
SUBSTITUTE SENATE BILL 5740

State of Washington

68th Legislature

2023 Regular Session

By Senate Law & Justice (originally sponsored by Senators J. Wilson, MacEwen, Dozier, and Padden)

READ FIRST TIME 03/29/23.

1 AN ACT Relating to deterring catalytic converter theft; amending
2 RCW 19.290.020, 19.290.030, 19.290.040, 19.290.050, 19.290.060,
3 19.290.080, 19.290.220, 19.290.240, 46.79.010, 46.80.210, and
4 9.94A.515; reenacting and amending RCW 19.290.010 and 46.80.010;
5 adding a new section to chapter 19.290 RCW; adding a new section to
6 chapter 43.43 RCW; adding a new section to chapter 46.79 RCW; adding
7 new sections to chapter 9A.82 RCW; adding a new section to chapter
8 46.80 RCW; creating a new section; prescribing penalties; providing
9 effective dates; and declaring an emergency.

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

11 NEW SECTION. **Sec. 1.** The legislature finds that rates of
12 catalytic converter theft have rapidly increased statewide and
13 nationwide, due in part to existing challenges with accurately
14 identifying stolen catalytic converters and tracking them through the
15 stream of commerce after they have been removed from their
16 originating vehicles. The legislature also finds that recent evidence
17 suggests most purchases of stolen catalytic converters are conducted
18 by unlicensed, unregulated purchasers.

19 Therefore, the legislature intends to require all purchasers to
20 be licensed and subject to regulation and inspection. The legislature
21 also intends to create a related structure for enforcing these

1 provisions and imposing penalties commensurate with the enforcement
2 and penalty structures found in comparable areas of law.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.290
4 RCW to read as follows:

5 Nothing in this chapter shall be construed to authorize licensed
6 scrap metal businesses to purchase or sell junk vehicles or major
7 component parts as defined in RCW 46.79.010.

8 **Sec. 3.** RCW 19.290.010 and 2013 c 322 s 4 are each reenacted and
9 amended to read as follows:

10 The definitions in this section apply throughout this chapter
11 unless the context clearly requires otherwise.

12 (1) "Commercial account" means a relationship between a scrap
13 metal business and a commercial enterprise that is ongoing and
14 properly documented under RCW 19.290.030.

15 (2) "Commercial enterprise" means a corporation, partnership,
16 limited liability company, association, state agency, political
17 subdivision of the state, public corporation, or any other legal or
18 commercial entity.

19 (3) "Commercial metal property" means: Utility access covers;
20 street light poles and fixtures; road and bridge guardrails; highway
21 or street signs; water meter covers; traffic directional and control
22 signs; traffic light signals; any metal property marked with the name
23 of a commercial enterprise, including but not limited to a telephone,
24 commercial mobile radio services, cable, electric, water, natural
25 gas, or other utility, or railroad; unused or undamaged building
26 construction materials consisting of copper pipe, tubing, or wiring,
27 or aluminum wire, siding, downspouts, or gutters; aluminum or
28 stainless steel fence panels made from one inch tubing, forty-two
29 inches high with four-inch gaps; aluminum decking, bleachers, or
30 risers; historical markers; statue plaques; grave markers and funeral
31 vases; or agricultural irrigation wheels, sprinkler heads, and pipes.

32 (4) "Engage in business" means conducting more than twelve
33 transactions in a twelve-month period.

34 (5) "Nonferrous metal property" means metal property for which
35 the value of the metal property is derived from the property's
36 content of copper, brass, aluminum, bronze, lead, zinc, nickel, and
37 their alloys. "Nonferrous metal property" does not include precious
38 metals.

1 (6) "Person" means an individual, domestic or foreign
2 corporation, limited liability corporation, partnership, trust,
3 unincorporated association, or other entity; an affiliate or
4 associate of any such person; or any two or more persons acting as a
5 partnership, syndicate, or other group for the purpose of acquiring,
6 holding, or dispersing of securities of a domestic or foreign
7 corporation.

8 (7) "Precious metals" means gold, silver, and platinum.

9 (~~(8) ("Private metal property" means catalytic converters, either~~
10 ~~singly or in bundles, bales, or bulk, that have been removed from~~
11 ~~vehicles for sale as a specific commodity.~~

12 ~~(9))~~ "Record" means a paper, electronic, or other method of
13 storing information.

14 (~~(10))~~ (9) "Scrap metal business" means a scrap metal supplier,
15 scrap metal recycler, and scrap metal processor.

16 (~~(11))~~ (10) "Scrap metal processor" means a person with a
17 current business license that conducts business from a permanent
18 location, that is engaged in the business of purchasing or receiving
19 (~~(private metal property)~~) nonferrous metal property~~(r)~~ and
20 commercial metal property for the purpose of altering the metal in
21 preparation for its use as feedstock in the manufacture of new
22 products, and that maintains a hydraulic bailer, shearing device, or
23 shredding device for recycling.

24 (~~(12))~~ (11) "Scrap metal recycler" means a person with a
25 current business license that is engaged in the business of
26 purchasing or receiving (~~(private metal property)~~) nonferrous metal
27 property~~(r)~~ and commercial metal property for the purpose of
28 aggregation and sale to another scrap metal business and that
29 maintains a fixed place of business within the state.

30 (~~(13))~~ (12) "Scrap metal supplier" means a person with a
31 current business license that is engaged in the business of
32 purchasing or receiving (~~(private metal property or)~~) nonferrous
33 metal property for the purpose of aggregation and sale to a scrap
34 metal recycler or scrap metal processor and that does not maintain a
35 fixed business location in the state.

36 (~~(14))~~ (13) "Transaction" means a pledge, or the purchase of,
37 or the trade of any item of (~~(private metal property or)~~) nonferrous
38 metal property by a scrap metal business from a member of the general
39 public. "Transaction" does not include donations or the purchase or
40 receipt of (~~(private metal property or)~~) nonferrous metal property by

1 a scrap metal business from a commercial enterprise, from another
2 scrap metal business, or from a duly authorized employee or agent of
3 the commercial enterprise or scrap metal business.

