

WAC 308-61-175 Procedures for selling vehicles. How should a registered tow truck operator properly identify a vehicle in its custody and prepare for a vehicle auction?

(1) For purposes of advertising the sale of abandoned vehicles the vehicle identification number must be used if no license plates are on the vehicle.

(2) If a vehicle in the custody of an operator is not identifiable, including no license plates or registration, the operator must conduct an examination of the vehicle only to determine its make, model, year and vehicle identification number which must be included on the abandoned vehicle report to the department.

(3) If the department cannot provide owner information on a vehicle after the operator submits an abandoned vehicle report, the operator may then inspect the vehicle as permitted in RCW 46.55.100(5) to determine whether owner information is within the vehicle.

(4) Upon inspection of the vehicle as provided in subsection (3) of this section the operator may return the original abandoned vehicle report with additional information from the inspection of the vehicle to assist the department in providing owner information.

(5) The department may require an inspection by the appropriate law enforcement agency to verify the vehicle identification number of an unidentified vehicle. All such information must be reported to the department, which will communicate with such other states as may be necessary to determine whether the registered and legal owner information is available for the vehicle.

(6) After all reasonable efforts to obtain the owner information have proved unsuccessful, the vehicle may be disposed of in accordance with all procedures except that the notification to the registered and legal owners by certified or registered mail may be omitted. A record of all steps taken to locate the owner(s) of the vehicle must be kept by the operator for a period of three years.

(7) If the operator elects to bid at auction, that bid must be disclosed as such, and must not merely be an effort to set a minimum for other bids. If an operator is the successful bidder and the bid exceeds the lien for towing and storage, the surplus funds must be remitted to the department just as in any other sale. The operator cannot elect to retain a vehicle at auction because the operator feels that the bidding is insufficient.

(8) The public viewing period required in RCW 46.55.130(1) must be held at all times during daylight hours.

(9) Auctions may be held on Saturdays or Sundays which are not legal holidays.

(10) Three days prior to any vehicle auction, tow companies must fax a listing of all vehicles, including year, make, model, and vehicle identification number, to their Washington state patrol business inspector. If there are any changes to the list, an updated/amended list must also be faxed to the Washington state patrol inspector.

[Statutory Authority: RCW 46.55.190. WSR 07-03-117, § 308-61-175, filed 1/22/07, effective 2/22/07; WSR 02-20-035, § 308-61-175, filed 9/24/02, effective 10/25/02; WSR 00-01-058, § 308-61-175, filed 12/10/99, effective 1/10/00; WSR 91-20-121, § 308-61-175, filed 9/30/91, effective 10/31/91. Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. WSR 88-06-025 (Order DLR 164), § 308-61-175, filed 2/25/88. Statutory Authority: Chapter 46.55 RCW. WSR 86-03-011 (Order DLR-088), § 308-61-175, filed 1/6/86.]