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HOUSE BILL 2908

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State of Washington                      58th Legislature                      2004 Regular Session

By Representatives Mielke, O'Brien, Ahern, Pearson and Boldt

Read first time 01/22/2004. 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 or licensing. In addition  
8 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 sixty percent of the retail  
13 value of the vehicle. The term does not include a motor vehicle having  
14 a model year designation of a calendar year that is at least six years  
15 before the calendar year in which the vehicle was wrecked, destroyed,  
16 or damaged, unless, after June 13, 2002, and immediately before the  
17 vehicle was wrecked, destroyed, or damaged, the vehicle had a retail  
18 fair market value of at least the then market value threshold amount  
19 and has a model year designation of a calendar year not more than  
20 twenty years before the calendar year in which the vehicle was wrecked,  
21 destroyed, or damaged. "Market value threshold amount" means six  
22 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 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 reissued a valid  
32 registration from that state after the declaration of total loss or  
33 salvage.

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

1       (iii) A Washington state patrol VIN specialist must ensure that all  
2 major component parts used for the reconstruction of a salvage or  
3 rebuildable vehicle were obtained legally. Original invoices must be  
4 from a vendor that is registered with the department of revenue for the  
5 collection of retail sales or use taxes or comparable agency in the  
6 jurisdiction where the major component parts were purchased. The  
7 invoices must include the name and address of the business, a  
8 description of the part or parts sold, the date of sale, and the amount  
9 of sale to include all taxes paid unless exempted by the department of  
10 revenue or comparable agency in the jurisdiction where the major  
11 component parts were purchased. If the parts or components were  
12 purchased from a private individual, that bill of sale must be  
13 notarized. The bills of sale must include the names and addresses of  
14 the sellers and purchasers, a description of the vehicle, the part or  
15 parts being sold, including the make, model, year, and identification  
16 or serial number, that date of sale, and the purchase price of the  
17 vehicle or part or parts. If the presenter is unable to provide an  
18 acceptable release of interest or proof of ownership for a vehicle or  
19 major component part as described above, an inspection must be  
20 completed for ownership-in-doubt purposes as prescribed by WAC 308-56A-  
21 210.

22       (iv) A vehicle presented for inspection must have all damaged major  
23 component parts replaced or repaired to meet RCW and WAC requirements  
24 before inspection of the salvage vehicle by the Washington state  
25 patrol.

26       (4) Rebuilt or salvage vehicles licensed in Washington must meet  
27 the requirements found under chapter 46.37 RCW to be driven upon public  
28 roadways.

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

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