4 **Sec. 4.** RCW 19.290.020 and 2022 c 221 s 3 are each amended to
5 read as follows:

6 (1) At the time of a transaction, every scrap metal business
7 doing business in this state shall produce wherever that business is
8 conducted an accurate and legible record of each transaction
9 involving (~~(private metal property or)~~) nonferrous metal property.
10 This record must be written in the English language, documented on a
11 standardized form or in electronic form, and contain the following
12 information:

13 (a) The signature of the person with whom the transaction is
14 made;

15 (b) The time, date, location, and value of the transaction;

16 (c) The name of the employee representing the scrap metal
17 business in the transaction;

18 (d) The name, street address, and telephone number of the person
19 with whom the transaction is made;

20 (e) The license plate number and state of issuance of the license
21 plate on the motor vehicle used to deliver the (~~(private metal~~
22 ~~property or)~~) nonferrous metal property subject to the transaction;

23 (f) A description of the motor vehicle used to deliver the
24 (~~(private metal property or)~~) nonferrous metal property subject to
25 the transaction;

26 (g) The current driver's license number or other government-
27 issued picture identification card number of the seller or a copy of
28 the seller's government-issued picture identification card; and

29 (h) A description of the predominant types of (~~(private metal~~
30 ~~property or)~~) nonferrous metal property subject to the transaction,
31 utilizing the institute of scrap recycling industries' generally
32 accepted terminology, and including weight, quantity, or volume(~~+~~
33 ~~and~~

34 ~~(i) For every transaction specifically involving a catalytic~~
35 ~~converter that has been removed from a vehicle, documentation~~
36 ~~indicating that the private metal property in the seller's possession~~
37 ~~is the result of the seller replacing private metal property from a~~
38 ~~vehicle registered in the seller's name)).~~

1 (2) For every transaction that involves (~~private metal property~~
2 ~~or~~) nonferrous metal property, every scrap metal business doing
3 business in the state shall require the person with whom a
4 transaction is being made to sign a declaration. The declaration may
5 be included as part of the transactional record required under
6 subsection (1) of this section, or on a receipt for the transaction.
7 The declaration must state substantially the following:

8 "I, the undersigned, affirm under penalty of law that the
9 property that is subject to this transaction is not to the best of my
10 knowledge stolen property."

11 The declaration must be signed and dated by the person with whom
12 the transaction is being made. An employee of the scrap metal
13 business must witness the signing and dating of the declaration and
14 sign the declaration accordingly before any transaction may be
15 consummated.

16 (3) The record and declaration required under this section must
17 be open to the inspection of any commissioned law enforcement officer
18 of the state or any of its political subdivisions at all times during
19 the ordinary hours of business, or at reasonable times if ordinary
20 hours of business are not kept, and must be maintained wherever that
21 business is conducted for five years following the date of the
22 transaction.

23 **Sec. 5.** RCW 19.290.030 and 2022 c 221 s 4 are each amended to
24 read as follows:

25 (1) No scrap metal business may enter into a transaction to
26 purchase or receive (~~private metal property or~~) nonferrous metal
27 property from any person who cannot produce at least one piece of
28 current government-issued picture identification, including a valid
29 driver's license or identification card issued by any state.

30 (2) No scrap metal business may purchase or receive (~~private~~
31 ~~metal property or~~) commercial metal property unless the seller: (a)
32 Has a commercial account with the scrap metal business; (b) can prove
33 ownership of the property by producing written documentation that the
34 seller is the owner of the property; or (c) can produce written
35 documentation that the seller is an employee or agent authorized to
36 sell the property on behalf of a commercial enterprise.

37 (3) No scrap metal business may enter into a transaction to
38 purchase or receive metallic wire that was burned in whole or in part

1 to remove insulation unless the seller can produce written proof to
2 the scrap metal business that the wire was lawfully burned.

3 (4) (a) No transaction involving (~~(private metal property or)~~)
4 nonferrous metal property may be made in cash or with any person who
5 does not provide a street address and photographic identification and
6 sign a declaration under the requirements of RCW 19.290.020 (~~((1) (d)~~
7 ~~and (g))~~) except as described in (b) (~~(and (e))~~) of this subsection.
8 The person with whom the transaction is being made may only be paid
9 by a nontransferable check, mailed by the scrap metal business to a
10 street address provided under RCW 19.290.020, no earlier than three
11 days after the transaction was made. A transaction occurs on the date
12 provided in the record required under RCW 19.290.020.

13 (b) A scrap metal business that is in compliance with this
14 chapter may pay up to a maximum of \$30 in cash, stored value device,
15 or electronic funds transfer for nonferrous metal property. The
16 balance of the value of the transaction may be made by
17 nontransferable check, stored value device, or electronic funds
18 transfer at the time the transaction is made if the scrap metal
19 business digitally captures:

20 (i) A copy of one piece of current government-issued picture
21 identification, including a current driver's license or
22 identification card issued by any state; and

23 (ii) Either a picture or video of either the material subject to
24 the transaction in the form received or the material subject to the
25 transaction within the vehicle which the material was transported to
26 the scrap metal business.

27 (~~((c) Payment to individual sellers of private metal property as~~
28 ~~defined in this chapter may not be made at the time of the~~
29 ~~transaction and shall not be paid earlier than three business days~~
30 ~~after the transaction was made. Records of payment for private metal~~
31 ~~property as defined in this chapter must be kept in the same file or~~
32 ~~record as all records collected under this subsection and retained~~
33 ~~and be available for review for two years from the date of the~~
34 ~~transaction.))~~)

35 (5) (a) A scrap metal business's usage of video surveillance shall
36 be sufficient to comply with subsection (4) (b) (ii) of this section so
37 long as the video captures the material subject to the transaction.

38 (b) A digital image or picture taken under this section must be
39 available for two years from the date of transaction, while a video
40 recording must be available for 30 days.

1 (6) No scrap metal business may purchase or receive beer kegs
2 from anyone except a manufacturer of beer kegs or licensed brewery.

