

of a competitive price. A record of competition for all such purchases from ~~((two))~~ four hundred dollars to twenty-five hundred dollars shall be documented for audit purposes on a standard state form approved by the forms management center under the provisions of RCW 43.19.510. Purchases up to ~~((two))~~ four hundred dollars may be made without competitive bids based on buyer experience and knowledge of the market in achieving maximum quality at minimum cost: PROVIDED, That this ~~((two))~~ four hundred dollar direct buy limit without competitive bids may be increased incrementally as required to a maximum of ~~((four))~~ eight hundred dollars ~~((by unanimous vote by all))~~ with the approval of at least ten of the members of the state supply management advisory board, if warranted by increases in purchasing costs due to inflationary trends;

(3) Purchases which are clearly and legitimately limited to a single source of supply and purchases involving special facilities, services, or market conditions, in which instances the purchase price may be best established by direct negotiation;

(4) Purchases of insurance and bonds by the risk management office under RCW 43.19.1935 as now or hereafter amended;

(5) Purchases and contracts for vocational rehabilitation clients of the department of social and health services: PROVIDED, That this exemption ~~((shall be))~~ is effective only when the state purchasing and material control director, after consultation with the director of the division of vocational rehabilitation and appropriate department of social and health services procurement personnel, declares that such purchases may be best executed through direct negotiation with one or more suppliers in order to expeditiously meet the special needs of the state's vocational rehabilitation clients; and

(6) Purchases by universities for hospital operation made by participating in contracts for materials, supplies, and equipment entered into by cooperative hospital service organizations as defined in section 501(e) of the Internal Revenue Code, or its successor.

Passed the House March 8, 1983.

Passed the Senate April 16, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

CHAPTER 142

[Engrossed House Bill No. 259]

SCRAP PROCESSORS—HULK HAULERS—RECORD KEEPING— REGULATIONS

AN ACT Relating to hulk haulers, vehicle repairmen, rebuilders, restorers, wreckers, and scrap processors; amending section 46.52.090, chapter 12, Laws of 1961 as amended by section 59, chapter 32, Laws of 1967 and RCW 46.52.090; amending section 1, chapter 110, Laws of 1971 ex. sess. as amended by section 190, chapter 158, Laws of 1979 and

RCW 46.79.010; amending section 2, chapter 110, Laws of 1971 ex. sess. as amended by section 191, chapter 158, Laws of 1979 and RCW 46.79.020; amending section 5, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.050; amending section 7, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.070; amending section 9, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.090; amending section 11, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.110; amending section 46.80.150, chapter 12, Laws of 1961 as last amended by section 10, chapter 253, Laws of 1977 ex. sess. and RCW 46.80.150; adding a new section to chapter 46.79 RCW; defining crimes; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 46.52.090, chapter 12, Laws of 1961 as amended by section 59, chapter 32, Laws of 1967 and RCW 46.52.090 are each amended to read as follows:

Any person, firm, corporation, or association engaged in the business of repairs of any kind to ((motor)) vehicles or any person, firm, corporation, or association which may at any time engage in ((the)) any kind of major repair ~~((of any motor vehicle or other vehicle owned by any other person; firm, corporation, or association, shall be and is hereby required to maintain a complete record of any and all vehicles repaired, the nature of the repair to which indicates the damage or injury could have been caused by collision with any person or property. Such report shall be made out and kept posted currently in duplicate, showing the name of the person for whom such repair is done, the date of such repair, the motor number of the vehicle if it be a motor vehicle, or the serial number of the vehicle if it be a trailer or semitrailer, the license number of the vehicle, a brief statement of the nature of such repair and the cost thereof. Such report should be certified by the person or a duly authorized representative of the firm, corporation or association performing such repairs, such certification stating that the foregoing report is a true and accurate report of all such repairs, performed during the period covered by said report and in any wise indicating that the injury or damage to such vehicle could have been caused by collision with any person or property. Any person, firm, corporation or association failing to submit such report shall be guilty of a gross misdemeanor and any person certifying to any such report containing fraudulent or untrue information or omitting any required information in any material respect shall be guilty of forgery. Such report shall be submitted on Monday of each week for the preceding calendar week, to the local authority to whom accident reports are required to be made. When such local authority shall have checked such reports for their own informational purposes, such reports shall be forwarded to the chief of the Washington state patrol, and such reports shall be forwarded within a period of ten days from the date of submission to such local authority. The person, firm, corporation or association performing such repairs shall retain the duplicate copy of such report in their permanent files and the same shall be open to inspection during business hours by any police officer or any person authorized by the chief of the Washington state patrol. Such report shall also be made by persons, firms or corporations providing~~

