
SUBSTITUTE HOUSE BILL 2925

State of Washington

65th Legislature

2018 Regular Session

By House Transportation (originally sponsored by Representatives Fey, Buys, and Ortiz-Self)

READ FIRST TIME 02/06/18.

1 AN ACT Relating to the disposal of recreational vehicles
2 abandoned on public property; amending RCW 46.79.110 and 46.80.020;
3 reenacting and amending RCW 43.84.092; adding a new section to
4 chapter 46.55 RCW; adding a new section to chapter 46.17 RCW; adding
5 a new section to chapter 46.68 RCW; adding a new chapter to Title 46
6 RCW; creating new sections; and providing an effective date.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that:

9 (1) Registered tow truck operators have continuing problems
10 involving the disposal of recreational vehicles that have been
11 impounded and abandoned pursuant to chapter 46.55 RCW;

12 (2) Traditional methods of disposal are no longer adequate to
13 meet the increasing problem of abandoned recreational vehicles in
14 Washington state;

15 (3) Abandoned recreational vehicles continue to be a hazard to
16 the health and safety of citizens, business owners, and the
17 environment; and

18 (4) Adequate funding is necessary to resolve the problem of
19 abandoned recreational vehicles in a manner that is environmentally
20 friendly and economically sound so that registered tow truck

1 operators may be successful in their duties of public impounding,
2 transporting, and storing unauthorized vehicles.

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

5 (1) A registered tow truck operator may transport an abandoned
6 recreational vehicle under section 5 of this act without being
7 licensed as a hulk hauler. The transport of an abandoned recreational
8 vehicle by a registered tow truck operator under this chapter must be
9 completed by utilizing a reasonable, direct, and safe route on the
10 date of transport.

11 (2) A registered tow truck operator must provide a written record
12 of the delivery to a licensed dismantler or authorized disposal site
13 for each abandoned recreational vehicle by use of an abandoned
14 vehicle report or junk vehicle affidavit to be sent to the
15 department. A copy of the report must be maintained in the vehicle
16 transaction file. Completion of the report relieves the registered
17 tow truck operator from any civil or criminal liability for the
18 disposal of a properly processed abandoned recreational vehicle.

19 **Sec. 3.** RCW 46.79.110 and 2001 c 64 s 12 are each amended to
20 read as follows:

21 Nothing contained in this chapter shall be construed to prohibit;
22 Any individual not engaged in business as a hulk hauler or scrap
23 processor from towing any vehicle owned by him or her to any vehicle
24 wrecker or scrap processor, or a registered tow truck operator from
25 transporting an abandoned recreational vehicle under section 5 of
26 this act in compliance with this chapter.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.17
28 RCW to read as follows:

29 (1) Before accepting an application for a registration for a
30 recreational vehicle, the department, county auditor, or other agent,
31 or subagent appointed by the director, shall require an applicant to
32 pay a six-dollar fee in addition to any other fees and taxes required
33 by law.

34 (2) The abandoned recreational disposal fee must be distributed
35 as follows:

36 (a) Ninety percent to the abandoned recreational vehicle disposal
37 account created in section 6 of this act;

1 (b) Ten percent to the motor vehicle fund;

2 (c) After one million dollars is deposited into the motor vehicle
3 fund from the fee required in this section, one hundred percent of
4 the fee required in this section must be distributed to the abandoned
5 recreational vehicle disposal account created in section 6 of this
6 act.

7 (3) For the purposes of this section, "recreational vehicle"
8 means a camper, motor home, or travel trailer.

9 NEW SECTION. **Sec. 5.** (1) A registered tow truck operator, as
10 defined in RCW 46.55.010, vehicle wrecker, as defined in RCW
11 46.80.010, or scrap processor, as defined in RCW 46.79.010, may apply
12 to the department on a form prescribed by the department for
13 financial aid for the transport, storage, dismantling, and disposal
14 of abandoned recreational vehicles from public property.