3 **Sec. 6.** RCW 19.290.040 and 2013 c 322 s 7 are each amended to
4 read as follows:

5 (1) Every scrap metal business must create and maintain a
6 permanent record with a commercial enterprise, including another
7 scrap metal business, in order to establish a commercial account.
8 That record, at a minimum, must include the following information:

9 (a) The full name of the commercial enterprise or commercial
10 account;

11 (b) The business address and telephone number of the commercial
12 enterprise or commercial account; and

13 (c) The full name of the person employed by the commercial
14 enterprise who is authorized to deliver (~~(private metal property)~~)
15 nonferrous metal property((~~r~~)) and commercial metal property to the
16 scrap metal business.

17 (2) The record maintained by a scrap metal business for a
18 commercial account must document every purchase or receipt of
19 (~~(private metal property)~~) nonferrous metal property((~~r~~)) and
20 commercial metal property from the commercial enterprise. The record
21 must be maintained for three years following the date of the transfer
22 or receipt. The documentation must include, at a minimum, the
23 following information:

24 (a) The time, date, and value of the property being purchased or
25 received;

26 (b) A description of the predominant types of property being
27 purchased or received; and

28 (c) The signature of the person delivering the property to the
29 scrap metal business.

30 **Sec. 7.** RCW 19.290.050 and 2013 c 322 s 8 are each amended to
31 read as follows:

32 (1) (~~Upon~~) In addition to all other requirements of this
33 chapter, upon request by any commissioned law enforcement officer of
34 the state or any of its political subdivisions, every scrap metal
35 business shall furnish a full, true, and correct transcript of the
36 records from the purchase or receipt of (~~(private metal property)~~)
37 nonferrous metal property((~~r~~)) and commercial metal property
38 involving only a specified individual, vehicle, or item of (~~private~~

1 ~~metal property~~) nonferrous metal property((~~r~~)) or commercial metal
2 property. This information may be transmitted within a specified time
3 of not less than two business days to the applicable law enforcement
4 agency electronically, by facsimile transmission, or by modem or
5 similar device, or by delivery of computer disk subject to the
6 requirements of, and approval by, the chief of police or the county's
7 chief law enforcement officer.

8 (2) Any records created or produced under this section are exempt
9 from disclosure under chapter 42.56 RCW.

10 (3) If the scrap metal business has good cause to believe that
11 any (~~private metal property~~) nonferrous metal property((~~r~~)) or
12 commercial metal property in (~~his or her~~) their possession has been
13 previously lost or stolen, the scrap metal business shall promptly
14 report that fact to the applicable commissioned law enforcement
15 officer of the state, the chief of police, or the county's chief law
16 enforcement officer, together with the name of the owner, if known,
17 and the date when and the name of the person from whom it was
18 received.

19 (4) Compliance with this section shall not give rise to or form
20 the basis of private civil liability on the part of a scrap metal
21 business or scrap metal recycler.

22 **Sec. 8.** RCW 19.290.060 and 2013 c 322 s 9 are each amended to
23 read as follows:

24 (1) Following notification in writing from a commissioned law
25 enforcement officer of the state or any of its political subdivisions
26 that an item of (~~private metal property~~) nonferrous metal
27 property((~~r~~)) or commercial metal property has been reported as
28 stolen, a scrap metal business shall hold that property intact and
29 safe from alteration, damage, or commingling, and shall place an
30 identifying tag or other suitable identification upon the property.
31 The scrap metal business shall hold the property for a period of time
32 as directed by the applicable law enforcement agency up to a maximum
33 of ten business days.

34 (2) A commissioned law enforcement officer of the state or any of
35 its political subdivisions shall not place on hold any item of
36 (~~private metal property~~) nonferrous metal property((~~r~~)) or
37 commercial metal property unless that law enforcement agency
38 reasonably suspects that the property is a lost or stolen item. Any
39 hold that is placed on the property must be removed within ten

1 business days after the property on hold is determined not to be
2 stolen or lost and the property must be returned to the owner or
3 released.

4 **Sec. 9.** RCW 19.290.080 and 2007 c 377 s 8 are each amended to
5 read as follows:

6 (1) Each violation of the requirements of this chapter that are
7 not subject to the criminal penalties under RCW (~~(19.290.070)~~)
8 9A.56.410 shall be punishable(~~((upon conviction))~~) by a fine of not
9 more than one thousand dollars. Each catalytic converter possessed or
10 trafficked in violation of this chapter is a separate violation.

11 (2) Within two years (~~(of being convicted)~~) of a violation of any
12 of the requirements of this chapter that (~~(are not subject to the~~
13 ~~criminal penalties under RCW 19.290.070)~~) results in a civil penalty
14 under this section, each subsequent violation shall be punishable(~~((~~
15 ~~upon conviction))~~) by a fine of not more than two thousand dollars.

16 **Sec. 10.** RCW 19.290.220 and 2013 c 322 s 25 are each amended to
17 read as follows:

18 (1) Law enforcement agencies may register with the scrap theft
19 alert system that is maintained and provided at no charge to users by
20 the institute of scrap recycling industries, incorporated, or its
21 successor organization, to receive alerts regarding thefts of
22 (~~(private))~~) nonferrous(~~((~~) or commercial metal property in the
23 relevant geographic area.

24 (2) Any business licensed under this chapter shall:

25 (a) Sign up with the scrap theft alert system that is maintained
26 and provided at no charge to users by the institute of scrap
27 recycling industries, incorporated, or its successor organization, to
28 receive alerts regarding thefts of (~~(private))~~) nonferrous(~~((~~) or
29 commercial metal property in the relevant geographic area;

30 (b) Download the scrap metal theft alerts generated by the scrap
31 theft alert system on a daily basis;

32 (c) Use the alerts to identify potentially stolen commercial
33 metal property(~~((~~) and nonferrous metal property(~~((~~ ~~and private~~
34 ~~metal property))~~); and

35 (d) Maintain for ninety days copies of any theft alerts received
36 and downloaded pursuant to this section.

1 **Sec. 11.** RCW 19.290.240 and 2013 c 322 s 28 are each amended to
2 read as follows:

3 The provisions of this chapter shall be liberally construed to
4 the end that traffic in stolen (~~(private)~~) commercial metal property
5 (~~(or)~~) and nonferrous metal property may be prevented, and
6 irresponsible, unreliable, or dishonest persons may be prevented from
7 engaging in the business of processing, recycling, or supplying scrap
8 metal in this state and reliable persons may be encouraged to engage
9 in businesses of processing, recycling, or supplying scrap metal in
10 this state.

