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SENATE BILL 5194

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State of Washington                      55th Legislature                      1997 Regular Session

By Senators Long, Haugen and Wood

Read first time 01/20/97. Referred to Committee on Transportation.

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 insurers and owners of vehicles who submit certificates of  
6 ownership under RCW 46.12.070 due to the vehicle's destruction or  
7 declaration as a total loss to submit a form provided by the  
8 department, showing the general areas of damage to the vehicle and  
9 providing procedures to use the forms to facilitate structural  
10 integrity inspections. If adopted, the rules must require that the  
11 form include a disclaimer indicating that all damage to the vehicle may  
12 not be represented.

13 (8) The department or the Washington state patrol may adopt rules  
14 requiring a person or business requesting a structural integrity  
15 inspection to provide photos depicting the original damage to the  
16 vehicle.

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

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

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

27 The fee shall be in addition to any other fee for the license  
28 registration of the vehicle. The certificate of ownership shall not be  
29 required to be renewed annually, or at any other time, except as by law  
30 provided.

31 In addition to the application fee and any other fee for the  
32 license registration of a vehicle, there shall be collected from the  
33 applicant an inspection fee whenever a physical examination of the  
34 vehicle is required as a part of the vehicle licensing or titling  
35 process.

36 For vehicles previously registered in any other state or country,  
37 the inspection fee shall be fifteen dollars and shall be deposited in  
38 the motor vehicle fund. For all other vehicles requiring a physical

1 examination, the inspection fee shall be twenty dollars and shall be  
2 deposited in the motor vehicle fund. For vehicles that have received  
3 a structural integrity inspection, an additional fee of five dollars  
4 shall be collected and shall be deposited in the motor vehicle fund to  
5 cover the costs to administer the structural integrity inspection  
6 program.

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

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

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

20 (3) Effective July 1, 1998, the department may not issue a  
21 certificate of ownership or registration for a salvage vehicle unless  
22 the vehicle has passed a structural integrity inspection. The  
23 inspection is not required for flood vehicles or for recovered stolen  
24 vehicles for which the cost of parts and labor plus the salvage value  
25 do not make it uneconomical to repair the vehicle. This subsection  
26 does not affect the authority of the department of labor and industries  
27 to require or perform inspections 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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