

Chapter 308-65 WAC

HULK HAULERS/SCRAP PROCESSORS

WAC

308-65-010	Definitions—General.
308-65-020	Definitions.
308-65-030	Established place of business.
308-65-040	Hulk hauler—Application for license.
308-65-050	Expiration of hulk hauler license.
308-65-060	Hulk hauler—Special plates.
308-65-070	Hulk hauler—General procedures and requirements.
308-65-080	Hulk hauler—Procedures for acquiring and selling vehicles.
308-65-090	Scrap processor—Application for license.
308-65-100	Expiration of scrap processor license.
308-65-110	Scrap processor—Special plates.
308-65-120	Scrap processor—General procedures and requirements.
308-65-130	Scrap processor—Procedures for acquiring vehicles for demolition.
308-65-140	Scrap processor—Procedures for monthly reports.
308-65-150	Statement of change in business structure, ownership interest or control.
308-65-160	Termination of business.
308-65-170	Sale, transfer or other disposition of noncorporate licensee.
308-65-190	Incorporation of licensee while licensed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-65-180	Partial sales transfer or disposition of noncorporate licensee. [Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-180, filed 4/6/93, effective 5/7/93.] Repealed by WSR 00-13-020, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.79.080.
------------	--

WAC 308-65-010 Definitions—General. Common carrier. Common carrier means any person who undertakes to transport property for the general public by motor vehicle for compensation as outlined in chapter 81.80 RCW. For the purposes of this chapter, common carriers licensed under the provisions of chapter 81.80 RCW are exempt from the hulk hauler licensing requirements when transporting demolished vehicles for hire between vehicle wreckers and/or scrap processors licensed by the state or country in which they operate, and the ownership interest in the vehicles is transferred directly between the vehicle wreckers and/or scrap processors.

Deals in vehicles. For the purposes of this chapter, deals in vehicles means to obtain an ownership interest in a vehicle for the purpose of transporting and/or selling the vehicle to a licensed vehicle wrecker or scrap processor by obtaining ownership as set forth in WAC 308-65-080.

Demolish. To demolish means to completely destroy a vehicle, vehicle salvage, and all parts by rendering it completely unusable except for recyclable material, for example, by means of a hydraulic crusher, hydraulic baler and shears or a shredder operated by a licensed scrap processor.

Hulk hauler. Any person who deals in vehicles for the sole purpose of transporting and/or selling them to a licensed vehicle wrecker or scrap processor in substantially the same form in which they are obtained.

(2/11/10)

[Statutory Authority: RCW 46.79.080. WSR 10-05-050, § 308-65-010, filed 2/11/10, effective 3/14/10. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-010, filed 4/6/93, effective 5/7/93.]

WAC 308-65-020 Definitions. (1) Bill of sale for acquiring vehicles. A bill of sale shall include the names and addresses of the seller and purchaser; a description of the vehicle or part being sold, including the make, model and identification or serial number; the date of sale; and the purchase price of the vehicle. Bills of sale are acceptable in lieu of title in the cases of:

- (a) Vehicles from nontitle jurisdictions;
- (b) When an insurance company or private owner has turned in the title to a vehicle previously destroyed as provided under WAC 308-56A-460; or
- (c) For vehicles of the type to which titles are not issued.

(2) In the case of vehicle parts a bill of sale from the seller describing the specific part and giving the full name, address and verification of the seller's identity, plus date of sale. In addition, if a major component part is acquired the vehicle identification number from which it came must also be set forth on the bill of sale. A copy of each bill of sale shall be maintained on acquired parts for a period of three years.

[Statutory Authority: RCW 46.79.080. WSR 00-13-020, § 308-65-020, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-020, filed 4/6/93, effective 5/7/93.]

WAC 308-65-030 Established place of business. **What must I do for a place of business?** (1) Hulk hauler. A hulk hauler's established place of business is an address at which the hulk hauler receives mail and can normally be reached.