11 NEW SECTION. **Sec. 12.** A new section is added to chapter 43.43
12 RCW to read as follows:

13 Subject to the availability of amounts appropriated for this
14 specific purpose, the Washington state patrol shall:

15 (1) Conduct periodic inspections at least once a year of all
16 licensed purchasers of catalytic converters that have been removed
17 from vehicles that are licensed under chapters 46.79 and 46.80 RCW;

18 (2) Develop a standardized inspection form and train local law
19 enforcement agencies, civilian employees, and limited authority law
20 enforcement personnel on inspection procedures of licensed
21 purchasers;

22 (3) Specify which specific law enforcement agencies have a duty
23 to inspect the different business types that are licensed to purchase
24 catalytic converters; and

25 (4) Allow inspections to be conducted by civilian employees or
26 limited authority law enforcement agencies to increase the
27 availability of potential inspectors.

28 **Sec. 13.** RCW 46.79.010 and 2001 c 64 s 10 are each amended to
29 read as follows:

30 The definitions set forth in this section apply throughout this
31 chapter unless the context indicates otherwise.

32 (1) "Junk vehicle" means a motor vehicle certified under RCW
33 46.55.230 as meeting all the following requirements:

34 (a) Is three years old or older;

35 (b) Is extensively damaged, such damage including but not limited
36 to any of the following: A broken window or windshield or missing
37 wheels, tires, motor, or transmission;

38 (c) Is apparently inoperable;

1 (d) Is without a valid, current registration plate;

2 (e) Has a fair market value equal only to the value of the scrap
3 in it.

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

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

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

18 (5) "Director" means the director of licensing.

19 (6) "Major component parts" include engines and short blocks,
20 frames, transmissions or transfer cases, cabs, doors, front or rear
21 differentials, front or rear clips, quarter panels or fenders,
22 bumpers, truck beds or boxes, seats, ~~((and))~~ hoods, and catalytic
23 converters.

24 NEW SECTION. **Sec. 14.** A new section is added to chapter 46.79
25 RCW to read as follows:

26 (1) The director or the director's designee may, pursuant to the
27 provisions of chapter 34.05 RCW, by order deny, suspend, or revoke
28 the license of a hulk hauler or scrap processor, or assess a civil
29 fine of up to \$500 for each violation, if the director finds that the
30 applicant or licensee has:

31 (a) Acquired a vehicle or major component part other than by
32 first obtaining title or other documentation as provided by this
33 chapter;

34 (b) Willfully misrepresented the physical condition of any motor
35 or integral part of a vehicle;

36 (c) Sold, had in the hulk hauler's or scrap processor's
37 possession, or disposed of a vehicle or any part thereof when he or
38 she knows that the vehicle or part has been stolen or appropriated
39 with the consent of the owner;

1 (d) Sold, bought, received, concealed, had in the hulk hauler's
2 or scrap processor's possession, or disposed of a vehicle or any part
3 thereof having a missing, defaced, altered, or covered manufacturer's
4 identification number, unless approved by a law enforcement officer;

5 (e) Committed forgery or misstated a material fact on any title,
6 registration, or other document covering a vehicle that has been
7 reassembled from parts obtained from the disassembling of other
8 vehicles;

9 (f) Committed any dishonest act or omission that the director has
10 reason to believe has caused loss or serious inconvenience as a
11 result of a sale of a vehicle or part thereof;

12 (g) Failed to comply with any of the provisions of this chapter
13 or with any of the rules adopted under it, or with the provisions of
14 this title relating to registration and certification of title of
15 vehicles;

16 (h) Procured a license fraudulently or dishonestly; or

17 (i) Been convicted of a crime that directly relates to the
18 business of a hulk hauler or scrap processor and the time elapsed
19 since conviction is less than 10 years, or suffered any judgment
20 within the preceding five years in any civil action involving fraud,
21 misrepresentation, or conversion. For the purpose of this subsection,
22 conviction means in addition to a final conviction in either a
23 federal, state, or municipal court, an unvacated forfeiture of bail
24 or collateral deposited to secure a defendant's appearance in court,
25 the payment of a fine, a plea of guilty, or a finding of guilt
26 regardless of whether the sentence is deferred or the penalty is
27 suspended.

28 (2) In addition to actions by the department of licensing under
29 this section, it is a gross misdemeanor to violate subsection (1)(a),
30 (b), or (h) of this section.

31 **Sec. 15.** RCW 46.80.010 and 2010 c 161 s 1138 and 2010 c 8 s 9097
32 are each reenacted and amended to read as follows:

33 The definitions set forth in this section apply throughout this
34 chapter.

35 (1) "Core" means a major component part received by a vehicle
36 wrecker in exchange for a like part sold by the vehicle wrecker, is
37 not resold as a major component part except for scrap metal value or
38 for remanufacture, and the vehicle wrecker maintains records for

1 three years from the date of acquisition to identify the name of the
2 person from whom the core was received.

3 (2) "Established place of business" means a building or enclosure
4 which the vehicle wrecker occupies either continuously or at regular
5 periods and where his or her books and records are kept and business
6 is transacted and which must conform with zoning regulations.

7 (3) "Interim owner" means the owner of a vehicle who has the
8 original certificate of title for the vehicle, which certificate has
9 been released by the person named on the certificate and assigned to
10 the person offering to sell the vehicle to the wrecker.

11 (4) "Major component part" includes at least each of the
12 following vehicle parts: (a) Engines and short blocks; (b) frame; (c)
13 transmission and/or transfer case; (d) cab; (e) door; (f) front or
14 rear differential; (g) front or rear clip; (h) quarter panel; (i)
15 truck bed or box; (j) seat; (k) hood; (l) bumper; (m) fender; ~~((and))~~
16 (n) airbag; and (o) catalytic converters. The director may supplement
17 this list by rule.

18 (5) "Vehicle wrecker" means every person, firm, partnership,
19 association, or corporation engaged in the business of buying,
20 selling, or dealing in vehicles of a type required to be registered
21 under the laws of this state, for the purpose of wrecking,
22 dismantling, disassembling, or substantially changing the form of a
23 vehicle, or who buys or sells integral secondhand parts of component
24 material thereof, in whole or in part, or who deals in secondhand
25 vehicle parts.

