

HOUSE BILL REPORT

HB 1504

As Reported by House Committee On:
Transportation

Title: An act relating to abandoned vehicle auctions.

Brief Description: Adjusting notice of abandoned vehicle auctions.

Sponsors: Representatives Simpson, Woods and Lovick.

Brief History:

Committee Activity:

Transportation: 2/1/06, 2/3/06 [DPS].

Brief Summary of Substitute Bill

- Defines general circulation for public notice for a public vehicle auction.
- Revises the public viewing period prior to a public vehicle auction.
- Requirement that the make, model, year, and license number be listed in the public notice is removed.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Murray, Chair; Wallace, Vice Chair; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton, Campbell, Clibborn, Curtis, Dickerson, Ericksen, Flannigan, Hankins, Holmquist, Hudgins, Jarrett, Kilmer, Lovick, Morris, Nixon, Rodne, Sells, Shabro, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

Staff: Jerry Long (786-7306).

Background:

When an abandoned vehicle is towed, the tow truck operator will file an abandon vehicle report with the Department of Licensing. Within 24 hours after the tow truck operator receives information on the owners from the Department of Licensing, the tow truck operator will send by certified mail, with return receipt requested, a notice of custody and sale to the legal and registered owners.

After 15 days from the date of mailing the notice of custody and sale, if the vehicle remains unclaimed and has not been listed as a stolen vehicle, or a suspended license impound, then the tow truck operator can conduct a sale of the vehicle at public auction. The tow truck operator must publish a notice of the date, place and time of the auction in a newspaper of general circulation in the county in which the vehicle is located. This is required for not less than three days and no more than 10 days before the date of the auction.

The notice will contain a description of the vehicle including the make, model, year, and license number and that a three hour public viewing period is available prior to the auction.

Summary of Substitute Bill:

The process for the notice of custody and sale is changed from certified mail with a return receipt to first class mail, with a return receipt or signature confirmation requested.

Defines the newspaper of general circulation to be a commercial, widely circulated, free, classified advertisement circular not affiliated with the registered tow truck operator.

The viewing period prior to the auction is changed from three hours prior to one hour prior if 25 or fewer vehicles are to be auctioned, two hours if more than 25 and fewer than 50 vehicles are to be auctioned, and three hours if 50 or more vehicles are to be auctioned.

The public notice will also contain the length of the viewing period prior to the auction.

Substitute Bill Compared to Original Bill:

The requirement that the notice of custody and sale be sent by first class mail with return receipt or signature confirmation has been removed. The existing statute will remain in place which is certified mail with a return receipt requested.

The substitute removes the requirement from statute that the make, model, year, and license number be listed in the public notice is removed.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: These vehicles have been abandoned so the vehicles are not worth a lot of money. The viewing period of three hours for a very few vehicles cost the auctioneer money to have staff available. By authorizing the tow truck operator to use other advertising media, it will reduce the cost of advertising.

Testimony Against: None.

Persons Testifying: Stu Halsan, Towing and Recovery Association of Washington.

Persons Signed In To Testify But Not Testifying: None.