

SENATE BILL REPORT

SB 5251

AS REPORTED BY COMMITTEE ON TRANSPORTATION,  
FEBRUARY 7, 1991

**Brief Description:** Revising regulation of motor vehicle wreckers.

**SPONSORS:** Senators Nelson, Vognild, Thorsness, Madsen, Patterson, Hansen, Oke, Saling, von Reichbauer, Barr, Snyder, Erwin, Bluechel and Murray.

**SENATE COMMITTEE ON TRANSPORTATION**

**Majority Report:** That Substitute Senate Bill No. 5251 be substituted therefor, and the substitute bill do pass.

Signed by Senators Patterson, Chairman; Nelson, Vice Chairman; von Reichbauer, Vice Chairman; Barr, Conner, Erwin, Hansen, Madsen, McMullen, Oke, Sellar, Skratek, Snyder, Thorsness, and Vognild.

**Staff:** Brian McMorrow (786-7304)

**Hearing Dates:** February 7, 1991

**BACKGROUND:**

A motor vehicle wrecker is a person who deals in vehicles for the purpose of wrecking, dismantling or substantially changing the form of any vehicle. A licensed motor vehicle wrecker is authorized to deal in second-hand parts.

Wreckers may not acquire a vehicle without first obtaining the title to the vehicle. Wreckers must submit to the Department of Licensing a notarized report of all motor vehicles wrecked, dismantled, disassembled or substantially changed in form.

Motor vehicle wreckers are inspected by the city police in cities of under 5,000 and by the Washington State Patrol in cities of over 5,000 people.

The director of the Department of Licensing alone has the authority to adopt reasonable rules not in conflict with the RCW chapter concerning wreckers.

The original registration fee for wreckers is \$25 with a \$10 annual renewal fee. Wreckers are issued special license plates by the Department of Licensing. The fee for the plates is \$5 and \$2 for renewal.

Wreckers must enclose their yards with a sight obscuring fence or living hedge. Wreckers are not permitted to display entire cars or parts outside the sight obscuring fence. Violation is a gross misdemeanor.

**SUMMARY:**

The State Patrol is responsible for inspecting all wrecking yards. The chief of the State Patrol has joint rule making authority with the director of the Department of Licensing.

The original registration fee is increased from \$25 to \$100 and the annual renewal fee is increased from \$10 to \$100. The fee for license plates is increased from \$5 to \$25 and the annual renewal fee is increased from \$2 to \$25.

Wreckers are not required to submit a notarized report of all motor vehicles wrecked, dismantled, disassembled or substantially changed in form.

Wreckers may no longer use a living hedge as a substitute for a sight obscuring fence. Wrecking yards which already have living hedges may continue to use them.

Entire cars (limited to five) and parts of cars may be displayed outside the wrecking yard fence if this is not in conflict with applicable county or city regulations.

State Patrol officers will inspect wrecking yards between the hours of 10 a.m. and 4 p.m. When not open for business during this period, business operators will post their hours in a plainly visible location at the established place of business.

The first violation of this chapter is a traffic violation and a second, or subsequent, violation of this chapter by the same person at the same location and within three years of the previous violation is a gross misdemeanor.

Wreckers may not dismantle a vehicle without first obtaining title to the vehicle.

The director of the Department of Licensing may order a wrecker to cease operation if he or she is engaging in or about to engage in a practice in violation of this chapter.

The Department of Licensing may refuse to issue a wrecker's license to a person if the application is not filed in good faith or the application is filed by some person as subterfuge for the real person in interest whose license has previously been canceled for cause.

**EFFECT OF PROPOSED SUBSTITUTE:**

The period within which a second or subsequent violation of wrecker law could become a gross misdemeanor is changed from three to two years. The increased fee for wrecker plates is eliminated.

**Appropriation:** none

**Revenue:** yes

**Fiscal Note:** requested

**TESTIMONY FOR:**

The bill provides for greater flexibility and consistency in enforcement of wrecker laws.

Objections were raised regarding the increase in the wrecker plate fee and the time period within which a second or subsequent violation of wrecker law would become a gross misdemeanor.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Heather Hamilton, Department of Licensing (pro); Tim Erickson, Washington State Patrol (pro); T.K. Bentler, Washington Auto Recyclers (pro); Don Fitzpatrick, Washington Auto Recyclers (pro)