

the state government and its existing public institutions, and shall take effect immediately.

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CHAPTER 7

[Engrossed Senate Bill No. 49]

MOTOR VEHICLE WRECKERS

AN ACT Relating to motor vehicle wreckers; amending section 46.80.020, chapter 12, Laws of 1961, as amended by section 94, chapter 32, Laws of 1967 and RCW 46.80.020; amending section 46.80.030, chapter 12, Laws of 1961, as last amended by section 1, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.030; amending section 46.80.040, chapter 12, Laws of 1961, as amended by section 96, chapter 32, Laws of 1967 and RCW 46.80.040; amending section 46.80.050, chapter 12, Laws of 1961, as last amended by section 2, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.050; amending section 46.80.070, chapter 12, Laws of 1961, as amended by section 98, chapter 32, Laws of 1967 and RCW 46.80.070; amending section 46.80.080, chapter 12, Laws of 1961, as amended by section 99, chapter 32, Laws of 1967 and RCW 46.80.080; amending section 46.80.090, chapter 12, Laws of 1961, as amended by section 100, chapter 32, Laws of 1967 and RCW 46.80.090; amending section 46.80.110, chapter 12, Laws of 1961, as last amended by section 3, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.110; amending section 46.80.130, chapter 12, Laws of 1961, as last amended by section 4, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.130; amending section 46.80.150, chapter 12, Laws of 1961, as last amended by section 5, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.150.

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

Section 1. Section 46.80.020, chapter 12, Laws of 1961, as amended by section 94, chapter 32, Laws of 1967 and RCW 46.80.020 are each amended to read as follows:

Any motor vehicle wrecker, as defined herein, who shall engage in the business of wrecking motor vehicles or trailers without having first applied for and received a license from the ~~((director))~~ department of motor vehicles authorizing him so to do shall be guilty of a gross misdemeanor, and upon conviction shall be punished by

imprisonment for not less than thirty days or more than one year in jail or by a fine of one thousand dollars.

Sec. 2. Section 46.80.030, chapter 12, Laws of 1961, as last amended by section 1, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.030 are each amended to read as follows:

Application for a motor vehicle wrecker's license or renewal of a vehicle wrecker's license shall be made on a form for this purpose, furnished by the ~~((director))~~ department of motor vehicles, and shall be signed by the motor vehicle wrecker or his authorized agent and shall include the following information:

(1) Name and address of the person, firm, partnership, association or corporation under which name the business is to be conducted;

(2) Names and residence address of all persons having an interest in the business or, if the owner is a corporation, the names and addresses of the officers thereof;

(3) Certificate of approval of the chief of police of any city or town having a population of over five thousand persons and in all other instances a member of the Washington state patrol certifying that:

(a) The applicant has an established place of business at the address shown on the application, and;

(b) In the case of a renewal of a vehicle wrecker's license, the applicant has been complying with the provisions of this chapter and the provisions of ~~((chapter))~~ Title 46 RCW, relating to registration and certificates of title: PROVIDED, That the above certifications in any instance can be made by an authorized representative of the department of motor vehicles;

(4) Any other information that the ~~((director))~~ department may require.

Sec. 3. Section 46.80.040, chapter 12, Laws of 1961, as amended by section 96, chapter 32, Laws of 1967 and RCW 46.80.040 are each amended to read as follows:

Such application, together with a fee of twenty-five dollars, and a surety bond as hereinafter provided, shall be forwarded to the ~~((director))~~ department. Upon receipt of the application the ~~((director))~~ department shall, if the application be in order, issue a motor vehicle wrecker's license authorizing him to do business as such and forward the fee, together with an itemized and detailed report, to the state treasurer, to be deposited in the motor vehicle fund. Upon receiving the certificate the owner shall cause it to be prominently displayed in his place of business, where it may be inspected by an investigating officer at any time.

Sec. 4. Section 46.80.050, chapter 12, Laws of 1961, as last amended by section 2, chapter 13, Laws of 1967 ex. sess. and RCW

46.90.050 are each amended to read as follows:

A license issued on this application shall remain in force until suspended or revoked and may be renewed annually upon reapplication according to RCW 46.80.030 and upon payment of a fee of ten dollars. Any motor vehicle wrecker who fails or neglects to renew his license prior to July 1, shall be required to pay the fee for an original motor vehicle wrecker license as provided in this chapter.

