

HOUSE BILL REPORT

SB 5049

*As Passed House
April 8, 1991*

Title: An act relating to disposal of abandoned junk vehicles.

Brief Description: Simplifying disposal of abandoned junk vehicles.

Sponsor(s): Senator Madsen.

Brief History:

Reported by House Committee on:
Transportation, March 27, 1991, DPA;
Amended by House, April 8, 1991;
Passed House, April 8, 1991, 93-2.

**HOUSE COMMITTEE ON
TRANSPORTATION**

Majority Report: *Do pass as amended.* Signed by 23 members: Representatives R. Fisher, Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; G. Fisher; Haugen; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Minority Report: *Without recommendation.* Signed by 1 member: Representative Forner.

Staff: Brad Lovaas (786-7307).

Background: Current statute defines a junk vehicle as meeting all of the following requirements: (1) is three years or older; (2) is extremely damaged; (3) is apparently inoperable; (4) is not currently registered; and (5) has a fair market value equal to the value of scrap in it.

Current statute requires that a landowner wanting to dispose of a junk vehicle found on his property must first have a law enforcement officer verify that the vehicle meets all of the above mentioned criteria. Then if information is available from the Department of Licensing on the registered and legal owners, the landowner must send the vehicle owners a notification form from the department by certified mail.

If the car remains unclaimed for 15 days, the landowner may dispose of the vehicle.

If no information is found by the department on the vehicle's registered and legal owners, the landowner must place a legal notice of custody and sale into the county newspaper. If the vehicle remains unclaimed after 20 days, then the landowner may dispose of the vehicle.

The current procedure is viewed as time consuming, expensive and cumbersome for disposing of junk vehicles. Many landowners with junk vehicles sitting on their property are dumping these vehicles on others' property, usually remote areas, or alongside the highway.

Summary of Bill: The requirement that a landowner notify the owner of a junk vehicle through certified mail and on a form furnished by the department is repealed. The right of a district court to contest the sale of a junk vehicle is repealed. The provisions requiring publication in the county newspaper of junk vehicles with no known owners on the department records are repealed.

The landowner must provide a notice to the vehicle owner based on information given by the inspecting law enforcement officer. The vehicle owner has the right to arrange for removal of the vehicle within 15 days.

A person complying in good faith is immune from any liability arising out of any action.

A junk vehicle is defined as a vehicle being worth the approximate value of the scrap in it.

The public abatement statute is clarified as it applies to a private vehicle owned by the landowner.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill will provide for proper notice by the landowner to the vehicle owner. It will also help eliminate the environmental damage caused by abandoned junk vehicles.

Testimony Against: None.

Witnesses: Tim Boyd, Washington Forest Protection Association (pro); and Heather Hamilton, Department of Licensing (neutral).