these terms are defined in
11 RCW 62A.1-201 ((as now and hereafter amended)); the word(()) "secured
12 party" ((shall have)) has the same meaning as this term is defined in
13 RCW 62A.9-105 ((as now and hereafter amended)).

14 (2) "Salvage vehicle" means a vehicle whose certificate of
15 ownership has been surrendered to the department under RCW 46.12.070
16 due to the vehicle's destruction or declaration as a total loss or for
17 which there is documentation indicating that the vehicle has been
18 declared salvage or has been damaged to the extent that the owner, an
19 insurer, or other person acting on behalf of the owner, has determined

1 that the cost of parts and labor plus the salvage value has made it
2 uneconomical to repair the vehicle. The term does not include a motor
3 vehicle having a model year designation of a calendar year that is at
4 least six years before the calendar year in which the vehicle was
5 wrecked, destroyed, or damaged.

6 **Sec. 2.** RCW 46.32.005 and 1993 c 403 s 1 are each amended to read
7 as follows:

8 (1) For the purpose of this chapter "commercial motor vehicle"
9 means a self-propelled or towed vehicle designed or used to transport
10 passengers or property, if the vehicle:

11 ~~((+1))~~ (a) Has a gross vehicle weight rating or gross combination
12 weight rating of ten thousand one or more pounds;

13 ~~((+2))~~ (b) Is designed to transport sixteen or more passengers,
14 including the driver; or

15 ~~((+3))~~ (c) Is transporting hazardous materials and is required to
16 be identified by a placard in accordance with 49 C.F.R. Sec. 172.500-
17 .560 (1991).

18 (2) A recreational vehicle used for noncommercial purposes is not
19 considered a commercial motor vehicle. "Recreational vehicle" includes
20 a vehicle towing a horse trailer for a noncommercial purpose.

21 (3) "Structural integrity inspection" means an inspection of a
22 salvage vehicle, as authorized by the Washington state patrol, to
23 ensure that the frame and other components integral to the structure of
24 the vehicle have been reconstructed or repaired in a manner that meets
25 automotive industry standards adopted by the state patrol.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.32 RCW
27 to read as follows:

28 (1) Structural integrity inspections may be conducted only by
29 privately owned autobody repair shops that are certified by the
30 Washington state patrol to perform the inspections.

31 (2) To receive certification to perform structural integrity
32 inspections, the autobody repair shop must:

33 (a) Be properly licensed, bonded, and insured; and

34 (b) Possess the ability, including facilities, equipment, and
35 personnel, to accomplish the inspections.

36 (3) Technicians conducting the inspections must have: (a) At least
37 five years of practical experience; (b) automotive service excellence

1 (ASE) certification for structural measurement and correction, or
2 equivalent certification approved by the state patrol; and (c)
3 completed a series of collision repair classes sanctioned or provided
4 by the interindustry conference on auto collision repair (I-CAR). The
5 Washington state patrol shall determine which classes are required and
6 may accept equivalent training classes to meet this requirement.

7 (4) The Washington state patrol shall set a fee schedule to
8 adequately cover the cost of the structural integrity inspections. The
9 business performing the inspection shall charge the fee to the person
10 or business requesting the inspection and shall retain the fee so
11 collected.

12 (5) A person or business performing a structural integrity
13 inspection is not required to check components unrelated to the
14 structural integrity of the vehicle.

15 (6) A document describing the structural integrity inspection
16 program or certificate issued under this section must include a
17 statement conveying that such an inspection is limited to structural
18 components of the vehicle and does not ensure the overall safety of a
19 vehicle.

20 (7) The department or the Washington state patrol may adopt rules
21 requiring insurers and owners of vehicles who submit certificates of
22 ownership under RCW 46.12.070 due to the vehicle's destruction or
23 declaration as a total loss to submit a form provided by the
24 department, showing the general areas of damage to the vehicle and
25 providing procedures to use the forms to facilitate structural
26 integrity inspections. If adopted, the rules must require that the
27 form include a disclaimer indicating that all damage to the vehicle may
28 not be represented.

29 (8) The department or the Washington state patrol may adopt rules
30 requiring a person or business requesting a structural integrity
31 inspection to provide photos depicting the original damage to the
32 vehicle.

33 **Sec. 4.** RCW 46.12.040 and 1990 c 238 s 2 are each amended to read
34 as follows:

35 The application accompanied by a draft, money order, certified bank
36 check, or cash for one dollar and twenty-five cents, together with the
37 last preceding certificates or other satisfactory evidence of
38 ownership, shall be forwarded to the director.