Whenever a motor vehicle wrecker shall cease to do business as such or his license has been suspended or revoked, he shall immediately surrender such license to the ~~((director))~~ department.

Sec. 5. Section 46.80.070, chapter 12, Laws of 1961 as amended by section 98, chapter 32, Laws of 1967 and RCW 46.80.070 are each amended to read as follows:

Before issuing a motor vehicle wrecker's license, the ~~((director))~~ department shall require the applicant to file with said ~~((director))~~ department a surety bond in the amount of one thousand dollars, running to the state of Washington and executed by a surety company authorized to do business in the state of Washington. Such bond shall be approved as to form by the attorney general and conditioned that such wrecker shall conduct his business in conformity with the provisions of this chapter. Any person who shall have suffered any loss or damage by reason of fraud, carelessness, neglect or misrepresentation on the part of the wrecking company, shall have the right to institute an action for recovery against such motor vehicle wrecker and surety upon such bond: PROVIDED, That the aggregate liability of the surety to all persons shall in no event exceed the amount of the bond.

Sec. 6. Section 46.80.080, chapter 12, Laws of 1961, as amended by section 99, chapter 32, Laws of 1967 and RCW 46.80.080 are each amended to read as follows:

Every motor vehicle wrecker shall maintain books or files in which he shall keep a record and a description of every vehicle wrecked, dismantled, disassembled or substantially altered by him, together with the name of the person, firm or corporation from whom he purchased the vehicle. Such record shall also contain:

- (1) The certificate of title number (if previously titled in this or any other state);
- (2) Name of state where last registered;
- (3) Number of the last license number plate issued;
- (4) Name of vehicle;
- (5) Motor or identification number and serial number of the vehicle;
- (6) Date purchased;
- (7) Disposition of the motor and chassis, and such other

information as the ((director)) department may require. Such record shall be subject to inspection at all times by members of the police department, sheriff's office and members of the Washington state patrol. A motor vehicle wrecker shall also maintain a similar record of all disabled vehicles that have been towed or transported to the motor vehicle wrecker's place of business or to other places designated by the owner of the vehicle or his representative. This record shall specify the name and description of the vehicle, name of owner, number of license plate, condition of the vehicle and place to which it was towed or transported.

Sec. 7. Section 46.80.090, chapter 12, Laws of 1961, as amended by section 100, chapter 32, Laws of 1967 and RCW 46.80.090 are each amended to read as follows:

Within thirty days after a vehicle has been acquired by the motor vehicle wrecker it shall be the duty of such motor vehicle wrecker to furnish a written report to the ((director)) department on forms furnished by ((him)) the department. This report shall be in such form as the ((director)) department shall prescribe and shall be accompanied by the certificate of title, if the vehicle has been last registered in a state which issues a certificate, or a record of registration if registered in a state which does not issue a certificate of title. No motor vehicle wrecker shall acquire a vehicle without first obtaining such record or title. It shall be the duty of the motor vehicle wrecker to furnish a monthly report of all vehicles wrecked, dismantled, disassembled, or substantially changed in form by him. This report shall be made on forms prescribed by the ((director)) department and contain such information as the ((director)) department may require. This statement shall be signed by the motor vehicle wrecker or his authorized representative and the facts therein sworn to before a notary public. Any motor vehicle wrecker who fails, neglects or refuses to furnish these monthly reports shall be guilty of a gross misdemeanor and shall be punished by a fine of not more than five hundred dollars or by imprisonment of not more than six months or by both fine and imprisonment.

