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**Transportation Committee**

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**HB 1504**

**Brief Description:** Adjusting notice of abandoned vehicle auctions.

**Sponsors:** Representatives Simpson, Woods and Lovick.

**Brief Summary of Bill**

- Changes process for the notice of custody and sale from certified mail with return receipt to first class mail with return receipt or signature confirmation.
- Defines general circulation for public notice for a public vehicle auction.
- Revises the public viewing period prior to a public vehicle auction.

**Hearing Date:** 2/1/06

**Staff:** Jerry Long (786-7306).

**Background:**

When an abandoned vehicle is towed, the tow truck operator will file an abandon vehicle report with the Department of Licensing. Within 24 hours after the tow truck operator receives information on the owners from the Department of Licensing, the tow truck operator will send by certified mail, with return receipt requested, a notice of custody and sale to the legal and registered owners.

After 15 days from the date of mailing the notice of custody and sale, if the vehicle remains unclaimed and has not been listed as a stolen vehicle, or a suspended license impound, then the tow truck operator can conduct a sale of the vehicle at public auction. The tow truck operator must publish a notice of the date, place and time of the auction in a newspaper of general circulation in the county in which the vehicle is located. This is required for not less than 3 days and no more than 10 days before the date of the auction.

The notice will contain a description of the vehicle including the make, model, year, and license number and that a three hour public viewing period is available prior to the auction.

**Summary of Bill:**

The process for the notice of custody and sale is changed from certified mail with a return receipt to first class mail, with a return receipt or signature confirmation requested.

Defines the newspaper of general circulation to be a commercial, widely circulated, free, classified advertisement circular not affiliated with the registered tow truck operator.

The viewing period prior to the auction is changed from three hours prior to one hour prior if 25 or fewer vehicles are to be auctioned, two hours if more than 25 and fewer than 50 vehicles are to be auctioned, and three hours if 50 or more vehicles are to be auctioned.

The public notice will also contain the length of the viewing period prior to the auction.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.