

SENATE BILL 5049

State of Washington

52nd Legislature

1991 Regular Session

By Senator Madsen.

Read first time January 17, 1991. Referred to Committee on Transportation.

1 AN ACT Relating to disposal of abandoned junk vehicles; amending
2 RCW 46.55.230; and adding a new section to chapter 46.55 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.55.230 and 1987 c 311 s 19 are each amended to read
5 as follows:

6 (1) Notwithstanding any other provision of law, any law enforcement
7 officer having jurisdiction or any person authorized by the director
8 ((may)) shall inspect and ((certify that a vehicle meets the
9 requirements of a)) may authorize the disposal of an abandoned junk
10 vehicle. The person making the ((certification)) inspection shall
11 record the make and vehicle identification number or license number of
12 the vehicle if available, and shall also ((describe in detail the
13 damage or missing equipment to)) verify that the value of the junk
14 vehicle is equivalent only to the value of the scrap in it.

1 (2) The law enforcement officer or department representative shall
2 provide information on the vehicle's registered and legal owner to the
3 landowner.

4 (3) Upon receiving information on the vehicle's registered and
5 legal owner, the landowner shall ~~((obtain a junk vehicle notification
6 form from the department. The landowner shall send by certified mail,
7 notification))~~ mail a notice to the registered and legal owners shown
8 on the records of the department. The notification shall describe the
9 redemption procedure and the right to ~~((contest the sale of a junk
10 vehicle in a district court hearing))~~ arrange for the removal of the
11 vehicle.

12 (4) If the vehicle remains unclaimed more than fifteen days after
13 the landowner has mailed notification to the registered and legal
14 owner, the landowner may dispose of the vehicle or sign an affidavit of
15 sale to be used as a title document.

16 (5) If no information on the vehicle's registered and legal owner
17 is found in the records of the department, the landowner ~~((shall place
18 a legal notice of custody and sale in a newspaper of general
19 circulation in the county. The newspaper notice shall include (a) the
20 description of the vehicle; (b) the address of the location of the junk
21 vehicle; (c) the date by which the registered or legal owner must
22 redeem the vehicle; and (d) a telephone number where the landowner can
23 be reached. If the vehicle remains unclaimed more than twenty days
24 after publication of the notice, the landowner))~~ may immediately
25 dispose of the vehicle or sign an affidavit of sale to be used as a
26 title document.

27 (6) The landowner of the property upon which the junk vehicle is
28 located is entitled to recover from the vehicle's registered owner any
29 costs incurred in the removal of the junk vehicle.

1 (7) For the purposes of this section, the term "landowner" includes
2 a legal owner of private property, a person with possession or control
3 of private property, or a public official having jurisdiction over
4 public property.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.55 RCW
6 to read as follows:

7 A person complying in good faith with the requirements of RCW
8 46.55.230 shall be immune from any liability arising out of any action
9 taken or omission made in such compliance.