15 (2) The department may only use funds under section 6 of this act
16 for financial aid for the transport, storage, dismantling, and
17 disposal of abandoned recreational vehicles.

18 (3) After consulting with the 2017 stakeholder group, the
19 department may develop rules including, but not limited to, towing,
20 storage, dismantling, and disposal rates, application form and
21 contents, and financial aid and the reimbursement process, to
22 implement this section.

23 (4) The department shall convene a stakeholder work group every
24 two years, with the first meeting to be held within twelve months of
25 rule adoption, to make recommendations on rule amendments.

26 (5) An "abandoned recreational vehicle" means a camper,
27 motorhome, or travel trailer that has been impounded from public
28 property, abandoned pursuant to chapter 46.55 RCW, and received no
29 bids at auction, or declared an abandoned junk vehicle by a law
30 enforcement officer, pursuant to chapter 46.55 RCW, while on public
31 property.

32 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.68
33 RCW to read as follows:

34 (1) The abandoned recreational vehicle disposal account is
35 created in the state treasury. All receipts, except for receipts
36 allocated to the motor vehicle fund, from the fee imposed in section
37 4 of this act must be deposited into the account. The account may
38 receive fund transfers and appropriations from the general fund, as

1 well as gifts, grants, and endowments from public or private sources,
2 in trust or otherwise, for the use and benefit of the purposes of
3 this chapter and expend any income according to the terms of the
4 gifts, grants, or endowments, provided that those terms do not
5 conflict with any provisions of this section or any guidelines
6 developed to prioritize reimbursement of removal projects associated
7 with this act.

8 (2) Moneys in the account may be spent only after appropriation.
9 Expenditures from the account may be used only by the department to
10 reimburse registered tow truck operators and licensed dismantlers for
11 up to one hundred percent of the total reasonable and auditable
12 administrative costs for transport, dismantling, and disposal of
13 abandoned recreational vehicles under section 5 of this act when the
14 last registered owner is unknown after a reasonable search effort.
15 Compliance with RCW 46.55.100 is considered a reasonable effort to
16 locate the last registered owner of the abandoned recreational
17 vehicle. Any funds received by the registered tow truck operators or
18 licensed dismantlers through collection efforts from the last owner
19 of record shall be turned over to the department for vehicles
20 reimbursed under section 5 of this act.

21 (3) Funds in the account resulting from transfers from the
22 general fund must be used to reimburse one hundred percent of
23 eligible costs.

24 (4) In each fiscal biennium, up to fifteen percent of the
25 expenditures from the account may be used for administrative expenses
26 of the department in implementing this chapter.

27 **Sec. 7.** RCW 43.84.092 and 2017 3rd sp.s. c 25 s 50, 2017 3rd
28 sp.s. c 12 s 12, and 2017 c 290 s 8 are each reenacted and amended to
29 read as follows:

30 (1) All earnings of investments of surplus balances in the state
31 treasury shall be deposited to the treasury income account, which
32 account is hereby established in the state treasury.

33 (2) The treasury income account shall be utilized to pay or
34 receive funds associated with federal programs as required by the
35 federal cash management improvement act of 1990. The treasury income
36 account is subject in all respects to chapter 43.88 RCW, but no
37 appropriation is required for refunds or allocations of interest
38 earnings required by the cash management improvement act. Refunds of
39 interest to the federal treasury required under the cash management

1 improvement act fall under RCW 43.88.180 and shall not require
2 appropriation. The office of financial management shall determine the
3 amounts due to or from the federal government pursuant to the cash
4 management improvement act. The office of financial management may
5 direct transfers of funds between accounts as deemed necessary to
6 implement the provisions of the cash management improvement act, and
7 this subsection. Refunds or allocations shall occur prior to the
8 distributions of earnings set forth in subsection (4) of this
9 section.

