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SENATE BILL 5666

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State of Washington                      56th Legislature                      1999 Regular Session

By Senators Rasmussen, Long, Goings, Johnson and Haugen

Read first time 02/01/1999. Referred to Committee on Transportation.

1            AN ACT Relating to acquisition of vehicles and parts by vehicle  
2 wreckers; and amending RCW 46.80.010, 46.80.080, and 46.80.090.

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

4            **Sec. 1.** RCW 46.80.010 and 1995 c 256 s 4 are each amended to read  
5 as follows:

6            The definitions set forth in this section apply throughout this  
7 chapter.

8            (1) "Vehicle wrecker" means every person, firm, partnership,  
9 association, or corporation engaged in the business of buying, selling,  
10 or dealing in vehicles of a type required to be licensed under the laws  
11 of this state, for the purpose of wrecking, dismantling, disassembling,  
12 or substantially changing the form of a vehicle, or who buys or sells  
13 integral second-hand parts of component material thereof, in whole or  
14 in part, or who deals in second-hand vehicle parts.

15            (2) "Core" means a major component part received by a vehicle  
16 wrecker in exchange for a like part sold by the wrecker.

17            (3) "Established place of business" means a building or enclosure  
18 which the vehicle wrecker occupies either continuously or at regular

1 periods and where his books and records are kept and business is  
2 transacted and which must conform with zoning regulations.

3 ~~((3))~~ (4) "Interim owner" means the owner of a vehicle who has  
4 the original certificate of ownership for the vehicle, which  
5 certificate has been released by the person named on the certificate  
6 and transferred to the person offering to sell the vehicle to the  
7 wrecker.

8 (5) "Major component part" includes at least each of the following  
9 vehicle parts: (a) Engines and short blocks; (b) frame; (c)  
10 transmission and/or transfer case; (d) cab; (e) door; (f) front or rear  
11 differential; (g) front or rear clip; (h) quarter panel; (i) truck bed  
12 or box; (j) seat; (k) hood; (l) bumper; (m) fender; and (n) airbag.  
13 The director may supplement this list by rule.

14 ~~((4))~~ (6) "Wrecked vehicle" means a vehicle which is disassembled  
15 or dismantled or a vehicle which is acquired with the intent to  
16 dismantle or disassemble and never again to operate as a vehicle, or a  
17 vehicle which has sustained such damage that its cost to repair exceeds  
18 the fair market value of a like vehicle which has not sustained such  
19 damage, or a damaged vehicle whose salvage value plus cost to repair  
20 equals or exceeds its fair market value, if repaired, or a vehicle  
21 which has sustained such damage or deterioration that it may not  
22 lawfully operate upon the highways of this state for which the salvage  
23 value plus cost to repair exceeds its fair market value, if repaired;  
24 further, it is presumed that a vehicle is a wreck if it has sustained  
25 such damage or deterioration that it may not lawfully operate upon the  
26 highways of this state.

27 **Sec. 2.** RCW 46.80.080 and 1995 c 256 s 10 are each amended to read  
28 as follows:

29 (1) Every vehicle wrecker shall maintain books or files in which  
30 the wrecker shall keep a record and a description of:

31 (a) Every vehicle wrecked, dismantled, disassembled, or  
32 substantially altered by the wrecker; and

33 (b) Every major component part acquired by the wrecker; together  
34 with a bill of sale signed by a seller whose identity has been verified  
35 and the name and address of the person, firm, or corporation from whom  
36 the wrecker purchased the vehicle or part. Major component parts other  
37 than cores shall be further identified by the vehicle identification  
38 number of the vehicle from which the part came.

1 (2) The record shall also contain the following data regarding the  
2 wrecked or acquired vehicle or vehicle that is the source of a major  
3 component part other than a core:

4 (a) The certificate of title number (if previously titled in this  
5 or any other state);

6 (b) Name of state where last registered;

7 (c) Number of the last license number plate issued;

8 (d) Name of vehicle;

9 (e) Motor or identification number and serial number of the  
10 vehicle;

11 (f) Date purchased;

12 (g) Disposition of the motor and chassis;

13 (h) Yard number assigned by the licensee to the vehicle or major  
14 component part, which shall also appear on the identified vehicle or  
15 part; and

16 (i) Such other information as the department may require.

17 (3) The records shall also contain a bill of sale signed by the  
18 seller for other minor component parts acquired by the licensee,  
19 identifying the seller by name, address, and date of sale.

20 (4) The records shall be maintained by the licensee at his or her  
21 established place of business for a period of three years from the date  
22 of acquisition.

23 (5) The record is subject to inspection at all times during regular  
24 business hours by members of the police department, sheriff's office,  
25 members of the Washington state patrol, or officers or employees of the  
26 department.

27 (6) A vehicle wrecker shall also maintain a similar record of all  
28 disabled vehicles that have been towed or transported to the (~~motor~~)  
29 vehicle wrecker's place of business or to other places designated by  
30 the owner of the vehicle or his or her representative. This record  
31 shall specify the name and description of the vehicle, name of owner,  
32 number of license plate, condition of the vehicle and place to which it  
33 was towed or transported.

34 (7) Failure to comply with this section is a gross misdemeanor.

35 **Sec. 3.** RCW 46.80.090 and 1995 c 256 s 11 are each amended to read  
36 as follows:

37 Within thirty days after acquiring a vehicle, the vehicle wrecker  
38 shall furnish a written report to the department. This report shall be

1 in such form as the department shall prescribe and shall be accompanied  
2 by evidence of ownership as determined by the department. No vehicle  
3 wrecker may acquire a vehicle, including a vehicle from an interim  
4 owner, without first obtaining evidence of ownership as determined by  
5 the department. The vehicle wrecker shall furnish a monthly report of  
6 all acquired vehicles. This report shall be made on forms prescribed  
7 by the department and contain such information as the department may  
8 require. This statement shall be signed by the vehicle wrecker or an  
9 authorized representative and the facts therein sworn to before a  
10 notary public, or before an officer or employee of the department  
11 designated by the director to administer oaths or acknowledge  
12 signatures, pursuant to RCW 46.01.180.

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