26 (6) "Wrecked vehicle" means a vehicle which is disassembled or
27 dismantled or a vehicle which is acquired with the intent to
28 dismantle or disassemble and never again to operate as a vehicle, or
29 a vehicle which has sustained such damage that its cost to repair
30 exceeds the fair market value of a like vehicle which has not
31 sustained such damage, or a damaged vehicle whose salvage value plus
32 cost to repair equals or exceeds its fair market value, if repaired,
33 or a vehicle which has sustained such damage or deterioration that it
34 may not lawfully operate upon the highways of this state for which
35 the salvage value plus cost to repair exceeds its fair market value,
36 if repaired; further, it is presumed that a vehicle is a wreck if it
37 has sustained such damage or deterioration that it may not lawfully
38 operate upon the highways of this state.

1 **Sec. 16.** RCW 46.80.210 and 2022 c 221 s 6 are each amended to
2 read as follows:

3 Payment to individual sellers of (~~private metal property as~~
4 ~~defined in RCW 19.290.010~~) catalytic converters may not be made at
5 the time of the transaction and shall not be paid earlier than three
6 business days after the transaction was made.

7 No transaction involving catalytic converters may be made in cash
8 or with any person who does not provide a street address and
9 photographic identification. The person with whom the transaction is
10 being made may only be paid by a nontransferable check, mailed by the
11 licensed auto wrecker to a street address recorded according to RCW
12 46.80.080, no earlier than three days after the transaction was made.
13 A transaction occurs on the date provided in the record required
14 under RCW 46.80.080.

15 NEW SECTION. **Sec. 17.** A new section is added to chapter 9A.82
16 RCW to read as follows:

17 (1) A person is guilty of trafficking in catalytic converters in
18 the second degree if he or she knowingly traffics catalytic
19 converters that have been removed from a motor vehicle and the person
20 purchases four or fewer catalytic converters, and they do not fulfill
21 the requirements of chapter 46.79 or 46.80 RCW for a lawful transfer.

22 (2) Trafficking in catalytic converters in the second degree is a
23 class C felony.

24 NEW SECTION. **Sec. 18.** A new section is added to chapter 46.80
25 RCW to read as follows:

26 The license fees required under RCW 46.80.040 and 46.80.050 must
27 also include a \$500 catalytic converter inspection fee, to be
28 deposited in the state patrol highway account, in order to support
29 the activities of the Washington state patrol under section 12 of
30 this act.

31 NEW SECTION. **Sec. 19.** A new section is added to chapter 9A.82
32 RCW to read as follows:

33 (1) A person is guilty of trafficking in catalytic converters in
34 the first degree if he or she knowingly traffics catalytic converters
35 that have been removed from a motor vehicle and:

1 (a) The person purchases five or more catalytic converters, and
2 they do not fulfill the requirements of chapter 19.290 RCW for a
3 lawful transfer; or

4 (b) The person acts as a purchaser and is not licensed as
5 required under chapter 46.79 or 46.80 RCW.

6 (2) Trafficking in catalytic converters in the first degree is a
7 class B felony.

8 NEW SECTION. **Sec. 20.** A new section is added to chapter 9A.82
9 RCW to read as follows:

10 It is a gross misdemeanor for any person who is not a vehicle
11 wrecker licensed under chapter 46.80 RCW or scrap processor licensed
12 under chapter 46.79 RCW to knowingly sell or offer for sale one or
13 more catalytic converters that have been removed from a motor vehicle
14 without first etching, engraving, or otherwise permanently marking
15 each catalytic converter involved in the transaction with the last
16 eight digits of the vehicle identification number of the motor
17 vehicle from which the catalytic converter was removed.

18 **Sec. 21.** RCW 9.94A.515 and 2022 c 231 s 13 are each amended to
19 read as follows:

20

21 TABLE 2
22 CRIMES INCLUDED WITHIN EACH
23 SERIOUSNESS LEVEL

24	XVI	Aggravated Murder 1 (RCW 10.95.020)
25	XV	Homicide by abuse (RCW 9A.32.055)
26		Malicious explosion 1 (RCW 27 70.74.280(1))
28		Murder 1 (RCW 9A.32.030)
29	XIV	Murder 2 (RCW 9A.32.050)
30		Trafficking 1 (RCW 9A.40.100(1))
31	XIII	Malicious explosion 2 (RCW 32 70.74.280(2))
33		Malicious placement of an explosive 1 34 (RCW 70.74.270(1))
35	XII	Assault 1 (RCW 9A.36.011)
		Assault of a Child 1 (RCW 9A.36.120)

1 Malicious placement of an imitation
2 device 1 (RCW 70.74.272(1)(a))
3 Promoting Commercial Sexual Abuse of
4 a Minor (RCW 9.68A.101)
5 Rape 1 (RCW 9A.44.040)
6 Rape of a Child 1 (RCW 9A.44.073)
7 Trafficking 2 (RCW 9A.40.100(3))
8 XI Manslaughter 1 (RCW 9A.32.060)
9 Rape 2 (RCW 9A.44.050)
10 Rape of a Child 2 (RCW 9A.44.076)
11 Vehicular Homicide, by being under the
12 influence of intoxicating liquor or
13 any drug (RCW 46.61.520)
14 Vehicular Homicide, by the operation of
15 any vehicle in a reckless manner
16 (RCW 46.61.520)
17 X Child Molestation 1 (RCW 9A.44.083)
18 Criminal Mistreatment 1 (RCW
19 9A.42.020)
20 Indecent Liberties (with forcible
21 compulsion) (RCW
22 9A.44.100(1)(a))
23 Kidnapping 1 (RCW 9A.40.020)
24 Leading Organized Crime (RCW
25 9A.82.060(1)(a))
26 Malicious explosion 3 (RCW
27 70.74.280(3))
28 Sexually Violent Predator Escape (RCW
29 9A.76.115)
30 IX Abandonment of Dependent Person 1
31 (RCW 9A.42.060)
32 Assault of a Child 2 (RCW 9A.36.130)
33 Explosive devices prohibited (RCW
34 70.74.180)