~~storage or furnishing appraisals and shall contain the same record as required above of any such vehicles brought in for appraisal or storage. Forms for such records shall be prescribed by the chief of the Washington state patrol and may be obtained from the local authority to whom accident reports are made.~~

~~It shall be unlawful for any person to destroy or conceal any evidence of damage to a vehicle indicating that such damage could be the result of collision with any person or property without adequate record thereof and any person so doing shall be guilty of a gross misdemeanor), restoration, or substantial alteration to a vehicle required to be licensed or registered under this title shall maintain verifiable records regarding the source of used major component parts used in such repairs, restoration, or alteration. Satisfactory records include but are not limited to personal identification of the seller if such parts were acquired from other than a motor vehicle wrecker licensed under chapter 46.80 RCW, signed work orders, and bills of sale signed by the seller whose identity and address has been verified describing parts acquired, and the make, model, and vehicle identification number of a vehicle from which the following parts are removed: (1) Engines and short blocks, (2) frames, (3) transmissions and transfer cases, (4) cabs, (5) doors, (6) front or rear differentials, (7) front or rear clips, (8) quarter panels or fenders, (9) bumpers, (10) truck beds or boxes, (11) seats, and (12) hoods. Such records shall be kept for a period of four years and shall be made available for inspection by a law enforcement officer during ordinary business hours.~~

~~The acquisition of a part without a substantiating bill of sale or invoice from the parts supplier or failure to comply with any rules adopted under this section is a gross misdemeanor. Failure to obtain the vehicle identification number for those parts requiring that it be obtained is a gross misdemeanor. Failure to keep records for four years or to make such records available during normal business hours to a law enforcement officer is a gross misdemeanor.~~

~~The chief of the Washington state patrol shall adopt rules for the purpose of regulating record-keeping and parts acquisition by vehicle repairers, restorers, rebuilders, or those who perform substantial vehicle alterations. The provisions of this section do not apply to major repair, restoration, or alteration of a vehicle thirty years of age or older.~~

Sec. 2. Section 1, chapter 110, Laws of 1971 ex. sess. as amended by section 190, chapter 158, Laws of 1979 and RCW 46.79.010 are each amended to read as follows:

~~((As used in)) The definitions set forth in this section apply throughout this chapter ((and)) unless the context indicates otherwise((; words and phrases shall mean:)).~~

(1) "Abandoned vehicle" means any vehicle left within the limits of any highway or upon the property of another without the consent of the owner

of such property for a period of twenty-four hours(;) or longer, except that a vehicle shall not be considered abandoned if its owner or operator is unable to remove it from the place where it is located and so notifies law enforcement officials and requests assistance.

(2) "Abandoned automobile hulk" means the abandoned remnant, major component part, or remains of a motor vehicle which is inoperative and cannot be made mechanically operative without the addition of parts ((of)) or mechanisms and the application of a substantial amount of labor to effect repairs.

(3) "Scrap processor" means a licensed establishment that maintains a hydraulic baler and shears, or a shredder for recycling salvage.

(4) "Demolish" means to destroy completely by use of a hydraulic baler and shears, or a shredder.

(5) "Hulk hauler" means any person who deals in vehicles for the sole purpose of transporting and/or selling them to a licensed motor vehicle wrecker or scrap processor in substantially the same form in which they are obtained ((and who)). A hulk hauler may not sell second-hand motor vehicle parts to anyone other than a licensed vehicle wrecker or scrap processor, except for those parts specifically enumerated in RCW 46.79.020(2), as now or hereafter amended, which may be sold to a licensed motor vehicle wrecker or disposed of at a public facility for waste disposal.

(6) "Director" means the director of licensing.