(2) Scrap processor. A scrap processor's established place of business is a place where (a) vehicles may be stored lawfully, (b) hydraulic balers, shears or shredders or other equipment for recycling vehicle salvage may be used lawfully, and (c) there is a building in which the scrap processor's license is conspicuously displayed and where all records required of the scrap processor are available for inspection.

[Statutory Authority: RCW 46.79.080. WSR 00-13-020, § 308-65-030, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-030, filed 4/6/93, effective 5/7/93.]

WAC 308-65-040 Hulk hauler—Application for license. **How must I apply for the hulk hauler license?** The application for a hulk hauler's license shall be made on the form provided by the department and shall include, in addition to any other information the department may require, and in addition to the provisions of RCW 46.79.030:

- (1) A statement regarding whether or not the applicant has ever previously had a license as a hulk hauler denied, suspended, or revoked and on what dates and what grounds.

[Ch. 308-65 WAC p. 1]

(2) A certification from a member of the Washington state patrol that his/her vehicle(s) are properly identified in accordance with WAC 308-65-070(5).

The license may be renewed prior to the expiration date by filing a renewal application, securing a signature of the appropriate member of the Washington state patrol on his/her application, and paying a renewal fee of ten dollars.

[Statutory Authority: RCW 46.79.080. WSR 00-13-020, § 308-65-040, filed 6/12/00, effective 7/13/00; WSR 94-12-052, § 308-65-040, filed 5/27/94, effective 6/27/94. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-040, filed 4/6/93, effective 5/7/93.]

WAC 308-65-050 Expiration of hulk hauler license.

When will my license expire? (1) A hulk hauler's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing.

(2) Motor vehicle hulk hauler license plates shall expire on the same date as the expiration of the license.

[Statutory Authority: RCW 46.79.080. WSR 00-13-020, § 308-65-050, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-050, filed 4/6/93, effective 5/7/93.]

WAC 308-65-060 Hulk hauler—Special plates. How must I display the hulk hauler license plates? All vehicles used by hulk haulers on the highways of this state shall bear regular license plates and in addition, special hulk hauler's plates. Each vehicle shall display both special plates assigned to it, provided that when any vehicle being towed does not have valid license plates, the hulk hauler plates may be split, with one being displayed on the front of the towing vehicle and the other on the rear of the vehicle being towed. The plates serve in lieu of a trip permit or current license plates for the vehicle(s) being transported.

The plates may be obtained at a fee of six dollars for the first set, and three dollars for each additional set which charges include the reflectorization fee required by RCW 46.16.237.

[Statutory Authority: RCW 46.79.080. WSR 00-13-020, § 308-65-060, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-060, filed 4/6/93, effective 5/7/93.]

WAC 308-65-070 Hulk hauler—General procedures and requirements. Hulk haulers shall comply with all statutes, rules and regulations relative to the handling of vehicles and vehicle hulks.

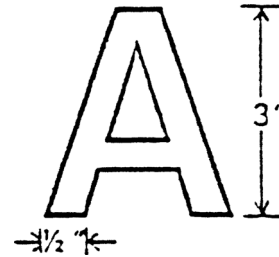
(1) Change of address. The department shall be notified immediately of any change of mailing address.

(2) License certificate. The license certificate shall be carried in the vehicles operated by hulk haulers. If a hulk hauler operates more than one vehicle he/she shall request additional license certificates for each vehicle. Such certificates shall also be carried for inspection by law enforcement officers.

(3) Inspection of transport vehicle. Prior to the issuance of a hulk hauler license the vehicle to be used in transporting vehicle salvage must be inspected by the appropriate law enforcement official to verify compliance with safety requirements applying to transportation of vehicle salvage on the highways of the state.

[Ch. 308-65 WAC p. 2]

(4) Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or hulks which are operated on the highways of this state shall display the licensee's name, mailing address, and current business telephone number of such licensee. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch stroke for the width and shall be at least three inches high. See example.



[Statutory Authority: RCW 46.79.080. WSR 94-12-052, § 308-65-070, filed 5/27/94, effective 6/27/94. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-070, filed 4/6/93, effective 5/7/93.]