Sec. 8. Section 46.80.110, chapter 12, Laws of 1961, as last amended by section 3, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.110 are each amended to read as follows:

((If for a good and sufficient cause the director has reason to believe that the application for motor vehicle wrecker's license or renewal of motor vehicle wrecker's license should be denied, he may refuse to issue such license and shall notify the applicant to that effect. The director may suspend or revoke a motor vehicle wrecker's license whenever he shall have reason to believe that such motor vehicle wrecker has:))

The director may, pursuant to the provisions of chapter 34.04 RCW, by order deny, suspend or revoke the license of any motor vehicle wrecker, if he finds that the applicant or licensee has:

(1) Wilfully misrepresented the physical condition of any motor or integral part of a motor vehicle;

(2) Sold or disposed of a motor vehicle or trailer or any part thereof when he knows that such vehicle or part has been stolen, or appropriated without the consent of the owner;

(3) Committed forgery on a certificate of title covering a vehicle that has been reassembled from parts obtained from the disassembling of other vehicles;

(4) Committed any dishonest act or omission which the director has reason to believe has caused loss or serious inconvenience as a result of a sale of a motor vehicle, trailer or part thereof;

(5) Failed to comply with any of the provisions of this chapter ((and the provisions of Title 46,)) or any of the rules and regulations adopted thereunder, or with any of the provisions of Title 46 relating to registration and certificates of title of vehicles;

(6) Procured a license fraudulently or that such license was erroneously issued.

((Notice of the intent of the director to refuse, suspend or cancel a license shall be given in writing, by registered mail, to the holder of or applicant for such license, and shall designate a time and place for the hearing before the director, which shall be not less than ten days from the date of said notice. Should the director decide that the applicant is not entitled to a license or that an existing license should be revoked, the applicant or holder may, within thirty days from the date of the decision of the director, appeal to the superior court of Thurston county for a review of such decision, filing a notice of such appeal with the clerk of said superior court and a copy of said notice in the office of the director. Said court shall set the matter down for hearing with the least possible delay.))

Sec. 9. Section 46.80.130, chapter 12, Laws of 1961, as last amended by section 4, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.130 are each amended to read as follows:

It shall be unlawful for any motor vehicle wrecker to keep any motor vehicle or any integral part thereof in any place other than the established place of business, designated in the certificate issued by the ((director)) department, without permission of the ((director)) department. All premises containing such motor vehicles or parts thereof shall be enclosed by a wall or fence of such height as to obscure the nature of the business carried on therein. To the extent reasonably necessary or permitted by the topography of the

land, the ((director)) department shall have the right to establish specifications or standards for said fence or wall: PROVIDED, HOWEVER, That such wall or fence shall be painted or stained a neutral shade which shall blend in with the surrounding premises, and that such wall or fence must be kept in good repair. A living hedge of sufficient density to prevent a view of the confined area may be substituted for such a wall or fence. Any dead or dying portion of such hedge shall be replaced.

Sec. 10. Section 46.80.150, chapter 12, Laws of 1961, as last amended by section 5, chapter 13, Laws of 1967 ex. sess. and RCW 46.80.150 are each amended to read as follows:

It shall be the duty of the chiefs of police in cities having a population of over five thousand persons, and in all other cases members of the Washington state patrol, to make periodic inspection of the motor vehicle wrecker's premises and records provided for in this chapter, and furnish a certificate of inspection to the ((director)) department in such manner as may be determined by the ((director)) department: PROVIDED, That the above inspection in any instance can be made by an authorized representative of the department.

Passed the Senate March 12, 1971.

Passed the House March 20, 1971.

Approved by the Governor March 29, 1971.

Filed in Office of Secretary of State March 29, 1971.

CHAPTER 8

[Engrossed Senate Bill No. 56]

CIVIL DEFENSE AND EMERGENCY SERVICES

AN ACT Related to civil defense and emergency services; amending section 13, chapter 178, Laws of 1951 as amended by section 1, chapter 210, Laws of 1955 and RCW 38.52.110; amending section 11, chapter 178, Laws of 1951 as amended by section 1, chapter 145, Laws of 1953 and RCW 38.52.180; amending section 5, chapter 223, Laws of 1953 and RCW 38.52.220; and adding new sections to chapter 178, Laws of 1951 and to chapter 38.52 RCW.

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

Section 1. Section 13, chapter 178, Laws of 1951 as amended by section 1, chapter 210, Laws of 1955 and RCW 38.52.110 are each amended to read as follows:

(1) In carrying out the provisions of this chapter, the governor and the executive heads of the political subdivisions of the