(7) "Major component parts" include engines and short blocks, frames, transmissions or transfer cases, cabs, doors, front or rear differentials, front or rear clips, quarter panels or fenders, bumpers, truck beds or boxes, seats, and hoods.

Sec. 3. Section 2, chapter 110, Laws of 1971 ex. sess. as amended by section 191, chapter 158, Laws of 1979 and RCW 46.79.020 are each amended to read as follows:

Any hulk hauler or scrap processor licensed under the provisions of this chapter may:

(1) Notwithstanding any other provision of law, transport any flattened or junk abandoned automobile hulk whether such hulk is from in state or out of state, to a scrap processor upon obtaining the certificate of title ((and/or registration)) and/or any release of interest from the owner or custodian of such hulk. The scrap processor shall forward such document(s) to the department, together with a monthly report of all vehicles acquired from other than a licensed automobile wrecker, and no further identification shall be necessary.

(2) ~~((Transport any vehicle upon obtaining ownership thereof as otherwise required by law.))~~ Prepare vehicles and vehicle salvage for transportation and delivery to a scrap processor or vehicle wrecker only by removing the following vehicle parts:

(a) Gas tanks;

(b) Vehicle seats containing springs;

(c) Tires;

(d) Wheels;

(e) Scrap batteries;

(f) Scrap radiators.

Such parts may not be removed if they will be accepted by a scrap processor or wrecker. Such parts may be removed only at a properly zoned location, and all preparation activity, vehicles, and vehicle parts shall be obscured from public view. Storage is limited to two vehicles or the parts thereof which are authorized by this subsection, and any such storage may take place only at a properly zoned location. Any vehicle parts removed under the authority of this subsection shall be lawfully disposed of at or through a public facility or service for waste disposal or by sale to a licensed motor vehicle wrecker.

Sec. 4. Section 5, chapter 110, Laws of 1971 ex. sess. and RCW 46.79-.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 section 2 of this act and upon)) pursuant to this chapter expires on June 30th of each year and may be renewed by filing a proper application and payment of a fee of ten dollars.

Whenever a hulk hauler or scrap processor ((shall)) ceases to do business ((as such)) or ((his)) the license has been suspended or revoked, ((he)) the license shall immediately ((surrender such license)) be surrendered to the director.

Sec. 5. Section 7, chapter 110, Laws of 1971 ex. sess. and RCW 46.79-.070 are each amended to read as follows:

((If for a good and sufficient cause the director has reason to believe that the application for issuance or renewal of a license as provided in this chapter should be denied, he may refuse to issue such license and shall notify the applicant to that effect.)) The director may by order pursuant to the provisions of chapter 34.04 RCW, deny, suspend, or revoke ((a hulk hauler's or scrap processor's license whenever he shall have reason to believe that such hulk hauler has)) the license of any hulk hauler or scrap processor or, in lieu thereof or in addition thereto, may by order assess monetary penalties of a civil nature not to exceed five hundred dollars per violation, whenever the director finds that the applicant or licensee:

(1) ((Wilfully misrepresented the physical condition of any motor vehicle transported)) Removed a vehicle or vehicle major component part from property without obtaining both the written permission of the property owner and documentation approved by the department for acquiring vehicles, abandoned vehicle hulks, or major component parts thereof;

(2) ((Sold or)) Acquired, disposed of, or possessed a ((motor)) vehicle or ((trailer or any)) major component part thereof when he ((knows)) or

she knew that such vehicle or part (~~(has)~~) had been stolen(;) or appropriated without the consent of the owner;

(3) Sold, bought, received, concealed, had in his or her possession, or disposed of a vehicle or major component part thereof having a missing, defaced, altered, or covered manufacturer's identification number, unless approved by a law enforcement officer;

(4) Committed forgery ((on a certificate of title, registration, or document releasing any interest in a vehicle)) or made any material misrepresentation on any document relating to the acquisition, disposition, registration, titling, or licensing of a vehicle pursuant to Title 46 RCW;

((4)) (5) 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)) the acquisition or disposition of a vehicle or any major component part thereof;

((5)) (6) Failed to comply with any of the provisions of this chapter or other applicable law relating to registration and certificates of title of vehicles and any other document releasing any interest in a vehicle;

((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, after such hearing, 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.))

