

HOUSE BILL REPORT

ESSB 6083

*As Reported By House Committee on:
Financial Institutions & Insurance*

Title: An act relating to repossessing motor vehicles.

Brief Description: Protecting personal property when motor vehicles are repossessed.

Sponsor(s): By Senate Committee on Law & Justice (originally sponsored by Senator L. Smith).

Brief History:

Reported by House Committee on:
Financial Institutions & Insurance, February 28, 1992,
DPA.

**HOUSE COMMITTEE ON
FINANCIAL INSTITUTIONS & INSURANCE**

Majority Report: *Do pass as amended.* Signed by 13 members: Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Staff: John Conniff (786-7119).

Background: A secured creditor may repossess collateral pledged to secure a loan if the loan is in default. When a motor vehicle is repossessed, the vehicle often contains personal property. The owner of the personal property may encounter problems when seeking a return of personal property from the secured party or the secured party's agent.

Summary of Amended Bill: When a motor vehicle is repossessed, the agent of the creditor must mail a written notice to the debtor as soon as practicable which notice must advise the debtor how, when, and where any personal property of the debtor can be retrieved by the debtor. The debtor's personal property must be kept intact and returned in substantially the same condition as when the vehicle was repossessed and the debtor may not be charged for storing personal property.

If the debtor does not retrieve the property within 30 days, the agent of the creditor may dispose of the property by either donating it to a charitable organization if the property's value is under \$100 or by giving it to local law enforcement authorities for disposition at auction.

Amended Bill Compared to Engrossed Substitute Bill: Instead of a requirement that the agent of the creditor return a debtor's personal property within 48 hours, the agent is required to provide the debtor with information allowing the debtor to retrieve the property.

Fiscal Note: Not requested.

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

Testimony For: None.

Testimony Against: None.

Witnesses: None.