WAC 308-65-080 Hulk hauler—Procedures for acquiring and selling vehicles. On what ownership documents may I buy and sell vehicles/hulks? (1) Supporting acquisition for transport, resale. The hulk hauler may acquire vehicles or hulks for transport and resale to a licensed motor vehicle wrecker or scrap processor upon obtaining ownership documents in the form of a certificate of ownership properly endorsed, from a state issuing a title, or a certificate of registration and notarized bill of sale from a jurisdiction issuing only a registration certificate or other approved ownership documents as follows:

(a) Affidavit of lost or stolen title signed by the owner on record with the department, and release of interest from the owner.

(b) Affidavit of sale of a junk vehicle from the landowner who has complied with RCW 46.55.230.

(c) Affidavit of sale from a registered tow truck operator.

(d) A court order.

(e) Acquisition from wreckers licensed by the department may be supported by obtaining the wrecker's invoice or bill of sale listing each vehicle by the wrecker's "yard number." Such invoice or bill of sale must be given to the scrap processor or vehicle wrecker purchasing the vehicles listed.

(f) Bills of sale pursuant to WAC 308-63-020 for vehicles from nontitle jurisdictions that have had their titles surrendered to a state after having been declared a total loss and for vehicles of the type to which titles are not issued.

(2) Must possess supporting documentation. Before a hulk hauler may transport any vehicle for resale, he/she must have in his/her possession ownership documents to support lawful acquisition or possession, as enumerated in subsection (1) of this section. Such documentation must be in his/her possession at all times while the vehicle is transported.

(3) Handling vehicles. A hulk hauler may not operate as a wrecker or remove parts from vehicles, provided that the hulk hauler may remove the parts necessary to sell vehicle salvage to a licensed scrap processor, example, the uphol-

(2/11/10)

stery, gasoline tank, and tires, so long as such parts are removed on the premises of a licensed wrecker or scrap processor where prior permission is granted or at a location approved by the department.

(4) May sell to licensed wreckers and scrap processors. Vehicles in the possession of a licensed hulk hauler may only be sold to a licensed wrecker or scrap processor.

(5) When sold to a licensed wrecker or scrap processor in another state or country, the licensed hulk hauler must furnish a written report to the department by the tenth of the month following sale of the vehicle. The report must contain the following:

(a) A description of each vehicle acquired by make, model, year and vehicle identification number;

(b) The date acquired, name of the person, firm or corporation from which obtained;

(c) A description of the ownership document, including any title or registration number.

This report must be made in duplicate, retaining the duplicate for the hulk hauler's files for a period of three years. The report must be accompanied by properly endorsed certificates of title or registration or such other adequate evidence of ownership as may come into the hulk hauler's possession.

[Statutory Authority: RCW 46.79.080, WSR 07-03-118, § 308-65-080, filed 1/22/07, effective 2/22/07; WSR 00-13-020, § 308-65-080, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-080, filed 4/6/93, effective 5/7/93.]

WAC 308-65-090 Scrap processor—Application for license. How must I apply for a scrap processor license? The application for a scrap processor's license shall contain, in addition to any other information the department may require, evidence the application is approved by the local government planning and zoning authorities pursuant to the provisions of the State Environmental [Policy] Act, chapter 43.21C RCW.

[Statutory Authority: RCW 46.79.080, WSR 00-13-020, § 308-65-090, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-090, filed 4/6/93, effective 5/7/93.]

WAC 308-65-100 Expiration of scrap processor license. When does my license expire? (1) A scrap processor's license shall expire twelve consecutive months from the date of issuance.

(2) Any special license plates issued to a scrap processor shall expire on the same date as the expiration of the license.

[Statutory Authority: RCW 46.79.080, WSR 00-13-020, § 308-65-100, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-100, filed 4/6/93, effective 5/7/93.]