(7) Been authorized to remove a particular vehicle or vehicles and failed to take all remnants and debris from those vehicles from that area unless requested not to do so by the person authorizing the removal;

(8) Removed parts from a vehicle at other than an approved location or removed or sold parts or vehicles beyond the scope authorized by this chapter or any rule adopted hereunder;

(9) Been adjudged guilty of a crime which directly relates to the business of a hulk hauler or scrap processor and the time elapsed since the adjudication is less than five years. For the purposes of this section adjudged guilty means, in addition to a final conviction in either a federal, state, or municipal court, an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, the payment of a fine, a plea of guilty, or a finding of guilt regardless of whether the imposition of sentence is deferred or the penalty is suspended; or

(10) Been the holder of a license issued pursuant to this chapter which was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of the suspension have not been fulfilled, or which license was assessed a civil penalty and the assessed amount has not been paid.

Sec. 6. Section 9, chapter 110, Laws of 1971 ex. sess. and RCW 46.79-.090 are each amended to read as follows:

It shall be the duty of the chiefs of police, or the Washington state patrol, 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 hulk hauler's or scrap processor's premises and records provided for in this chapter, and furnish a certificate of inspection to the director in such manner as may be determined by the director: PROVIDED, That the above inspection in any instance can be made by an authorized representative of the department.

The department is hereby authorized to enlist the services and cooperation of any law enforcement officer or state agency of another state to inspect the premises of any hulk hauler or scrap processor whose established place of business is in that other state but who is licensed to transport automobile hulks within Washington state.

Sec. 7. Section 11, chapter 110, Laws of 1971 ex. sess. and RCW 46.79.110 are each amended to read as follows:

Nothing contained in this chapter shall be construed to prohibit any individual not engaged in business as a hulk hauler or scrap processor from towing any vehicle owned by him or her to any (~~((junk yard))~~) motor vehicle wrecker or scrap processor.

NEW SECTION. Sec. 8. There is added to chapter 46.79 RCW a new section to read as follows:

Any hulk hauler or scrap processor who engages in the business of hulk hauling or scrap processing without holding a current license issued by the department for authorization to do so, or, holding such a license, exceeds the authority granted by that license, is guilty of a gross misdemeanor.

Sec. 9. Section 46.80.150, chapter 12, Laws of 1961 as last amended by section 10, chapter 253, Laws of 1977 ex. sess. and RCW 46.80.150 are each amended to read as follows:

It shall be the duty of the chiefs of police, or the Washington state patrol, 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 licensed premises and records provided for in this chapter during normal business hours, and furnish a certificate of inspection to the department in such manner as may be determined

by the department: PROVIDED, That the above inspection in any instance can be made by an authorized representative of the department.

Passed the House February 25, 1983.

Passed the Senate April 16, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

CHAPTER 143

[Substitute House Bill No. 266]

VOTING DEVICES DISTRICTS OR PRECINCTS—MAY NOT SHARE DEVICES WITH OTHER DISTRICTS OR PRECINCTS

AN ACT Relating to elections; and adding a new section to chapter 29.34 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. There is added to chapter 29.34 RCW a new section to read as follows:

No voting device may contain the names of candidates for the offices of United States representative, state senator, state representative, county council, or county commissioner in more than one district or the names of candidates for the office of precinct committeeman in more than one precinct. In all even-year state general elections, voting devices shall be grouped by precinct and physically separated from the voting devices containing ballot pages for other precincts. For all other primaries and elections, in each polling place the voting devices containing ballot pages for candidates from each congressional, legislative, or county council or commissioner district shall be grouped together and physically separated from those devices containing ballot pages for other districts. Each voter shall be directed by the precinct election officers to the correct group of voting devices and an explanation to the voters that separate devices are being used for specific precincts shall be prominently displayed within the polling place.

Passed the House March 15, 1983.

Passed the Senate April 16, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

CHAPTER 144

[Engrossed House Bill No. 304]

STATE PATROL—APPOINTMENT OF SPECIAL DEPUTIES

AN ACT Relating to the Washington state patrol; and amending section 43.43.020, chapter 8, Laws of 1965 as last amended by section 4, chapter 338, Laws of 1981 and RCW 43.43.020.

Be it enacted by the Legislature of the State of Washington: