
Transportation Committee

SSB 6748

Brief Description: Revising vehicle impound and transfer procedures.

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

Brief Summary of Substitute Bill

- 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 a public 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 a public 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.

Hearing Date: 3/4/02

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 Department of Licensing, the Washington State Tow Truck

Association, the Washington State Auto Dealers, the Independent Towers of Washington, the Washington State Patrol, 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 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 a public 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 Department of Licensing, instead of the WSP Crime Information Center, upon selling a vehicle at public 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.

Appropriation: None.

Fiscal Note: Available.

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