
HOUSE BILL 2049

State of Washington

58th Legislature

2003 Regular Session

By Representatives Mielke, Simpson and Woods; by request of Washington State Patrol

Read first time 02/20/2003. Referred to Committee on Transportation.

1 AN ACT Relating to salvage vehicles; amending RCW 46.12.005 and
2 46.12.030; and adding a new section to chapter 46.12 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.12 RCW
5 to read as follows:

6 The Washington state patrol may conduct inspections of salvage
7 vehicles presented to the state for titling and/or licensing. In
8 addition to those powers and duties elsewhere granted, the chief of the
9 Washington state patrol shall adopt, apply, and enforce such rules
10 relating to salvage vehicles and salvage vehicle inspections as may be
11 deemed necessary by the chief for the public welfare and safety.

12 **Sec. 2.** RCW 46.12.005 and 2002 c 245 s 1 are each amended to read
13 as follows:

14 The definitions set forth in this section apply throughout this
15 chapter.

16 (1) The words "delivery," "notice," "send," and "security interest"
17 have the same meaning as these terms are defined in RCW 62A.1-201; the

1 word "secured party" has the same meaning as this term is defined in
2 RCW 62A.9A-102.

3 (2) "Salvage vehicle" means a vehicle whose certificate of
4 ownership has been surrendered to the department under RCW 46.12.070
5 due to the vehicle's destruction or declaration as a total loss or for
6 which there is documentation indicating that the vehicle has been
7 declared salvage or has been damaged to the extent that the owner, an
8 insurer, or other person acting on behalf of the owner, has determined
9 that the cost of parts and labor (~~plus the salvage value has made it~~
10 ~~uneconomical to repair~~) for repairs to reconstruct the vehicle to its
11 condition before it was wrecked, destroyed, or damaged, and for legal
12 operation on the roads or highways, exceeds eighty percent of the
13 retail value of the vehicle. The term does not include a motor vehicle
14 having a model year designation of a calendar year that is at least six
15 years before the calendar year in which the vehicle was wrecked,
16 destroyed, or damaged, unless, after June 13, 2002, and immediately
17 before the vehicle was wrecked, destroyed, or damaged, the vehicle had
18 a retail fair market value of at least the then market value threshold
19 amount and has a model year designation of a calendar year not more
20 than twenty years before the calendar year in which the vehicle was
21 wrecked, destroyed, or damaged. "Market value threshold amount" means
22 six thousand five hundred dollars or such greater amount as is then in
23 effect by rule of the department in accordance with this section. If,
24 for any year beginning with 2002, the Consumer Price Index for All
25 Urban Consumers, compiled by the Bureau of Labor Statistics, United
26 States Department of Labor, or its successor, for the West Region, in
27 the expenditure category "used cars and trucks," shows an increase in
28 the annual average for that year compared to that of the year
29 immediately prior, the department shall, by rule, increase the then
30 market value threshold amount by the same percentage as the percentage
31 increase of the annual average, with the increase of the market value
32 threshold amount to be effective on July 1st of the year immediately
33 after the year with the increase of the annual average. However, the
34 market value threshold amount may not be increased if the amount of the
35 increase would be less than fifty dollars, and each increase of the
36 market value threshold amount will be rounded to the nearest ten
37 dollars. If an increase in the market value threshold amount is not
38 made because the increase would be less than fifty dollars, the unmade

1 increase will be carried forward and added to later year calculations
2 of increase until the unmade increase is included in an increase made
3 to the market value threshold amount.

4 **Sec. 3.** RCW 46.12.030 and 2001 c 125 s 1 are each amended to read
5 as follows:

6 (1) The application for a certificate of ownership shall be upon a
7 form furnished or approved by the department and shall contain:

8 ~~((1))~~ (a) A full description of the vehicle, which shall contain
9 the proper vehicle identification number, the number of miles indicated
10 on the odometer at the time of delivery of the vehicle, and any
11 distinguishing marks of identification;

12 ~~((2))~~ (b) The name and address of the person who is to be the
13 registered owner of the vehicle and, if the vehicle is subject to a
14 security interest, the name and address of the secured party;

15 ~~((3))~~ (c) Such other information as the department may require.

16 (2) The department may in any instance, in addition to the
17 information required on the application, require additional information
18 and a physical examination of the vehicle or of any class of vehicles,
19 or either.

20 (3)(a) A physical examination of the vehicle is mandatory if it has
21 been rebuilt after surrender of the certificate of ownership to the
22 department under RCW 46.12.070 due to the vehicle's destruction or
23 declaration as a total loss. The inspection must verify that the
24 vehicle identification number is genuine and agrees with the number
25 shown on the title and registration certificate. The inspection must
26 be made by a member of the Washington state patrol or other person
27 authorized by the department to make such inspections.

28 (b)(i) A physical examination of the vehicle is mandatory if the
29 vehicle was declared totaled or salvage under the laws of this state,
30 or the vehicle is presented with documents from another state showing
31 the vehicle was totaled or salvage and has not been rebuilt or repaired
32 in the jurisdiction of that state.

33 (ii) The inspection must verify that the vehicle identification
34 number is genuine and agrees with the number shown on the original
35 documents supporting the vehicle purchase or ownership.

36 (iii) A Washington state patrol VIN specialist must ensure that all
37 major component parts used for the reconstruction of a salvage or

1 rebuildable vehicle were obtained legally. Original invoices must be
2 from a vendor that is registered with the department of revenue for the
3 collection of retail sales or use taxes. The invoices must include the
4 name and address of the business, a description of the part or parts
5 sold, the date of sale, and the amount of sale to include all taxes
6 paid unless exempted by the department of revenue. Should the parts or
7 components be purchased from a private individual, that bill of sale
8 must be notarized. The bills of sale must include the names and
9 addresses of the sellers and purchasers, a description of the vehicle,
10 the part or parts being sold, including the make, model, year, and
11 identification or serial number, that date of sale, and the purchase
12 price of the vehicle or part or parts.

13 (iv) A vehicle being rebuilt for titling or registration within the
14 state of Washington must be repaired to meet the original equipment
15 manufacture appearance and standards for the model year and manufacture
16 prior to inspection of the salvage vehicle by the Washington state
17 patrol.

18 (4) Rebuilt or salvage vehicles presented for inspection for
19 retitling or registration within the state must meet the requirements
20 found under chapter 46.37 RCW.

21 (5) The application shall be subscribed by the registered owner and
22 be sworn to by that applicant in the manner described by RCW 9A.72.085.
23 The department shall retain the application in either the original,
24 computer, or photostatic form.

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