1 Hit and Run—Death (RCW
2 46.52.020(4)(a))
3 Homicide by Watercraft, by being under
4 the influence of intoxicating liquor
5 or any drug (RCW 79A.60.050)
6 Inciting Criminal Profiteering (RCW
7 9A.82.060(1)(b))
8 Malicious placement of an explosive 2
9 (RCW 70.74.270(2))
10 Robbery 1 (RCW 9A.56.200)
11 Sexual Exploitation (RCW 9.68A.040)
12 VIII Arson 1 (RCW 9A.48.020)
13 Commercial Sexual Abuse of a Minor
14 (RCW 9.68A.100)
15 Homicide by Watercraft, by the
16 operation of any vessel in a reckless
17 manner (RCW 79A.60.050)
18 Manslaughter 2 (RCW 9A.32.070)
19 Promoting Prostitution 1 (RCW
20 9A.88.070)
21 Theft of Ammonia (RCW 69.55.010)
22 VII Air bag diagnostic systems (causing
23 bodily injury or death) (RCW
24 46.37.660(2)(b))
25 Air bag replacement requirements
26 (causing bodily injury or death)
27 (RCW 46.37.660(1)(b))
28 Burglary 1 (RCW 9A.52.020)
29 Child Molestation 2 (RCW 9A.44.086)
30 Civil Disorder Training (RCW
31 9A.48.120)
32 Dealing in depictions of minor engaged
33 in sexually explicit conduct 1
34 (RCW 9.68A.050(1))
35 Drive-by Shooting (RCW 9A.36.045)

1 False Reporting 1 (RCW
2 9A.84.040(2)(a))
3 Homicide by Watercraft, by disregard
4 for the safety of others (RCW
5 79A.60.050)
6 Indecent Liberties (without forcible
7 compulsion) (RCW 9A.44.100(1)
8 (b) and (c))
9 Introducing Contraband 1 (RCW
10 9A.76.140)
11 Malicious placement of an explosive 3
12 (RCW 70.74.270(3))
13 Manufacture or import counterfeit,
14 nonfunctional, damaged, or
15 previously deployed air bag
16 (causing bodily injury or death)
17 (RCW 46.37.650(1)(b))
18 Negligently Causing Death By Use of a
19 Signal Preemption Device (RCW
20 46.37.675)
21 Sell, install, or reinstall counterfeit,
22 nonfunctional, damaged, or
23 previously deployed airbag (RCW
24 46.37.650(2)(b))
25 Sending, bringing into state depictions
26 of minor engaged in sexually
27 explicit conduct 1 (RCW
28 9.68A.060(1))
29 Unlawful Possession of a Firearm in the
30 first degree (RCW 9.41.040(1))
31 Use of a Machine Gun or Bump-fire
32 Stock in Commission of a Felony
33 (RCW 9.41.225)
34 Vehicular Homicide, by disregard for
35 the safety of others (RCW
36 46.61.520)

1 VI Bail Jumping with Murder 1 (RCW
2 9A.76.170(3)(a))
3 Bribery (RCW 9A.68.010)
4 Incest 1 (RCW 9A.64.020(1))
5 Intimidating a Judge (RCW 9A.72.160)
6 Intimidating a Juror/Witness (RCW
7 9A.72.110, 9A.72.130)
8 Malicious placement of an imitation
9 device 2 (RCW 70.74.272(1)(b))
10 Possession of Depictions of a Minor
11 Engaged in Sexually Explicit
12 Conduct 1 (RCW 9.68A.070(1))
13 Rape of a Child 3 (RCW 9A.44.079)
14 Theft of a Firearm (RCW 9A.56.300)
15 Theft from a Vulnerable Adult 1 (RCW
16 9A.56.400(1))
17 Unlawful Storage of Ammonia (RCW
18 69.55.020)
19 V Abandonment of Dependent Person 2
20 (RCW 9A.42.070)
21 Advancing money or property for
22 extortionate extension of credit
23 (RCW 9A.82.030)
24 Air bag diagnostic systems (RCW
25 46.37.660(2)(c))
26 Air bag replacement requirements
27 (RCW 46.37.660(1)(c))
28 Bail Jumping with class A Felony
29 (RCW 9A.76.170(3)(b))
30 Child Molestation 3 (RCW 9A.44.089)
31 Criminal Mistreatment 2 (RCW
32 9A.42.030)
33 Custodial Sexual Misconduct 1 (RCW
34 9A.44.160)

1 Dealing in Depictions of Minor
2 Engaged in Sexually Explicit
3 Conduct 2 (RCW 9.68A.050(2))
4 Domestic Violence Court Order
5 Violation (RCW 7.105.450,
6 10.99.040, 10.99.050, 26.09.300,
7 26.10.220, 26.26B.050, 26.50.110,
8 26.52.070, or 74.34.145)
9 Extortion 1 (RCW 9A.56.120)
10 Extortionate Extension of Credit (RCW
11 9A.82.020)
12 Extortionate Means to Collect
13 Extensions of Credit (RCW
14 9A.82.040)
15 Incest 2 (RCW 9A.64.020(2))
16 Kidnapping 2 (RCW 9A.40.030)
17 Manufacture or import counterfeit,
18 nonfunctional, damaged, or
19 previously deployed air bag (RCW
20 46.37.650(1)(c))
21 Perjury 1 (RCW 9A.72.020)
22 Persistent prison misbehavior (RCW
23 9.94.070)
24 Possession of a Stolen Firearm (RCW
25 9A.56.310)
26 Rape 3 (RCW 9A.44.060)
27 Rendering Criminal Assistance 1 (RCW
28 9A.76.070)
29 Sell, install, or reinstall counterfeit,
30 nonfunctional, damaged, or
31 previously deployed airbag (RCW
32 46.37.650(2)(c))
33 Sending, Bringing into State Depictions
34 of Minor Engaged in Sexually
35 Explicit Conduct 2 (RCW
36 9.68A.060(2))

