

SENATE BILL REPORT

SB 6748

As Reported By Senate Committee On:
Transportation, February 11, 2002

Title: An act relating to procedures for vehicle registration transfers and impound.

Brief Description: Revising vehicle impound and transfer procedures.

Sponsors: Senators Kline, Oke, Swecker and Haugen.

Brief History:

Committee Activity: Transportation: 2/11/02 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 6748 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Benton, Eide, Finkbeiner, Horn, Jacobsen, Kastama, Keiser, McAuliffe, McDonald, Oke, Prentice, T. Sheldon, Shin and Swecker.

Staff: Dean Carlson (786-7305)

Background: During the 2001 legislative session, several bills were introduced on issues surrounding abandoned vehicles and the timeliness in which vehicle ownership information is available to proper authorities when an ownership change occurs. The bills included several different solutions, some of which conflicted. As a result, the 2001 transportation budget included a proviso directing a task force to look into issues surrounding the process of selling and titling of vehicles, and the process involved when a vehicle is abandoned.

Summary of Substitute Bill: The penalty for abandoning a vehicle is \$250 and suspension of driving privileges until penalties and restitution is paid. The classification for a traffic infraction titled "littering-abandoned vehicle" is created.

When a previously abandoned vehicle is sold at a public auction, liability for the operation of the vehicle is transferred from the previous owner to the purchaser of the vehicle as evidenced by the buyer information on the abandoned vehicle report. Tow operators must send a copy of the abandoned vehicle report to the Department of Licensing, instead of the Washington State Patrol Crime Information Center, upon selling a vehicle at public auction to record the vehicle's buyer information.

The Department of Licensing must create a system enabling tow operators to send in the abandoned vehicle report electronically.

The Department of Licensing must create a system where individuals who sell a vehicle can submit their seller's report of sale via the internet.

The statute is changed to clarify that if a seller's report of sale is not filed within the statutorily required five days, the seller is not relieved of liability.

A tow truck operator must have the option of scrapping a "junk" vehicle that has been abandoned twice without a title change. The value used in determining if a vehicle is a "junk" vehicle is changed from the value of the scrap to the value of the parts of the vehicle.

Under certain circumstances, a tow operator may refuse a bid at a tow auction.

Law enforcement agencies must adopt the Washington State Patrol's standard procedures for impounding vehicles, which includes instruction on locating and recording public vehicle identification numbers which are necessary to complete the impound form.

The Washington State Patrol, along with local law enforcement agencies, must administer a task force during the 2002 interim to study the advantages and disadvantages of requiring law enforcement agencies to immediately transmit the registered and legal ownership information to the tow company electronically or by facsimile. The Department of Licensing must study the feasibility of requiring sellers to remove a vehicle's license plate at the time of sale.

Substitute Bill Compared to Original Bill: It is clarified that a person who purchases an abandoned vehicle at auction is fully liable for the vehicle at that point.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: In an ideal world, the Department of Licensing would receive the information regarding the sale of the vehicle. A great deal of work went into this bill. The tow industry loses money on these vehicles, so we would like to see this problem fixed. Sending the information electronically will help speed up the flow of information.

Testimony Against: None.

Testified: Senator Kline, Sponsor (pro); Stu Halsan, Washington Tow Truck Association (pro); Ken Nikko, Washington Tow Truck Association (pro).