

HOUSE BILL REPORT

SSB 6748

As Reported by House Committee On:
Transportation

Title: An act relating to procedures for vehicle registration transfers and impound.

Brief Description: Revising vehicle impound and transfer procedures.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Kline, Oke, Swecker and Haugen).

Brief History:

Committee Activity:

Transportation: 3/4/02 [DPA].

**Brief Summary of Substitute Bill
(As Amended by House Committee)**

- Creates a new traffic infraction classification for abandoning a vehicle, titled littering-abandoned vehicle,– and the penalty for committing this infraction is \$250.
- The Washington State Patrol (WSP) must develop uniform impound procedures and local law enforcement agencies must adopt them.
- When a previously abandoned vehicle is sold at an abandoned vehicle auction, liability for the operation of the vehicle is transferred from the previous owner to the purchaser of the vehicle.
- Within 14 days of the sale of an abandoned vehicle at an abandoned vehicle auction, tow truck operators must send a copy of the abandoned vehicle report to the Department of Licensing (DOL), instead of the Crime Information Center of the WSP.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended. Signed by 18 members: Representatives Fisher, Chair; Lovick, Vice Chair; Mitchell, Ranking Minority Member; Haigh, Hatfield, Holmquist, Jackley, Jarrett, Morell, Murray, Ogden, Rockefeller, Romero, Schindler, Simpson, Sullivan, Wood and Woods.

Minority Report: Do not pass. Signed by 2 members: Representatives Ericksen and Mielke.

Staff: Reema Griffith (786-7301).

Background:

During the 2001 legislative session, several bills were introduced in the Senate on issues surrounding abandoned vehicles and the timeliness in which vehicle ownership information is available to proper authorities when an ownership change occurs. The bills included several different solutions, some of which conflicted.

As a result, the 2001 transportation budget included a proviso directing the Senate Transportation Committee to convene a task force to study the issues surrounding abandoned vehicles, title transfers, license plate transfers, buyer and seller reports, and electronic availability of current vehicle owner information. The task force membership was comprised of representatives from the DOL, the Washington State Tow Truck Association, the Washington State Auto Dealers, the Independent Towers of Washington, the WSP, and representatives from two local law enforcement agencies. The task force met several times during the 2001 interim and this bill is based upon the agreed to recommendations of the group.

Summary of Amended Bill:

The classification for a traffic infraction titled "littering-abandoned vehicle" is created. The penalty for abandoning a vehicle is \$250 and driving privileges may be suspended if all associated penalties and restitution is not paid for.

When a previously abandoned vehicle is sold at an abandoned vehicle auction, liability for the operation of the vehicle is transferred from the previous owner to the purchaser of the vehicle, as it appears on the abandoned vehicle report.

Tow truck operators must send a copy of the abandoned vehicle report to the DOL, instead of the WSP Crime Information Center, upon selling a vehicle at an abandoned vehicle auction to record the vehicle's buyer information.

The DOL must create a system where individuals who sell a vehicle can submit their seller's report electronically.

The statute is changed to clarify that if a seller's report of sale is not filed within the statutorily required five days, the seller is not relieved of liability for the operation of the vehicle.

A tow truck operator has the authority to dispose of a abandoned junk vehicle if it has been abandoned two or more times, the registered owner information has not been changed since the first abandonment, and the registered owner is also the legal owner.

The value used in determining if a vehicle is a junk vehicle is changed from the value of the scrap to the value of the parts of the vehicle.

A tow truck operator may refuse to accept a bid at an auction for the following reasons: (a) the bidder is currently indebted to the operator; (b) the operator has knowledge that the bidder has previously abandoned vehicles purchased at auction; or (c) the bidder has purchased, at auction, more than four vehicles in the last calendar year without obtaining title to any of the vehicles.

By January 1, 2003, the WSP must develop uniform impound procedures, which include instruction on locating and recording vehicle identification numbers which are necessary for completing an impound form. Local law enforcement agencies are required to adopt these procedures by July 1, 2003.

The WSP, along with local law enforcement agencies, must convene a task force during the 2002 interim to study the advantages and disadvantages of requiring law enforcement agencies to immediately transmit the registered and legal owner information to the tow truck company electronically or by facsimile. The task force must report its findings and recommendations to the House and Senate Transportation Committees by January 1, 2003.

The DOL must study the feasibility of requiring sellers to remove a vehicle's license plate at the time of sale. The department must report their findings and recommendations to the House and Senate Transportation Committees by January 1, 2003.

Amended Bill Compared to Substitute Bill:

The committee striking amendment makes four technical amendments to correct drafting errors and to clarify legislative intent:

- On page 4, line 16 the word "public" auction replaced with "abandoned vehicle" auction to distinguish and clarify that the provisions relate specifically to abandoned vehicle auctions.
- On page 8, line 33, the words "the option" is inserted to clarify and ensure that tow truck operators have the choice to send abandoned vehicle reports to the DOL electronically or by mail.
- On page 13, line 12, clarifying language is provided to ensure that the posted, on-site auction operating procedures are not precluded by language in the bill that provides additional reasons for why a tow truck operator could refuse a bid at an abandoned vehicle auction.
- On page 15, a drafting error is corrected by moving penalty language that was

mistakenly contained in (3), to its proper place in (4), line 33.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill will provide process improvements and better accountability in dealing with abandoned vehicles and ownership liability issues.

Testimony Against: None.

Testified: Patricia Nellerhoe, city of Seattle; Mariana Quarnstrom, Southeast Seattle Crime Council; Lois Grammon-Simpson, West Seattle Community Safety Partnership; Aaron Reynolds, Seattle Police Department; and Stu Halsam, Washington Tow Truck Association.