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## Transportation Committee

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### SSB 6437

**Brief Description:** Addressing the disposal of recreational vehicles abandoned on public property.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senator King).

<p style="text-align: center;"><b>Brief Summary of Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Establishes a program within the Department of Licensing for reimbursing costs associated with the disposal of recreational vehicles abandoned on public property.</li></ul>
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**Hearing Date:** 2/15/18

**Staff:** Patricia Hasan (786-7292).

**Background:**

A recreational vehicle (RV) is defined as a travel trailer, motor home, truck camper, or camping trailer that is primarily designed and used as temporary living quarters, is either self-propelled or mounted on or drawn by another vehicle, is transient, is not occupied as a primary residence, and is not immobilized or permanently affixed to a mobile home lot.

Registered tow truck operators (RTTOs) may impound, transport, and store unauthorized vehicles and dispose of abandoned vehicles. An unauthorized vehicle is a vehicle that is left unattended in a public or private place for a certain period of time based on the type of vehicle. An abandoned vehicle is a vehicle that has been impounded and held with an RTTO for 120 consecutive hours. Abandoned vehicles may be publicly auctioned off. A vehicle may be determined to be an abandoned junk vehicle by a law enforcement officer, health department employee or officer, or person authorized by the Department of Licensing (DOL). An RTTO may authorize the disposal of an abandoned junk vehicle if it has been abandoned two or more times, the registered owner has not changed since it was first abandoned, and the registered owner is the legal owner. A hulk hauler transports or sells vehicles to a licensed vehicle wrecker or scrap processor and is required to be licensed.

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It is a violation of state law to abandon a junk vehicle on any property. The landowner where the abandoned vehicle is discovered is responsible for contacting the registered owner. The registered owner has 15 days to contact the landowner after a notification is mailed to them to claim the vehicle and, if they do not, the landowner has the right to dispose of the vehicle or sign an affidavit of sale. If an abandoned vehicle is found by law enforcement, the last registered owner on record is guilty of a traffic infraction and, in addition to a monetary penalty, must make restitution to the amount of the deficiency remaining after disposal of the vehicle.

An RTTO with a valid and signed impoundment authorization has a lien upon the impounded vehicle for services in towing and storing the vehicle. The amount the RTTO has against the registered owner may not exceed the sum of \$500 after deduction of the amount bid at auction, or \$1,000 for vehicles over 10,000 pounds of gross weight, unless the impound is determined to be invalid. These claims do not apply to law enforcement-directed impounds.

The Department of Ecology is responsible for establishing a comprehensive statewide program for solid waste handling, recovery, and recycling which prevents pollution to the environment. County governments may acquire sites for the use of disposing solid waste or recyclable materials. A county has full jurisdiction and authority to manage and regulate solid waste handling systems and facilities.

In the 2017-19 original biennial Transportation Budget (Engrossed Senate Bill 5096), the DOL was directed to convene a work group to engage stakeholders to develop a sustainable plan for the collection and disposal of abandoned RVs. The work group was directed to submit a final report and draft legislation to the transportation committees of the Legislature by December 1, 2017.

### **Summary of Bill:**

Registered tow truck operators may transport an abandoned recreational vehicle to a solid waste disposal site without being licensed as a hulk hauler and must comply with all hulk hauler laws when doing so. A written record of each delivery must be provided to a licensed dismantler or authorized disposal site. Completion of the written notice relieves the tow truck operator from civil and criminal liability for disposal of a properly proceeded abandoned RV. A solid waste disposal site that is compliant with all applicable regulations may wreck a nonmotorized abandoned RV.

A \$6 fee must be assessed on each RV application for registration. The funds must be deposited into the Abandoned Recreational Vehicle Disposal Account (ARDVA) created in the State Treasury. Up to 15 percent of the spending each biennium from the ARDVA may be for the DOL's administrative expenses. Any State General Fund transfers into the ARDVA must be used to reimburse 100 percent of eligible costs.

An RTTO, vehicle wrecker, scrap processor, or scrap metal business may apply to the DOL for reimbursement of up to 100 percent of eligible cost for the transport, storage, dismantling, and disposal of abandoned RVs from public property. After consulting with the 2017 stakeholder group, the DOL may develop rules, including the rates and reimbursement process. The DOL is directed to convene a stakeholder work group every two years to make recommendations on rule

amendments. All reimbursements made to RTTOs, vehicle wreckers, or scrap processors for this work must be paid solely from the ARDVA.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on May 1, 2019.