WAC 308-65-110 Scrap processor—Special plates. What special license plates are available? Vehicles owned or operated on the highways of this state by a scrap processor and used by the scrap processor in gathering vehicle hulks or salvage shall bear regular license plates and, in addition, hulk hauler plates. Such plates serve in lieu of a trip permit or current license for any vehicle being transported. Each vehicle shall display all plates issued to it.

The plates may be obtained at a fee of six dollars for the first set, and three dollars for each additional set including the

(2/11/10)

reflectorization fee required by RCW 46.16.237; they expire simultaneously with the scrap processor's license.

[Statutory Authority: RCW 46.79.080, WSR 00-13-020, § 308-65-110, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-110, filed 4/6/93, effective 5/7/93.]

WAC 308-65-120 Scrap processor—General procedures and requirements. All scrap processors shall comply with all statutes, rules and regulations relative to the demolition of vehicles and vehicle hulks.

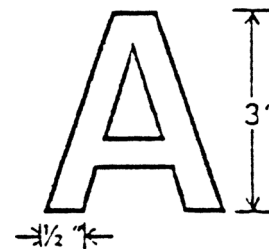
(1) Change of address. The department shall be notified immediately of any change of address of any business location or of the addition of any such location.

(2) Display of license certificate. The license certificate of the scrap processor shall be displayed conspicuously at the business address shown on the application and shall be available for inspection by law enforcement officers and authorized representatives of the department.

(3) Inspection of premises. The premises of the scrap processor shall be subject to periodic inspection by appropriate law enforcement officers and authorized representatives of the department.

(4) Destroying of license plates. All license plates coming into the possession of the scrap processor shall be destroyed by the scrap processor prior to forwarding the monthly report to the department under RCW 46.79.020.

(5) Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or hulks shall display the licensee's name, address and current telephone number. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch stroke for the width and shall be at least three inches high. See example.



[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-120, filed 4/6/93, effective 5/7/93.]

WAC 308-65-130 Scrap processor—Procedures for acquiring vehicles for demolition. On what ownership documents may I acquire vehicles? Supporting acquisition. A scrap processor may acquire vehicles for demolition if the transferor can furnish ownership documents, in the form of a certificate of title properly endorsed, from a state issuing a title, or a certificate of registration and notarized bill of sale from a jurisdiction issuing a registration certificate only or other approved ownership documents as follows:

(1) Affidavit of lost or stolen title and release of interest from the owner.

(2) Affidavit of sale of a junk vehicle from the landowner who has complied with RCW 46.55.230.

[Ch. 308-65 WAC p. 3]

(3) Bills of sale pursuant to WAC 308-63-020 for vehicles from nontitle jurisdictions, for vehicles that have had their titles surrendered to a state after having been declared a total loss, and for vehicles of the type to which titles are not issued.

(4) Affidavit of sale from a registered tow truck operator.

(5) A court order.

(6) Invoice or bill of sale from wrecker.

(7) Scrap processors may acquire vehicle salvage from out-of-state provided that the out-of-state salvage company submits an affidavit certifying its rightful and true possession of the vehicles or parts contained in the bulk shipment and that he/she has complied with all statutes, rules and regulations relating to such vehicles in the state or province of origin.

(8) Vehicle parts may be acquired by use of an invoice or bill of sale which describes the part and identifies the seller by name and address.

Common carriers transporting vehicles for hire between vehicle wreckers and/or scrap processors licensed by the state or country in which they operate must provide ownership documents as outlined in WAC 308-65-080, or an affidavit of certification for the load that includes the origin and destination of the load and lists each vehicle on the load by VIN number, year, make, and model. The certification must be signed by the shipper under the penalty of perjury indicating the load of demolished vehicles has been processed in accordance with all statutes, rules and regulations relating to such vehicles in the state or province of origin, and meet the criteria listed in this chapter.

[Statutory Authority: RCW 46.79.080, WSR 10-05-050, § 308-65-130, filed 2/11/10, effective 3/14/10; WSR 00-13-020, § 308-65-130, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-130, filed 4/6/93, effective 5/7/93.]

WAC 308-65-140 Scrap processor—Procedures for monthly reports. How must I file monthly reports to the department? (1) Must maintain books and files.