1 Sexual Misconduct with a Minor 1
2 (RCW 9A.44.093)
3 Sexually Violating Human Remains
4 (RCW 9A.44.105)
5 Stalking (RCW 9A.46.110)
6 Taking Motor Vehicle Without
7 Permission 1 (RCW 9A.56.070)
8 IV Arson 2 (RCW 9A.48.030)
9 Assault 2 (RCW 9A.36.021)
10 Assault 3 (of a Peace Officer with a
11 Projectile Stun Gun) (RCW
12 9A.36.031(1)(h))
13 Assault 4 (third domestic violence
14 offense) (RCW 9A.36.041(3))
15 Assault by Watercraft (RCW
16 79A.60.060)
17 Bribing a Witness/Bribe Received by
18 Witness (RCW 9A.72.090,
19 9A.72.100)
20 Cheating 1 (RCW 9A.46.1961)
21 Commercial Bribery (RCW 9A.68.060)
22 Counterfeiting (RCW 9A.16.035(4))
23 Driving While Under the Influence
24 (RCW 46.61.502(6))
25 Endangerment with a Controlled
26 Substance (RCW 9A.42.100)
27 Escape 1 (RCW 9A.76.110)
28 Hate Crime (RCW 9A.36.080)
29 Hit and Run—Injury (RCW
30 46.52.020(4)(b))
31 Hit and Run with Vessel—Injury
32 Accident (RCW 79A.60.200(3))
33 Identity Theft 1 (RCW 9A.35.020(2))

1 Indecent Exposure to Person Under Age
2 14 (subsequent sex offense) (RCW
3 9A.88.010)

4 Influencing Outcome of Sporting Event
5 (RCW 9A.82.070)

6 Physical Control of a Vehicle While
7 Under the Influence (RCW
8 46.61.504(6))

9 Possession of Depictions of a Minor
10 Engaged in Sexually Explicit
11 Conduct 2 (RCW 9.68A.070(2))

12 Residential Burglary (RCW 9A.52.025)

13 Robbery 2 (RCW 9A.56.210)

14 Theft of Livestock 1 (RCW 9A.56.080)

15 Threats to Bomb (RCW 9.61.160)

16 Trafficking in Catalytic Converters 1
17 (section 19 of this act)

18 Trafficking in Stolen Property 1 (RCW
19 9A.82.050)

20 Unlawful factoring of a credit card or
21 payment card transaction (RCW
22 9A.56.290(4)(b))

23 Unlawful transaction of health coverage
24 as a health care service contractor
25 (RCW 48.44.016(3))

26 Unlawful transaction of health coverage
27 as a health maintenance
28 organization (RCW 48.46.033(3))

29 Unlawful transaction of insurance
30 business (RCW 48.15.023(3))

31 Unlicensed practice as an insurance
32 professional (RCW 48.17.063(2))

33 Use of Proceeds of Criminal
34 Profiteering (RCW 9A.82.080 (1)
35 and (2))

1 Vehicle Prowling 2 (third or subsequent
2 offense) (RCW 9A.52.100(3))
3 Vehicular Assault, by being under the
4 influence of intoxicating liquor or
5 any drug, or by the operation or
6 driving of a vehicle in a reckless
7 manner (RCW 46.61.522)
8 Viewing of Depictions of a Minor
9 Engaged in Sexually Explicit
10 Conduct 1 (RCW 9.68A.075(1))
11 Willful Failure to Return from Furlough
12 (RCW 72.66.060)
13 III Animal Cruelty 1 (Sexual Conduct or
14 Contact) (RCW 16.52.205(3))
15 Assault 3 (Except Assault 3 of a Peace
16 Officer With a Projectile Stun Gun)
17 (RCW 9A.36.031 except subsection
18 (1)(h))
19 Assault of a Child 3 (RCW 9A.36.140)
20 Bail Jumping with class B or C Felony
21 (RCW 9A.76.170(3)(c))
22 Burglary 2 (RCW 9A.52.030)
23 Communication with a Minor for
24 Immoral Purposes (RCW
25 9.68A.090)
26 Criminal Gang Intimidation (RCW
27 9A.46.120)
28 Custodial Assault (RCW 9A.36.100)
29 Cyber Harassment (RCW
30 9A.90.120(2)(b))
31 Escape 2 (RCW 9A.76.120)
32 Extortion 2 (RCW 9A.56.130)
33 False Reporting 2 (RCW
34 9A.84.040(2)(b))
35 Harassment (RCW 9A.46.020)

1 Intimidating a Public Servant (RCW
2 9A.76.180)

3 Introducing Contraband 2 (RCW
4 9A.76.150)

5 Malicious Injury to Railroad Property
6 (RCW 81.60.070)

7 Manufacture of Untraceable Firearm
8 with Intent to Sell (RCW 9.41.190)

9 Manufacture or Assembly of an
10 Undetectable Firearm or
11 Untraceable Firearm (RCW
12 9.41.325)

13 Mortgage Fraud (RCW 19.144.080)

14 Negligently Causing Substantial Bodily
15 Harm By Use of a Signal
16 Preemption Device (RCW
17 46.37.674)

18 Organized Retail Theft 1 (RCW
19 9A.56.350(2))

20 Perjury 2 (RCW 9A.72.030)

21 Possession of Incendiary Device (RCW
22 9.40.120)

23 Possession of Machine Gun, Bump-Fire
24 Stock, Undetectable Firearm, or
25 Short-Barreled Shotgun or Rifle
26 (RCW 9.41.190)

27 Promoting Prostitution 2 (RCW
28 9A.88.080)

29 Retail Theft with Special Circumstances
30 1 (RCW 9A.56.360(2))

31 Securities Act violation (RCW
32 21.20.400)

33 Tampering with a Witness (RCW
34 9A.72.120)

1 Telephone Harassment (subsequent
2 conviction or threat of death) (RCW
3 9.61.230(2))
4 Theft of Livestock 2 (RCW 9A.56.083)
5 Theft with the Intent to Resell 1 (RCW
6 9A.56.340(2))
7 Trafficking in Catalytic Converters 2
8 (section 17 of this act)
9 Trafficking in Stolen Property 2 (RCW
10 9A.82.055)
11 Unlawful Hunting of Big Game 1 (RCW
12 77.15.410(3)(b))
13 Unlawful Imprisonment (RCW
14 9A.40.040)
15 Unlawful Misbranding of Fish or
16 Shellfish 1 (RCW 77.140.060(3))
17 Unlawful possession of firearm in the
18 second degree (RCW 9.41.040(2))
19 Unlawful Taking of Endangered Fish or
20 Wildlife 1 (RCW 77.15.120(3)(b))
21 Unlawful Trafficking in Fish, Shellfish,
22 or Wildlife 1 (RCW
23 77.15.260(3)(b))
24 Unlawful Use of a Nondesignated
25 Vessel (RCW 77.15.530(4))
26 Vehicular Assault, by the operation or
27 driving of a vehicle with disregard
28 for the safety of others (RCW
29 46.61.522)
30 Willful Failure to Return from Work
31 Release (RCW 72.65.070)
32 II Commercial Fishing Without a License
33 1 (RCW 77.15.500(3)(b))
34 Computer Trespass 1 (RCW 9A.90.040)
35 Counterfeiting (RCW 9.16.035(3))

