
HOUSE BILL 1999

State of Washington 59th Legislature 2005 Regular Session

By Representatives Nixon, Flannigan, McDonald and Wood

Read first time 02/14/2005. Referred to Committee on Transportation.

1 AN ACT Relating to clarifying civil liability for traffic
2 infractions when vehicle title is transferred; and amending RCW
3 46.12.102.

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

5 **Sec. 1.** RCW 46.12.102 and 2002 c 279 s 2 are each amended to read
6 as follows:

7 (1) An owner who has made a bona fide sale or transfer of a vehicle
8 and has delivered possession of it to a purchaser shall not by reason
9 of any of the provisions of this title be deemed the owner of the
10 vehicle so as to be subject to civil liability or criminal liability
11 for the operation of the vehicle thereafter by another person when the
12 owner has also fulfilled both of the following requirements:

13 (a) When the owner has made proper endorsement and delivery of the
14 certificate of ownership and has delivered the certificate of
15 registration as provided in this chapter;

16 (b) When the owner has delivered to the department either a
17 properly filed report of sale that includes all of the information
18 required in RCW 46.12.101(1) and is delivered to the department within

1 five days of the sale of the vehicle excluding Saturdays, Sundays, and
2 state and federal holidays, or appropriate documents for registration
3 of the vehicle pursuant to the sale or transfer.

4 (2) An owner who has made a bona fide sale or transfer of a
5 vehicle, has delivered possession of it to a purchaser, and has
6 fulfilled the requirements of subsection (1)(a) and (b) of this section
7 is relieved of liability and liability is transferred to the purchaser
8 of the vehicle, for any traffic violation under this title, whether
9 designated as a traffic infraction or classified as a criminal offense,
10 that occurs after the date of the sale or transfer that is based on the
11 vehicle's identification, including, but not limited to, parking
12 infractions, high-occupancy toll lane violations, and violations
13 recorded by automated traffic safety cameras.

14 (3) When a registered tow truck operator submits an abandoned
15 vehicle report to the department for a vehicle sold at an abandoned
16 vehicle auction, any previous owner is relieved of civil or criminal
17 liability for the operation of the vehicle from the date of sale
18 thereafter, and liability is transferred to the purchaser of the
19 vehicle as listed on the abandoned vehicle report.

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