

SENATE BILL REPORT

ESB 5121

As Passed Senate, February 22, 2013

Title: An act relating to restoration of collector vehicles.

Brief Description: Concerning the restoration of collector vehicles.

Sponsors: Senators Carrell, Benton, Becker, Bailey, Litzow, Roach and Honeyford.

Brief History:

Committee Activity: Governmental Operations: 1/28/13, 1/29/13 [DP].
Passed Senate: 2/22/13, 42-6.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Majority Report: Do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Hasegawa, Ranking Member; Braun and Rivers.

Staff: Sam Thompson (786-7413)

Background: Cities, towns, and counties can remove junk vehicles on private property under public nuisance abatement procedures. Under current law, a junk vehicle meets at least three of the following four requirements: it is at least three years old; it is extensively damaged, with a broken window or windshield or missing wheels, tires, motor, or transmission; it is apparently inoperable; and its approximate fair market value is equal only to its scrap value.

Summary of Engrossed Bill: Prior to removing a junk vehicle in nuisance abatement proceedings, a city, town, or county must provide the property owner at least 30 days to establish that the vehicle is one of three or fewer collector vehicles – defined as vehicles at least thirty years old – being actively restored or being used to supply parts for a collector vehicle being actively restored, and is not visible from other public or private property. If the property owner establishes these elements, the vehicle may not be removed as a junk vehicle. The property owner may, without limitation, present evidence of active and recent restoration work, of a valid current registration or certificate of title, or that the vehicle has a collector vehicle or horseless carriage license plate. Cities, towns, and counties are not prohibited from otherwise regulating restoration of collector vehicles.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This bill appropriately limits local government authority to prohibit older vehicles on property if residents are working to restore the vehicles. Historically, some cities have confiscated older vehicles under abatement processes. Thousands of people in Washington enjoy restoring older vehicles in garages.

CON: Cities have technical concerns, including uncertainty as to what constitutes active work toward restoration and whether vehicles in front yards must be accommodated.

OTHER: County officials have questions regarding some provisions but will seek to resolve issues.

Persons Testifying: PRO: Senator Carrell, prime sponsor; Ross Gallagher, citizen.

CON: Carl Schroeder, Assn. of WA Cities.

OTHER: Laura Merrill, WA State Assn. of Counties.