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HOUSE BILL 2573

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Robertson, Sterk, Skinner, Chappell, Delvin and Thompson

Read first time 01/15/96. Referred to Committee on Transportation.

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 minus the salvage value has made it  
2 uneconomical to repair the vehicle.

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

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

8 ~~((1))~~ (a) Has a gross vehicle weight rating or gross combination  
9 weight rating of ten thousand one or more pounds;

10 ~~((2))~~ (b) Is designed to transport sixteen or more passengers,  
11 including the driver; or

12 ~~((3))~~ (c) Is transporting hazardous materials and is required to  
13 be identified by a placard in accordance with 49 C.F.R. Sec. 172.500-  
14 .560 (1991).

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

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

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

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

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

30 (a) Have automotive service excellence (ASE) certification or other  
31 equivalent certification approved by the Washington state patrol;

32 (b) Be properly licensed, bonded, and insured; and

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

35 (3) Technicians conducting the inspections must have at least five  
36 years of practical experience and must have completed a series of  
37 collision repair classes sanctioned or provided by the interindustry

1 conference on auto collision repair (I-CAR). The Washington state  
2 patrol shall determine which classes are required.

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

8 (5) A person or business performing a structural integrity  
9 inspection is not required to check components unrelated to the  
10 structural integrity of the vehicle.

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

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

25 (8) The department or the Washington state patrol may adopt rules  
26 requiring a person or business requesting a structural integrity  
27 inspection to provide photos depicting the original damage to the  
28 vehicle.

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

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

35 The fee shall be in addition to any other fee for the license  
36 registration of the vehicle. The certificate of ownership shall not be  
37 required to be renewed annually, or at any other time, except as by law  
38 provided.

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

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

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

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

25 The certificates of ownership and the certificates of license  
26 registration shall contain upon the face thereof, the date of  
27 application, the registration number assigned to the registered owner  
28 and to the vehicle, the name and address of the registered owner and  
29 legal owner, the vehicle identification number, and such other  
30 description of the vehicle and facts as the department shall require,  
31 and in addition thereto, if the vehicle described in such certificates  
32 shall have ever been licensed and operated as an exempt vehicle or a  
33 taxicab, or if it (~~is less than four years old and~~) has been rebuilt  
34 after (~~having been totaled out by an insurance carrier~~) becoming a  
35 salvage vehicle, such fact shall be clearly shown thereon.

36 All certificates of ownership of motor vehicles issued after April  
37 30, 1990, shall reflect the odometer reading as provided by the

1 odometer disclosure statement submitted with the title application  
2 involving a transfer of ownership.

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

5 Upon issuance of the certificate of license registration and  
6 certificate of ownership and upon any reissue thereof, the department  
7 shall deliver the certificate of license registration to the registered  
8 owner and the certificate of ownership to the legal owner, or both to  
9 the person who is both the registered owner and legal owner.

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

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

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

25 (3) Effective July 1, 1997, the department may not issue a  
26 certificate of ownership or registration for a salvage vehicle unless  
27 the vehicle has passed a structural integrity inspection. The  
28 inspection is not required for flood vehicles or recovered stolen  
29 vehicles that have sustained no damage.

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

32 (~~(4)~~) (5) The department and the Washington state patrol may  
33 adopt rules as necessary to implement this section.

34 NEW SECTION. **Sec. 7.** By January 1, 1997, the Washington state  
35 patrol shall present to the legislative transportation committee and  
36 the office of financial management a progress report on the  
37 implementation of the structural integrity inspection program,

1 including, but not limited to, the proposed fee schedule, other  
2 proposed rules, and recommendations for any legislation necessary to  
3 implement the program.

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