

**CIVIL TRAFFIC ORDINANCE
MOTOR VEHICLE WRECKERS**

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8.80.005 Declaration.

The distribution and sale of vehicle parts vitally affects the general economy, the public interest, and the public welfare, and that in order to promote the public interest and the public welfare and in the exercise of the Tribe's police power, it is necessary to regulate motor vehicle wreckers and dismantlers, the buyers-for-resale, and the sellers of second-hand vehicle components, in order to prevent the sale of stolen vehicle parts, to prevent frauds, impositions, and other abuses, and to preserve the investments and properties of the residents of the Skokomish Reservation.

8.80.010 Definitions

(a) "Motor vehicle wrecker" means every person, firm, partnership, association, or corporation engaged in the business of buying, selling, or dealing in vehicles of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of any motor vehicle, or who buys or sells integral second-hand parts of component material, in whole or in part, or who deals in second-hand motor vehicle parts.

(b) "Established place of business" means a building or enclosure which the motor vehicle wrecker occupies either continuously or at regular periods and where his books and records are kept and business is transacted.

(c) "Major component part" includes at least each of the following vehicle parts:

- (1) Engines and short blocks;
- (2) frame;
- (3) transmission and/or transfer case;
- (4) cab;
- (5) door;
- (6) front or rear differential;
- (7) front or rear clip;
- (8) quarter panel;
- (9) truck bed or box;
- (10) seat;
- (11) hood; and
- (12) bumper.

(d) "Wrecked vehicle" means a vehicle which is disassembled or dismantled or a vehicle which is acquired with the intent to dismantle or disassemble and never again to operate as a vehicle, or a vehicle which has sustained such damage that its cost to repair exceeds the fair market value of a like vehicle which has not sustained such damage, or a damaged vehicle whose salvage value plus cost to repair equals or exceeds its fair market value, if repaired, or a vehicle which has sustained such damage or deterioration that it may not lawfully operate upon the highways for which the salvage value plus cost to repair exceeds its fair market value, if repaired; further, it is presumed that a vehicle is a wreck if it has sustained such damage or deterioration that it may not lawfully operate upon the highways.

8.80.060 Permit - Display

The motor vehicle wrecker shall obtain a special permit from the Skokomish Tribal Council and shall abide by any rules or regulations established by the Council in the conduct of his business. The motor vehicle wrecker shall have an established place of business and this permit is displayed at the place of business.

8.80.150 Inspection of Permitted Premises and Records

It is the duty of the chief of police to make periodic inspection of the motor vehicle wrecker's permitted premises during normal business hours.

8.80.170 Violations - Penalties

It is a civil infraction and a class C criminal offense for any person to violate any of the provisions of this chapter or any rules and regulations initiated by the Tribal Council. Operating as a motor vehicle wrecker without a permit is a violation of this chapter.

8.80.900 Liberal Construction

The provisions of this chapter shall be liberally construed to the end that traffic in stolen vehicle parts may be prevented, and irresponsible, unreliable, or dishonest persons may be prevented from engaging in the business of wrecking motor vehicles or selling used vehicle parts and reliable persons may be encouraged to engage in businesses of wrecking or reselling vehicle parts.

Severability - 1995

If any provision of this 1995 Ordinance or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.