

SHB 2153 - H AMD 1063

By Representative Ryu

ADOPTED 02/13/2024

1 On page 10, beginning on line 33, after "must" strike all
2 material through "type" on line 34 and insert "provide the consumer
3 a disclosure written in a typeface that is at least as large as the
4 typeface used in the standard text of the document that contains the
5 disclosure and that is boldfaced, capitalized, underlined, or
6 otherwise set out from the surrounding material so as to be
7 conspicuous"

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9 On page 11, beginning on line 3, strike all of subsection (3)

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11 On page 18, beginning on line 10, strike all of section 22 and
12 insert the following:

13 "Sec. 22. RCW 46.12.560 and 2011 c 114 s 7 are each amended to
14 read as follows:

15 (1)(a) Before accepting an application for a certificate of
16 title, the department, county auditor or other agent, or subagent
17 appointed by the director shall require an applicant to provide a
18 certificate of vehicle inspection completed by the Washington state
19 patrol or other authorized inspector if the vehicle:

20 (i) Was declared a total loss or salvage vehicle under the laws
21 of this state;

22 (ii) Has been rebuilt after the certificate of title was
23 returned to the department under RCW 46.12.600 and the vehicle was
24 not kept by the registered owner at the time of the vehicle's
25 destruction or declaration as a total loss; or

26 (iii) Is presented with documents from another state showing
27 that the vehicle was a total loss or salvage vehicle and has not

1 been reissued a valid registration certificate from that state after
2 the declaration of total loss or salvage.

3 (b) A vehicle presented for inspection must have all damaged
4 major component parts replaced or repaired to meet all requirements
5 in law and rule before the Washington state patrol will inspect the
6 vehicle. The inspection must verify that the vehicle identification
7 number is genuine and agrees with the number shown on the
8 certificate of title and registration certificate.

9 (c) A Washington state patrol vehicle identification number
10 specialist must ensure that all major component parts used for the
11 reconstruction of a salvage or rebuilt vehicle were obtained
12 legally, and must securely attach a marking at the driver's door
13 latch pillar indicating the vehicle was previously destroyed or
14 declared a total loss. It is a class C felony for a person to remove
15 the marking indicating that the vehicle was previously destroyed or
16 declared a total loss.

17 (2) A person presenting a vehicle for inspection under
18 subsection (1) of this section must provide original invoices for
19 new and used parts from:

20 (a) A vendor that is registered with the department of revenue
21 or a comparable agency in the jurisdiction where the major component
22 parts were purchased for the collection of retail sales or use
23 taxes. The invoices must include:

24 (i) The name and address of the business;

25 (ii) A description of the part or parts sold;

26 (iii) The date of sale; and

27 (iv) The amount of sale to include all taxes paid unless
28 exempted by the department of revenue or a comparable agency in the
29 jurisdiction where the major component parts were purchased;

30 (b) A vehicle wrecker licensed under chapter 46.80 RCW or a
31 comparable business in the jurisdiction outside Washington state
32 where the major component part was purchased; and

33 (c) Private individuals. The private individual must have the
34 certificate of title to the vehicle where the parts were taken from

1 unless the parts were obtained from a parts car owned by a
2 collector. Bills of sale for parts must be notarized and include:

3 (i) The names and addresses of the sellers and purchasers;

4 (ii) A description of the vehicle and the part or parts being
5 sold, including the make, model, year, and identification or serial
6 number;

7 (iii) The date of sale; and

8 (iv) The purchase price of the vehicle part or parts.

9 (3) A person presenting a vehicle for inspection under this
10 section who is unable to provide an acceptable release of interest
11 or proof of ownership for a vehicle or major component part as
12 described in this section shall apply for an ownership in doubt
13 application described in RCW 46.12.680.

14 (4)(a) Before accepting an application for a certificate of
15 title, the department, county auditor or other agent, or subagent
16 appointed by the director shall require an applicant to provide a
17 certificate of vehicle inspection completed by the Washington state
18 patrol or other authorized inspector when the application is for a
19 vehicle being titled for the first time as:

20 (i) Assembled;

21 (ii) Glider kit;

22 (iii) Homemade;

23 (iv) Kit vehicle;

24 (v) Street rod vehicle;

25 (vi) Custom vehicle; or

26 (vii) Subject to ownership in doubt under RCW 46.12.680.

27 (b) The inspection must verify that the vehicle identification
28 number is genuine and agrees with the number shown on the
29 certificate of title and registration certificate.

30 (5)(a) Before accepting an application for a certificate of
31 title, the department, county auditor or other agent, or subagent
32 appointed by the director shall require an applicant to provide a
33 certificate of vehicle inspection completed by the Washington state
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1 patrol when the application is for a vehicle with a vehicle
2 identification number that has been:

- 3 (i) Altered;
- 4 (ii) Defaced;
- 5 (iii) Obliterated;
- 6 (iv) Omitted;
- 7 (v) Removed; or
- 8 (vi) Otherwise absent.

9 (b) The application must include payment of the fee required in
10 RCW 46.17.135.

11 (c) The Washington state patrol shall assign a new vehicle
12 identification number to the vehicle and place or stamp the new
13 number in a conspicuous position on the vehicle.

14 (d) The department shall use the new vehicle identification
15 number assigned by the Washington state patrol as the official
16 vehicle identification number assigned to the vehicle.

17 (6) The department may adopt rules as necessary to implement
18 this section.

19 (7) Nothing in this section creates a requirement for the
20 Washington state patrol to inspect attached catalytic converters as
21 major component parts."

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23 On page 33, line 7, after "months" strike "shall" and insert
24 "may, at the discretion of the court,"

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26 On page 47, line 14, after "**Sec. 30.**" strike "Except for section
27 22 of this act, this" and insert "This"

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29 Correct the title.

EFFECT:

- Removes the requirement that a consumer disclosure regarding catalytic converter marking requirements must be provided by a vehicle dealer in arial font and at least 14 point type and

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signed by a purchaser, and instead requires that the consumer disclosure be conspicuous and in a typeface at least as large as the typeface used in the standard text of the document containing the disclosure.

- Provides that the Washington State Patrol does not have to inspect attached catalytic converters as a major component part when performing certain vehicle inspections.
- Removes the ability for vehicle dealers to obtain an exemption from the requirement that dealers offer a purchaser the option to have the dealer mark a vehicle's catalytic converter prior to purchase with the last eight digits of the vehicle's identification number.
- Removes the requirements that the Washington State Patrol: (1) grant exemptions to vehicle dealers from catalytic converter marking requirements under the act, and (2) establish processes for evaluating and granting exemptions to vehicle dealers from permanent marking requirements under the act.
- Makes discretionary the 12-month sentencing enhancement for committing the felony offense of Trafficking in Catalytic Converters in the first degree for the purpose of selling, transferring, or exchanging them online.

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