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HOUSE BILL 3097

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State of Washington                      58th Legislature                      2004 Regular Session

By Representatives McMahan, Newhouse and Boldt

Read first time 01/27/2004. Referred to Committee on Transportation.

1            AN ACT Relating to motor vehicle registration and titles; amending  
2 RCW 46.12.050 and 46.12.005; adding a new section to chapter 46.12 RCW;  
3 and providing an effective date.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 46.12 RCW  
6 to read as follows:

7            For consumer protection purposes, vehicle ownership documents  
8 should disclose whether motor vehicles have been previously used under  
9 circumstances that allowed the vehicle to be operated by multiple  
10 drivers or damaged in a collision.

11            **Sec. 2.** RCW 46.12.050 and 1996 c 26 s 2 are each amended to read  
12 as follows:

13            The department, if satisfied from the statements upon the  
14 application that the applicant is the legal owner of the vehicle or  
15 otherwise entitled to have a certificate of ownership thereof in the  
16 applicant's name, shall issue an appropriate electronic record of  
17 ownership or a written certificate of ownership, over the director's

1 signature, authenticated by seal, and if required, a new written  
2 certificate of license registration if certificate of license  
3 registration is required.

4 The certificates of ownership and the certificates of license  
5 registration shall contain upon the face thereof, the date of  
6 application, the registration number assigned to the registered owner  
7 and to the vehicle, the name and address of the registered owner and  
8 legal owner, the vehicle identification number, and such other  
9 description of the vehicle and facts as the department shall require(~~and~~  
10 ~~and~~). In addition (~~thereto~~), facts relating to prior condition,  
11 ownership, or use must be clearly shown on the certificates if the  
12 vehicle described in such certificates (~~shall have~~) has ever been:

13 (1) Licensed (~~and~~) or operated as any of the following: (a) An  
14 exempt vehicle (~~or~~) under RCW 46.16.020; (b) a for hire vehicle as  
15 defined in RCW 46.72.010 or a taxicab(~~or~~); (c) a rental vehicle; (d)  
16 a leased vehicle; (e) a fleet vehicle; (f) a dealership demonstration  
17 vehicle; (g) a service loaner vehicle; or (h) a repossessed vehicle; or

18 (2) If it has been rebuilt after becoming a salvage vehicle(~~such~~  
19 fact shall be clearly shown thereon)) or has been repaired after being  
20 damaged in a collision.

21 All certificates of ownership of motor vehicles issued after April  
22 30, 1990, shall reflect the odometer reading as provided by the  
23 odometer disclosure statement submitted with the title application  
24 involving a transfer of ownership.

25 A blank space shall be provided on the face of the certificate of  
26 license registration for the signature of the registered owner.

27 Upon issuance of the certificate of license registration and  
28 certificate of ownership and upon any reissue thereof, the department  
29 shall deliver the certificate of license registration to the registered  
30 owner and the certificate of ownership to the legal owner, or both to  
31 the person who is both the registered owner and legal owner.

32 **Sec. 3.** RCW 46.12.005 and 2002 c 245 s 1 are each amended to read  
33 as follows:

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

36 (1) The words "delivery," "notice," "send," and "security interest"

1 have the same meaning as these terms are defined in RCW 62A.1-201; the  
2 word "secured party" has the same meaning as this term is defined in  
3 RCW 62A.9A-102.

4 (2) "Dealership demonstration vehicle" means a vehicle offered by  
5 a motor vehicle dealer to prospective customers to operate for  
6 demonstration purposes or vehicles provided by motor vehicle dealers to  
7 their sales staff, without charge, for any personal or business reason  
8 other than, or in addition to, the mere display of the vehicles to  
9 prospective purchasers.

10 (3) "Fleet vehicle" means a vehicle that has been operated in mass  
11 by a corporation or institution.

12 (4) "Leased vehicle" means a vehicle owned by a person, firm, or  
13 corporation that, under the terms of a lease, grants the legal right of  
14 possession, control of, and responsibility for the operation of the  
15 vehicle to another person, firm, or corporation.

16 (5) "Rental vehicle" means a vehicle that is owned and used solely  
17 by a vehicle rental business for rental to others, without a driver  
18 provided by the vehicle rental business, for periods of not more than  
19 thirty consecutive days.

20 (6) "Repossessed vehicle" means a vehicle in which the interest of  
21 the owner was lawfully terminated or sold under the terms of a security  
22 agreement.

23 (7) "Salvage vehicle" means a vehicle whose certificate of  
24 ownership has been surrendered to the department under RCW 46.12.070  
25 due to the vehicle's destruction or declaration as a total loss or for  
26 which there is documentation indicating that the vehicle has been  
27 declared salvage or has been damaged to the extent that the owner, an  
28 insurer, or other person acting on behalf of the owner, has determined  
29 that the cost of parts and labor plus the salvage value has made it  
30 uneconomical to repair the vehicle. The term does not include a motor  
31 vehicle having a model year designation of a calendar year that is at  
32 least six years before the calendar year in which the vehicle was  
33 wrecked, destroyed, or damaged, unless, after June 13, 2002, and  
34 immediately before the vehicle was wrecked, destroyed, or damaged, the  
35 vehicle had a retail fair market value of at least the then market  
36 value threshold amount and has a model year designation of a calendar  
37 year not more than twenty years before the calendar year in which the  
38 vehicle was wrecked, destroyed, or damaged. "Market value threshold

1 amount" means six thousand five hundred dollars or such greater amount  
2 as is then in effect by rule of the department in accordance with this  
3 section. If, for any year beginning with 2002, the Consumer Price  
4 Index for All Urban Consumers, compiled by the Bureau of Labor  
5 Statistics, United States Department of Labor, or its successor, for  
6 the West Region, in the expenditure category "used cars and trucks,"  
7 shows an increase in the annual average for that year compared to that  
8 of the year immediately prior, the department shall, by rule, increase  
9 the then market value threshold amount by the same percentage as the  
10 percentage increase of the annual average, with the increase of the  
11 market value threshold amount to be effective on July 1st of the year  
12 immediately after the year with the increase of the annual average.  
13 However, the market value threshold amount may not be increased if the  
14 amount of the increase would be less than fifty dollars, and each  
15 increase of the market value threshold amount will be rounded to the  
16 nearest ten dollars. If an increase in the market value threshold  
17 amount is not made because the increase would be less than fifty  
18 dollars, the unmade increase will be carried forward and added to later  
19 year calculations of increase until the unmade increase is included in  
20 an increase made to the market value threshold amount.

21 (8) "Service loaner vehicle" means a vehicle rented or loaned to  
22 customers by an automotive repair business while the customer's vehicle  
23 is under repair.

24 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2005.

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