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SENATE BILL 6083

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State of Washington

52nd Legislature

1992 Regular Session

By Senator L. Smith

Read first time 01/15/92. Referred to Committee on Law & Justice.

1 AN ACT Relating to repossessing motor vehicles; and amending RCW  
2 62A.9-503.

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

4 **Sec. 1.** RCW 62A.9-503 and 1965 ex.s. c 157 s 9-503 are each  
5 amended to read as follows:

6 (1) Unless otherwise agreed a secured party has on default the  
7 right to take possession of the collateral. In taking possession a  
8 secured party may proceed without judicial process if this can be done  
9 without breach of the peace or may proceed by action. If the security  
10 agreement so provides the secured party may require the debtor to  
11 assemble the collateral and make it available to the secured party at  
12 a place to be designated by the secured party which is reasonably  
13 convenient to both parties. Without removal a secured party may render

1 equipment unusable, and may dispose of collateral on the debtor's  
2 premises under RCW 62A.9-504.

3 (2) Whenever the collateral repossessed under subsection (1) of  
4 this section is a motor vehicle that contains personal property of the  
5 debtor that is not covered by the security interest of the secured  
6 party, the secured party shall immediately return such personal  
7 property to the debtor and any costs incurred in protecting and  
8 returning such personal property may not be added to any charges made  
9 by the secured party against the debtor.