

WSR 23-17-162

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed August 23, 2023, 9:58 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-20-115.

Title of Rule and Other Identifying Information: WAC 308-61-215

Abandoned recreational vehicle—Rates and caps.

Hearing Location(s): On September 28, 2023, at 10:30 a.m. Join Zoom meeting [https://dol-wa.zoom.us/j/85756167411?](https://dol-wa.zoom.us/j/85756167411?pwd=L1U3Z05SYjJNSUlub2U1TUlzUkZnZz09) Meeting ID 857 5616 7411, Passcode 778899; One-tap mobile +12532158782,,85756167411#,,,,*778899# US (Tacoma), +12532050468,,85756167411#,,,,*778899# US; dial by your location +1 253 215 8782 US (Tacoma), +1 253 205 0468 US, +1 719 359 4580 US, +1 346 248 7799 US (Houston), +1 408 638 0968 US (San Jose), +1 669 444 9171 US, +1 669 900 6833 US (San Jose), +1 646 931 3860 US, +1 689 278 1000 US, +1 301 715 8592 US (Washington DC), +1 305 224 1968 US• +1 309 205 3325 US, +1 312 626 6799 US (Chicago), +1 360 209 5623 US, +1 386 347 5053 US, +1 507 473 4847 US, +1 564 217 2000 US, +1 646 876 9923 US (New York), Meeting ID 857 5616 7411, Passcode 778899. Find your local number [https://dol-wa.zoom.us/j/85756167411?](https://dol-wa.zoom.us/j/85756167411?pwd=L1U3Z05SYjJNSUlub2U1TUlzUkZnZz09) If you are having difficulty joining the Zoom meeting at the time of the public hearing, please call 360-902-0131. An in-person option is available at Highways-Licenses Building, 1125 Washington Street S.E., Olympia, WA 98504.

Date of Intended Adoption: September 29, 2023.

Submit Written Comments to: Kelsey Stone, 1125 Washington Street S.E., Olympia, WA 98504, email rulescoordinator@dol.wa.gov, by September 27, 2023.

Assistance for Persons with Disabilities: Contact Kelsey Stone, phone 360-902-0131, email rulescoordinator@dol.wa.gov, by September 18, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is modifying the existing abandoned RV standardized reimbursement schedule and increasing the current reimbursement rates and caps.

Reasons Supporting Proposal: The department is required to convene a stakeholder work group every two years per RCW 46.53.010; these changes were requests identified in the most recent workgroup.

Statutory Authority for Adoption: RCW 46.53.010 Registered tow truck operators, vehicle wreckers, scrap processors, and scrap metal business may apply for cost reimbursement for towing, transporting, storing, dismantling, and disposing abandoned recreational vehicles—Department to develop rules—Stakeholder work group, and 46.55.190 Rules.

Statute Being Implemented: RCW 46.53.010 Registered tow truck operators, vehicle wreckers, scrap processors, and scrap metal businesses may apply for cost reimbursement for towing, transporting, storing, dismantling, and disposing abandoned recreational vehicles—Department to develop rules—Stakeholder work group.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of licensing, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: John Hlavaty, 1125 Washington Street S.E., Olympia, WA 98504, 360-902-0324.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments increase the reimbursable amounts to businesses, including small businesses, for participation in the abandoned RV program. We do not anticipate any businesses will experience increased costs as a result of the changes.

Scope of exemption for rule proposal from Regulatory Fairness Act requirements:

Is not exempt.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. These amendments increase the reimbursable amounts to businesses, including small businesses, for participation in the abandoned RV program. We do not anticipate any businesses will experience increased costs as a result of the changes.

August 23, 2023
Ellis Starrett
Rules and Policy Manager

OTS-4883.1

AMENDATORY SECTION (Amending WSR 19-11-007, filed 5/2/19, effective 6/1/19)

WAC 308-61-215 Abandoned recreational vehicle—Rates and caps. At what rates will reimbursements be ((for)) made?