10 (3) Except for the provisions of RCW 43.84.160, the treasury
11 income account may be utilized for the payment of purchased banking
12 services on behalf of treasury funds including, but not limited to,
13 depository, safekeeping, and disbursement functions for the state
14 treasury and affected state agencies. The treasury income account is
15 subject in all respects to chapter 43.88 RCW, but no appropriation is
16 required for payments to financial institutions. Payments shall occur
17 prior to distribution of earnings set forth in subsection (4) of this
18 section.

19 (4) Monthly, the state treasurer shall distribute the earnings
20 credited to the treasury income account. The state treasurer shall
21 credit the general fund with all the earnings credited to the
22 treasury income account except:

23 (a) The following accounts and funds shall receive their
24 proportionate share of earnings based upon each account's and fund's
25 average daily balance for the period: The abandoned recreational
26 vehicle disposal account, the aeronautics account, the aircraft
27 search and rescue account, the Alaskan Way viaduct replacement
28 project account, the brownfield redevelopment trust fund account, the
29 budget stabilization account, the capital vessel replacement account,
30 the capitol building construction account, the Cedar River channel
31 construction and operation account, the Central Washington University
32 capital projects account, the charitable, educational, penal and
33 reformatory institutions account, the Chehalis basin account, the
34 cleanup settlement account, the Columbia river basin water supply
35 development account, the Columbia river basin taxable bond water
36 supply development account, the Columbia river basin water supply
37 revenue recovery account, the common school construction fund, the
38 community forest trust account, the connecting Washington account,
39 the county arterial preservation account, the county criminal justice
40 assistance account, the deferred compensation administrative account,

1 the deferred compensation principal account, the department of
2 licensing services account, the department of retirement systems
3 expense account, the developmental disabilities community trust
4 account, the diesel idle reduction account, the drinking water
5 assistance account, (~~the drinking water assistance administrative~~
6 ~~account,~~) the early learning facilities development account, the
7 early learning facilities revolving account, the Eastern Washington
8 University capital projects account, the Interstate 405 express toll
9 lanes operations account, the education construction fund, the
10 education legacy trust account, the election account, the electric
11 vehicle charging infrastructure account, the energy freedom account,
12 the energy recovery act account, the essential rail assistance
13 account, The Evergreen State College capital projects account, the
14 federal forest revolving account, the ferry bond retirement fund, the
15 freight mobility investment account, the freight mobility multimodal
16 account, the grade crossing protective fund, the public health
17 services account, the high capacity transportation account, the state
18 higher education construction account, the higher education
19 construction account, the highway bond retirement fund, the highway
20 infrastructure account, the highway safety fund, the high occupancy
21 toll lanes operations account, the hospital safety net assessment
22 fund, the industrial insurance premium refund account, the judges'
23 retirement account, the judicial retirement administrative account,
24 the judicial retirement principal account, the local leasehold excise
25 tax account, the local real estate excise tax account, the local
26 sales and use tax account, the marine resources stewardship trust
27 account, the medical aid account, the mobile home park relocation
28 fund, the money-purchase retirement savings administrative account,
29 the money-purchase retirement savings principal account, the motor
30 vehicle fund, the motorcycle safety education account, the multimodal
31 transportation account, the multiuse roadway safety account, the
32 municipal criminal justice assistance account, the natural resources
33 deposit account, the oyster reserve land account, the pension funding
34 stabilization account, the perpetual surveillance and maintenance
35 account, the pollution liability insurance agency underground storage
36 tank revolving account, the public employees' retirement system plan
37 1 account, the public employees' retirement system combined plan 2
38 and plan 3 account, the public facilities construction loan revolving
39 account beginning July 1, 2004, the public health supplemental
40 account, the public works assistance account, the Puget Sound capital