(a) The scrap processor shall maintain the following books and files of all vehicles, acquired other than from a wrecker or out-of-state salvage company, which shall contain the following:

(i) A description of each vehicle acquired by make, model, year and vehicle identification number;

(ii) The date acquired, name of the person, firm or corporation from which obtained, and the wrecker license numbers if such person is licensed as a wrecker by the department;

(iii) A copy of the document evidencing ownership, as required by WAC 308-65-080; and

(iv) The license plate number and name of state in which vehicle was last registered.

(b) For all vehicles acquired from a licensed wrecker, a copy of the wrecker's invoice or bill of sale shall suffice as the record of acquisition and demolition.

(c) For vehicles acquired from out-of-state salvage companies, an invoice listing the vehicles and the affidavit of compliance with the out-of-state jurisdiction.

(d) For vehicle parts, an invoice or bill of sale describing the part and identifying the seller by name and address. That record will be available for inspection.

[Ch. 308-65 WAC p. 4]

(e) Such records shall be maintained for three years and shall be subject to periodic inspection by authorized representatives of the department and appropriate law enforcement officers.

(2) Must furnish written reports. By the tenth of the month following acquisition of vehicles or hulks for demolition, each scrap processor shall submit a report, on the form prescribed by the department, listing each vehicle, whether or not such vehicles have been demolished. This report shall be made in duplicate, retaining the duplicate for the scrap processor's files. The report shall give such information as the scrap processor is required to keep by subsection (1) of this section, provided that the scrap processor need not include copies of a wrecker's invoice or bill of sale in such report so long as he/she retains copies of the invoices and bills of sale for a period of three years. It shall be accompanied by properly endorsed certificates of title or registration or such other adequate evidence of ownership as may come into the scrap processor's possession when he/she acquires vehicles for salvage from other than wreckers licensed by the department.

[Statutory Authority: RCW 46.79.080, WSR 07-03-118, § 308-65-140, filed 1/22/07, effective 2/22/07; WSR 00-13-020, § 308-65-140, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-140, filed 4/6/93, effective 5/7/93.]

WAC 308-65-150 Statement of change in business structure, ownership interest or control. When must I report a change in business structure or ownership? Any person, firm, association, corporation or trust licensed under chapter 46.79 RCW must, within ten days following any change in its business or ownership structure, file a statement describing with particularity the change in its business structure or the change in ownership interest.

[Statutory Authority: RCW 46.79.080, WSR 00-13-020, § 308-65-150, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-150, filed 4/6/93, effective 5/7/93.]

WAC 308-65-160 Termination of business. A hulk hauler or scrap processor who terminates his business shall return his/her license and special license plates to the department for cancellation within ten business days of such termination.

[Statutory Authority: RCW 46.79.080, WSR 94-12-052, § 308-65-160, filed 5/27/94, effective 6/27/94. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-160, filed 4/6/93, effective 5/7/93.]

WAC 308-65-170 Sale, transfer or other disposition of noncorporate licensee. What if there is a partial change in ownership of the company? Upon the sale, transfer or other disposition of fifty percent or more of the ownership interest in a noncorporate licensee:

(1) A new application for an appropriate license by the purchaser or transferee is required and the fee will be the same as for an original application.

(2) The former owner must surrender to the department all special license plates. The new owner or transferee must purchase new plates in its own name.

[Statutory Authority: RCW 46.79.080, WSR 00-13-020, § 308-65-170, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080

(2/11/10)

and 46.80.140. WSR 93-08-076, § 308-65-170, filed 4/6/93, effective 5/7/93.]

WAC 308-65-190 Incorporation of licensee while licensed. What if I incorporate while licensed? A licensee which incorporates while licensed shall file an application for an appropriate license.

The firm may request the preincorporation license number.

[Statutory Authority: RCW 46.79.080. WSR 00-13-020, § 308-65-190, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. WSR 93-08-076, § 308-65-190, filed 4/6/93, effective 5/7/93.]