(1) The costs will be reimbursed at a standardized scheduled rate:

((Item	Standard Rate	Cap
Towing and Transport (Increment Per Hour--Maximum Three Hours Total for Identified Class)		
Class A Tow Vehicle (including - D and E)	\$105.00/hr.	\$315.00
Class B Tow Vehicle	\$120.00/hr.	\$360.00
Class C Tow Vehicle (including - B2 and S1)	\$175.00/hr.	\$525.00
Storage (Increment Per Day--Maximum 10 Days Total)		
Standard Storage	\$35.00/day	\$350.00
Dismantling and Disposal (Increment Per Foot--Maximum per Identified Vehicle Category)		
Motor Homes (Up to 35')	\$70.00/ft.	\$2,450.00
Travel Trailers (Up to 25')	\$70.00/ft.	\$1,750.00
Campers (Up to 15')	\$70.00/ft.	\$1,050.00

~~(2) Standard rates apply to:~~

~~(a) Hourly increment of towing and transport by tow vehicle class (i.e., a class 'B' tow vehicle used for two hours is two hundred forty dollars; a class 'C' tow vehicle used for four hours is capped at five hundred twenty dollars).~~

~~(b) Days of storage incurred (i.e., a vehicle stored for eight days is two hundred eighty dollars; a vehicle stored for twenty-five days is capped at three hundred fifty dollars).~~

~~(c) Classification of abandoned recreational vehicle dismantled and disposed up to the cap for that item (i.e., dismantling and disposal of a twenty-seven foot motor home is one thousand eight hundred ninety dollars; dismantling and disposal of a thirty foot travel trailer is capped at one thousand seven hundred fifty dollars).~~

~~(d))~~

Item	Standard Rate	Cap
<u>Towing and Transport (Increment per Hour - Maximum Four Hours Total for Identified RV Length)</u>		
<u>Towing up to 29'</u>	<u>\$150.00/hr.</u>	<u>\$600.00</u>
<u>Towing 30' and Over</u>	<u>\$220.00/hr.</u>	<u>\$888.00</u>
<u>Ferry Fees</u>	<u>As Incurred</u>	<u>\$350.00</u>
<u>Storage (Increment per Day per RV Length - Maximum 20 Days Total) (*May Excludes Junk Vehicles)</u>		
<u>Standard Storage up to 29'</u>	<u>\$40.00/day</u>	<u>\$800.00</u>
<u>Storage 30' and Over</u>	<u>\$60.00/day</u>	<u>\$1,200.00</u>
<u>Dismantling and Disposal (Increment per RV Length)</u>		
<u>30' to 46'</u>	<u>\$80.00/ft.</u>	<u>\$3,680.00</u>
<u>20' to 29'</u>	<u>\$75.00/ft.</u>	<u>\$2,175.00</u>
<u>Up to 19'</u>	<u>\$70.00/ft.</u>	<u>\$1,330.00</u>

(2) Abandoned recreational vehicle length must be indicated by an annotation on the signed tow authorization, junk vehicle affidavit, affidavit of sale, or a certificate of fact.

(3) Total length of the recreational vehicle shall be determined by measuring the vehicle type as follows:

~~((i))~~ (a) Motor homes: Measured in feet of total length from the front bumper to the rear bumper, excluding attached storage boxes or trailer or tow hitches.

~~((ii))~~ (b) Travel trailers: Measured in feet of total length from the front of the box to the rear bumper, excluding the front trailer tongue, attached storage boxes or any additional trailer or tow hitches from rear bumper. Fifth-wheel trailers may include the front-cap.

~~((iii))~~ (c) Campers: Measured in feet of total length from the front of the cab-over box to the rear of the box, excluding any attached storage boxes or other accessories.

(4) Adjustments made to rates and caps may not be applied to previously submitted claims which already received a disbursement from the department.