

HOUSE BILL REPORT

HB 1999

As Amended by the Senate

Title: An act relating to clarifying civil liability for traffic infractions when vehicle title is transferred.

Brief Description: Clarifying civil liability for traffic infractions when vehicle title is transferred.

Sponsors: By Representatives Nixon, Flannigan, McDonald and Wood.

Brief History:

Committee Activity:

Transportation: 3/3/05, 3/5/05 [DP].

Floor Activity:

Passed House: 3/10/05, 94-0.

Senate Amended.

Passed Senate: 4/13/05, 47-0.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Clarifies liability for infractions that occur after the date of sale or transfer of a vehicle.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 25 members: Representatives Murray, Chair; Wallace, Vice Chair; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton, Buck, Campbell, Curtis, Dickerson, Ericksen, Hankins, Hudgins, Jarrett, Kilmer, Lovick, Morris, Nixon, Rodne, Sells, Shabro, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

Staff: David Munnecke (786-7315).

Background:

Currently, the owner of a vehicle who makes a bona fide sale or transfer of the vehicle is not subject to civil liability or criminal liability for the operation of the vehicle thereafter if they have fulfilled certain requirements regarding the transfer of the vehicle.

In addition, there is specific statutory language relieving the previous owner of an abandoned vehicle of liability for the vehicle if the previous owner properly filed a report of sale or transfer with a date of sale prior to the date of impoundment.

Summary of Bill:

An individual who makes a bona fide sale or transfer of a vehicle, delivers possession of it to a purchaser, endorses and delivers both the certificate of ownership and the certificate of registration, and properly files a report of sale or appropriate registration documents with the Department of Licensing is relieved of liability for certain traffic infractions. These infractions include parking infractions, high-occupancy toll lane violations, violations recorded by automatic traffic safety cameras, and any other traffic infractions where liability is based on identification of the vehicle rather than the driver. Liability for infractions that occur after the date of a sale that meets the requirements discussed above falls on the purchaser of the vehicle.

EFFECT OF SENATE AMENDMENT(S):

When liability for a traffic infraction based on the identity of the vehicle is determined to reside in a vehicle registered to a car rental company, the senate amendment creates a thirty day window from the time the company is informed of the traffic infraction. Within this time frame, the car rental company may either provide, under oath, the name and address of the person driving the vehicle or state, under oath, that they are unable to determine who was driving or renting the vehicle at the time the infraction occurred. Mailing this statement within the thirty day window relieves the car rental company of liability for the infraction. In lieu of identifying the vehicle operator, the company may also choose to pay the applicable penalty.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill came about because of a dispute with a private parking lot. The current law is not clear regarding liability for parking infractions when a vehicle has recently been sold. This bill makes it clear that the seller is relieved of liability for post-sale infractions based on identification of the license plate. Liability for such infractions is clearly placed on the purchaser of the vehicle.

Testimony Against: None.

Persons Testifying: Representative Nixon, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.