1 The fee shall be in addition to any other fee for the license
2 registration of the vehicle. The certificate of ownership shall not be
3 required to be renewed annually, or at any other time, except as by law
4 provided.

5 In addition to the application fee and any other fee for the
6 license registration of a vehicle, there shall be collected from the
7 applicant an inspection fee whenever a physical examination of the
8 vehicle is required as a part of the vehicle licensing or titling
9 process.

10 For vehicles previously registered in any other state or country,
11 the inspection fee shall be fifteen dollars and shall be deposited in
12 the motor vehicle fund. For all other vehicles requiring a physical
13 examination, the inspection fee shall be twenty dollars and shall be
14 deposited in the motor vehicle fund. For vehicles that have received
15 a structural integrity inspection, an additional fee of five dollars
16 shall be collected and shall be deposited in the motor vehicle fund to
17 cover the costs to administer the structural integrity inspection
18 program.

19 **Sec. 5.** RCW 46.12.050 and 1993 c 307 s 1 are each amended to read
20 as follows:

21 The department, if satisfied from the statements upon the
22 application that the applicant is the legal owner of the vehicle or
23 otherwise entitled to have a certificate of ownership thereof in the
24 applicant's name, shall issue an appropriate electronic record of
25 ownership or a written certificate of ownership, over the director's
26 signature, authenticated by seal, and if required, a new written
27 certificate of license registration if certificate of license
28 registration is required.

29 The certificates of ownership and the certificates of license
30 registration shall contain upon the face thereof, the date of
31 application, the registration number assigned to the registered owner
32 and to the vehicle, the name and address of the registered owner and
33 legal owner, the vehicle identification number, and such other
34 description of the vehicle and facts as the department shall require,
35 and in addition thereto, if the vehicle described in such certificates
36 shall have ever been licensed and operated as an exempt vehicle or a
37 taxicab, or if it (~~is less than four years old and~~) has been rebuilt

1 after (~~having been totaled out by an insurance carrier~~) becoming a
2 salvage vehicle, such fact shall be clearly shown thereon.

3 All certificates of ownership of motor vehicles issued after April
4 30, 1990, shall reflect the odometer reading as provided by the
5 odometer disclosure statement submitted with the title application
6 involving a transfer of ownership.

7 A blank space shall be provided on the face of the certificate of
8 license registration for the signature of the registered owner.

9 Upon issuance of the certificate of license registration and
10 certificate of ownership and upon any reissue thereof, the department
11 shall deliver the certificate of license registration to the registered
12 owner and the certificate of ownership to the legal owner, or both to
13 the person who is both the registered owner and legal owner.

14 **Sec. 6.** RCW 46.12.075 and 1995 c 256 s 24 are each amended to read
15 as follows:

16 (1) Effective January 1, 1997, the department shall issue a unique
17 certificate of ownership and certificate of license registration, as
18 required by chapter 46.16 RCW, for vehicles (~~less than four years~~
19 ~~old~~) that are rebuilt after (~~surrender of the certificate of~~
20 ~~ownership to the department under RCW 46.12.070 due to the vehicle's~~
21 ~~destruction or declaration as a total loss~~) becoming a salvage
22 vehicle. Each certificate shall conspicuously display across its
23 front, a word indicating that the vehicle was rebuilt.

24 (2) Beginning January 1, 1997, upon inspection of a salvage vehicle
25 that has been rebuilt under RCW 46.12.030, the state patrol shall
26 securely affix or inscribe a marking at the driver's door latch pillar
27 indicating that the vehicle has previously been destroyed or declared
28 a total loss.

29 (3) Effective July 1, 1997, the department may not issue a
30 certificate of ownership or registration for a salvage vehicle unless
31 the vehicle has passed a structural integrity inspection. The
32 inspection is not required for flood vehicles or recovered stolen
33 vehicles that have sustained no damage. This subsection does not
34 affect the authority of the department of labor and industries to
35 require or perform inspections under chapter 43.22 RCW.

36 (4) It is a class C felony for a person to remove the marking
37 prescribed in subsection (2) of this section.

1 (~~(4)~~) (5) The department and the Washington state patrol may
2 adopt rules as necessary to implement this section.

3 NEW SECTION. **Sec. 7.** By January 1, 1997, the Washington state
4 patrol shall present to the legislative transportation committee and
5 the office of financial management a progress report on the
6 implementation of the structural integrity inspection program,
7 including, but not limited to, the proposed fee schedule, other
8 proposed rules, and recommendations for any legislation necessary to
9 implement the program.

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