1 Electronic Data Service Interference
2 (RCW 9A.90.060)
3 Electronic Data Tampering 1 (RCW
4 9A.90.080)
5 Electronic Data Theft (RCW 9A.90.100)
6 Engaging in Fish Dealing Activity
7 Unlicensed 1 (RCW 77.15.620(3))
8 Escape from Community Custody
9 (RCW 72.09.310)
10 Failure to Register as a Sex Offender
11 (second or subsequent offense)
12 (RCW 9A.44.130 prior to June 10,
13 2010, and RCW 9A.44.132)
14 Health Care False Claims (RCW
15 48.80.030)
16 Identity Theft 2 (RCW 9.35.020(3))
17 Improperly Obtaining Financial
18 Information (RCW 9.35.010)
19 Malicious Mischief 1 (RCW 9A.48.070)
20 Organized Retail Theft 2 (RCW
21 9A.56.350(3))
22 Possession of Stolen Property 1 (RCW
23 9A.56.150)
24 Possession of a Stolen Vehicle (RCW
25 9A.56.068)
26 Retail Theft with Special Circumstances
27 2 (RCW 9A.56.360(3))
28 Scrap Processing, Recycling, or
29 Supplying Without a License
30 (second or subsequent offense)
31 (RCW 19.290.100)
32 Theft 1 (RCW 9A.56.030)
33 Theft of a Motor Vehicle (RCW
34 9A.56.065)

1 Theft of Rental, Leased, Lease-
2 purchased, or Loaned Property
3 (valued at \$5,000 or more) (RCW
4 9A.56.096(5)(a))
5 Theft with the Intent to Resell 2 (RCW
6 9A.56.340(3))
7 Trafficking in Insurance Claims (RCW
8 48.30A.015)
9 Unlawful factoring of a credit card or
10 payment card transaction (RCW
11 9A.56.290(4)(a))
12 Unlawful Participation of Non-Indians
13 in Indian Fishery (RCW
14 77.15.570(2))
15 Unlawful Practice of Law (RCW
16 2.48.180)
17 Unlawful Purchase or Use of a License
18 (RCW 77.15.650(3)(b))
19 Unlawful Trafficking in Fish, Shellfish,
20 or Wildlife 2 (RCW
21 77.15.260(3)(a))
22 Unlicensed Practice of a Profession or
23 Business (RCW 18.130.190(7))
24 Voyeurism 1 (RCW 9A.44.115)
25 I Attempting to Elude a Pursuing Police
26 Vehicle (RCW 46.61.024)
27 False Verification for Welfare (RCW
28 74.08.055)
29 Forgery (RCW 9A.60.020)
30 Fraudulent Creation or Revocation of a
31 Mental Health Advance Directive
32 (RCW 9A.60.060)
33 Malicious Mischief 2 (RCW 9A.48.080)
34 Mineral Trespass (RCW 78.44.330)
35 Possession of Stolen Property 2 (RCW
36 9A.56.160)

1 Reckless Burning 1 (RCW 9A.48.040)
2 Spotlighting Big Game 1 (RCW
3 77.15.450(3)(b))
4 Suspension of Department Privileges 1
5 (RCW 77.15.670(3)(b))
6 Taking Motor Vehicle Without
7 Permission 2 (RCW 9A.56.075)
8 Theft 2 (RCW 9A.56.040)
9 Theft from a Vulnerable Adult 2 (RCW
10 9A.56.400(2))
11 Theft of Rental, Leased, Lease-
12 purchased, or Loaned Property
13 (valued at \$750 or more but less
14 than \$5,000) (RCW
15 9A.56.096(5)(b))
16 Transaction of insurance business
17 beyond the scope of licensure
18 (RCW 48.17.063)
19 Unlawful Fish and Shellfish Catch
20 Accounting (RCW 77.15.630(3)(b))
21 Unlawful Issuance of Checks or Drafts
22 (RCW 9A.56.060)
23 Unlawful Possession of Fictitious
24 Identification (RCW 9A.56.320)
25 Unlawful Possession of Instruments of
26 Financial Fraud (RCW 9A.56.320)
27 Unlawful Possession of Payment
28 Instruments (RCW 9A.56.320)
29 Unlawful Possession of a Personal
30 Identification Device (RCW
31 9A.56.320)
32 Unlawful Production of Payment
33 Instruments (RCW 9A.56.320)

1 Unlawful Releasing, Planting,
2 Possessing, or Placing Deleterious
3 Exotic Wildlife (RCW
4 77.15.250(2)(b))
5 Unlawful Trafficking in Food Stamps
6 (RCW 9.91.142)
7 Unlawful Use of Food Stamps (RCW
8 9.91.144)
9 Unlawful Use of Net to Take Fish 1
10 (RCW 77.15.580(3)(b))
11 Unlawful Use of Prohibited Aquatic
12 Animal Species (RCW
13 77.15.253(3))
14 Vehicle Prowl 1 (RCW 9A.52.095)
15 Violating Commercial Fishing Area or
16 Time 1 (RCW 77.15.550(3)(b))

17 NEW SECTION. **Sec. 22.** Section 18 of this act takes effect
18 January 1, 2024.

19 NEW SECTION. **Sec. 23.** Except for section 18 of this act, this
20 act is necessary for the immediate preservation of the public peace,
21 health, or safety, or support of the state government and its
22 existing public institutions, and takes effect May 1, 2023.

--- END ---