

SUBSTITUTE SENATE BILL 5194

State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Long, Haugen and Wood)

Read first time 03/03/97.

1 AN ACT Relating to vehicles that have been rebuilt from salvage;
2 amending RCW 46.32.005, 46.12.040, and 46.12.075; adding a new section
3 to chapter 46.32 RCW; and creating a new section.

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

5 **Sec. 1.** RCW 46.32.005 and 1993 c 403 s 1 are each amended to read
6 as follows:

7 For the purpose of this chapter:

8 (1) "Commercial motor vehicle" means a self-propelled or towed
9 vehicle designed or used to transport passengers or property, if the
10 vehicle:

11 ((+1)) (a) Has a gross vehicle weight rating or gross combination
12 weight rating of ten thousand one or more pounds;

13 ((+2)) (b) Is designed to transport sixteen or more passengers,
14 including the driver; or

15 ((+3)) (c) Is transporting hazardous materials and is required to
16 be identified by a placard in accordance with 49 C.F.R. Sec. 172.500-
17 .560 (1991)((-))i

1 (2) A recreational vehicle used for noncommercial purposes is not
2 considered a commercial motor vehicle. "Recreational vehicle" includes
3 a vehicle towing a horse trailer for a noncommercial purpose; and

4 (3) "Structural integrity inspection" means an inspection of a
5 salvage vehicle, as authorized by the Washington state patrol, to
6 ensure that the frame and other components integral to the structure of
7 the vehicle have been reconstructed or repaired in a manner that meets
8 automotive industry standards.

9 NEW SECTION. Sec. 2. A new section is added to chapter 46.32 RCW
10 to read as follows:

11 (1) Structural integrity inspections may be conducted only by
12 privately owned autobody repair shops that are certified by the
13 Washington state patrol to perform the inspections.

14 (2) To receive certification to perform structural integrity
15 inspections, the autobody repair shop must:

16 (a) Be properly licensed, bonded, and insured; and

17 (b) Possess the ability, including facilities, equipment, and
18 personnel, to accomplish the inspections.

19 (3) Technicians conducting the inspections must have: (a) At least
20 five years of practical experience; (b) automotive service excellence
21 (ASE) certification for structural measurement and correction, or
22 equivalent certification approved by the state patrol; and (c)
23 completed a series of collision repair classes sanctioned or provided
24 by the interindustry conference on auto collision repair (I-CAR). The
25 Washington state patrol shall determine which classes are required and
26 may accept equivalent training classes to meet this requirement.

27 (4) The Washington state patrol shall set a fee schedule to
28 adequately cover the cost of the structural integrity inspections. The
29 business performing the inspection shall charge the fee to the person
30 or business requesting the inspection and shall retain the fee so
31 collected.

32 (5) A person or business performing a structural integrity
33 inspection is not required to check components unrelated to the
34 structural integrity of the vehicle.

35 (6) A document describing the structural integrity inspection
36 program or certificate issued under this section must include a
37 statement conveying that such an inspection is limited to structural
38 components of the vehicle and does not ensure the overall safety of a

1 vehicle, and recommending that the consumer have the nonstructural
2 components of the vehicle inspected to ensure the safety of the
3 vehicle.

4 (7) The department or the Washington state patrol may adopt rules
5 requiring a person or business requesting a structural integrity
6 inspection to provide photos depicting the original damage to the
7 vehicle.

8 (8) A business certified to perform structural integrity
9 inspections may not perform an inspection under this section on a
10 vehicle owned or rebuilt by the business or any employee of the
11 business.

12 **Sec. 3.** RCW 46.12.040 and 1990 c 238 s 2 are each amended to read
13 as follows:

14 The application accompanied by a draft, money order, certified bank
15 check, or cash for one dollar and twenty-five cents, together with the
16 last preceding certificates or other satisfactory evidence of
17 ownership, shall be forwarded to the director.

18 The fee shall be in addition to any other fee for the license
19 registration of the vehicle. The certificate of ownership shall not be
20 required to be renewed annually, or at any other time, except as by law
21 provided.

22 In addition to the application fee and any other fee for the
23 license registration of a vehicle, there shall be collected from the
24 applicant an inspection fee whenever a physical examination of the
25 vehicle is required as a part of the vehicle licensing or titling
26 process.

27 For vehicles previously registered in any other state or country,
28 the inspection fee shall be fifteen dollars and shall be deposited in
29 the motor vehicle fund. For all other vehicles requiring a physical
30 examination, the inspection fee shall be twenty dollars and shall be
31 deposited in the motor vehicle fund. For vehicles that have received
32 a structural integrity inspection, an additional fee of five dollars
33 shall be collected and shall be deposited in the motor vehicle fund to
34 cover the costs to administer the structural integrity inspection
35 program.

36 **Sec. 4.** RCW 46.12.075 and 1996 c 26 s 3 are each amended to read
37 as follows:

1 (1) Effective January 1, 1997, the department shall issue a unique
2 certificate of ownership and certificate of license registration, as
3 required by chapter 46.16 RCW, for vehicles that are rebuilt after
4 becoming a salvage vehicle. Each certificate shall conspicuously
5 display across its front, a word indicating that the vehicle was
6 rebuilt.

7 (2) Beginning January 1, 1997, upon inspection of a salvage vehicle
8 that has been rebuilt under RCW 46.12.030, the state patrol shall
9 securely affix or inscribe a marking at the driver's door latch pillar
10 indicating that the vehicle has previously been destroyed or declared
11 a total loss.

12 (3) Effective July 1, 1998, the department may not issue a
13 certificate of ownership or registration for a salvage vehicle unless
14 the vehicle has passed a structural integrity inspection defined and
15 described under chapter 46.32 RCW. The inspection is not required for
16 flood vehicles or for recovered stolen vehicles for which the cost of
17 parts and labor plus the salvage value do not make it uneconomical to
18 repair the vehicle. For purposes of this subsection, the term "salvage
19 vehicle" defined under RCW 46.12.005 does not exclude a vehicle of any
20 age that, at the time of application for a certificate of ownership,
21 has an average wholesale value greater than seventy-five hundred
22 dollars, after adjusting for mileage and without adjustment for
23 optional equipment, according to the national automobile dealers
24 association book or similar publication as determined by the Washington
25 state patrol. This subsection does not affect the authority of the
26 department of labor and industries to require or perform inspections
27 under chapter 43.22 RCW.

28 (4) It is a class C felony for a person to remove the marking
29 prescribed in subsection (2) of this section.

30 ((+4)) (5) The department and the Washington state patrol may
31 adopt rules as necessary to implement this section.

32 NEW SECTION. Sec. 5. By January 1, 1998, the Washington state
33 patrol shall present to the legislative transportation committee and
34 the office of financial management a progress report on the
35 implementation of the structural integrity inspection program,
36 including, but not limited to, the proposed fee schedule, other

- 1 proposed rules, and recommendations for any legislation necessary to
- 2 implement the program.

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