1 construction account, the Puget Sound ferry operations account, the
2 Puget Sound taxpayer accountability account, the real estate
3 appraiser commission account, the recreational vehicle account, the
4 regional mobility grant program account, the resource management cost
5 account, the rural arterial trust account, the rural mobility grant
6 program account, the rural Washington loan fund, the sexual assault
7 prevention and response account, the site closure account, the
8 skilled nursing facility safety net trust fund, the small city
9 pavement and sidewalk account, the special category C account, the
10 special wildlife account, the state employees' insurance account, the
11 state employees' insurance reserve account, the state investment
12 board expense account, the state investment board commingled trust
13 fund accounts, the state patrol highway account, the state route
14 number 520 civil penalties account, the state route number 520
15 corridor account, the state wildlife account, the supplemental
16 pension account, the Tacoma Narrows toll bridge account, the
17 teachers' retirement system plan 1 account, the teachers' retirement
18 system combined plan 2 and plan 3 account, the tobacco prevention and
19 control account, the tobacco settlement account, the toll facility
20 bond retirement account, the transportation 2003 account (nickel
21 account), the transportation equipment fund, the transportation
22 future funding program account, the transportation improvement
23 account, the transportation improvement board bond retirement
24 account, the transportation infrastructure account, the
25 transportation partnership account, the traumatic brain injury
26 account, the tuition recovery trust fund, the University of
27 Washington bond retirement fund, the University of Washington
28 building account, the volunteer firefighters' and reserve officers'
29 relief and pension principal fund, the volunteer firefighters' and
30 reserve officers' administrative fund, the Washington judicial
31 retirement system account, the Washington law enforcement officers'
32 and firefighters' system plan 1 retirement account, the Washington
33 law enforcement officers' and firefighters' system plan 2 retirement
34 account, the Washington public safety employees' plan 2 retirement
35 account, the Washington school employees' retirement system combined
36 plan 2 and 3 account, the Washington state health insurance pool
37 account, the Washington state patrol retirement account, the
38 Washington State University building account, the Washington State
39 University bond retirement fund, the water pollution control
40 revolving administration account, the water pollution control

1 revolving fund, the Western Washington University capital projects
2 account, the Yakima integrated plan implementation account, the
3 Yakima integrated plan implementation revenue recovery account, and
4 the Yakima integrated plan implementation taxable bond account.
5 Earnings derived from investing balances of the agricultural
6 permanent fund, the normal school permanent fund, the permanent
7 common school fund, the scientific permanent fund, the state
8 university permanent fund, and the state reclamation revolving
9 account shall be allocated to their respective beneficiary accounts.

10 (b) Any state agency that has independent authority over accounts
11 or funds not statutorily required to be held in the state treasury
12 that deposits funds into a fund or account in the state treasury
13 pursuant to an agreement with the office of the state treasurer shall
14 receive its proportionate share of earnings based upon each account's
15 or fund's average daily balance for the period.

16 (5) In conformance with Article II, section 37 of the state
17 Constitution, no treasury accounts or funds shall be allocated
18 earnings without the specific affirmative directive of this section.

19 **Sec. 8.** RCW 46.80.020 and 2003 c 53 s 253 are each amended to
20 read as follows:

21 (1)(a) Except as provided in (b) of this subsection, it is
22 unlawful for a person to engage in the business of wrecking vehicles
23 without having first applied for and received a license.

24 (b) As defined in chapter 70.95 RCW, a solid waste disposal site
25 that is compliant with all applicable regulations may wreck a
26 nonmotorized abandoned recreational vehicle, as defined in section 5
27 of this act.

28 (2)(a) Except as provided in (b) of this subsection, a person or
29 firm engaged in the unlawful activity described in this section is
30 guilty of a gross misdemeanor.

31 (b) A second or subsequent offense is a class C felony punishable
32 according to chapter 9A.20 RCW.

33 NEW SECTION. **Sec. 9.** Section 4 of this act applies to vehicle
34 registrations that are due or become due on or after May 1, 2019.

35 NEW SECTION. **Sec. 10.** The director of licensing may take
36 necessary steps to ensure that this act is implemented on its
37 effective date.

1 NEW SECTION. **Sec. 11.** Section 5 of this act constitutes a new
2 chapter in Title 46 RCW.

3 NEW SECTION. **Sec. 12.** This act takes effect May 1, 2019.

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