
ENGROSSED SUBSTITUTE HOUSE BILL 1439

State of Washington

69th Legislature

2025 Regular Session

By House Transportation (originally sponsored by Representatives Bernbaum, Abell, Donaghy, Reed, and Tharinger; by request of Department of Licensing)

READ FIRST TIME 02/12/25.

1 AN ACT Relating to modifying motor vehicle and driver licensing
2 laws to align with federal definitions, making technical corrections,
3 and streamlining requirements; amending RCW 46.04.480, 46.04.580,
4 46.12.635, 46.12.665, 46.12.665, 46.20.285, 46.20.2892, 46.20.328,
5 46.20.329, 46.25.082, 46.29.050, 46.65.060, and 46.65.065; repealing
6 RCW 46.18.240 and 46.18.250; providing effective dates; and providing
7 an expiration date.

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

9 **Sec. 1.** RCW 46.04.480 and 2007 c 419 s 4 are each amended to
10 read as follows:

11 "Revoke," in all its forms, means the invalidation for a period
12 of one (~~calendar~~) year and thereafter until reissue. However, under
13 the provisions of RCW 46.20.285, 46.20.311, 46.20.265, or 46.61.5055,
14 and chapters 46.32 and 46.65 RCW, the invalidation may last for a
15 period other than one (~~calendar~~) year.

16 **Sec. 2.** RCW 46.04.580 and 1994 c 275 s 28 are each amended to
17 read as follows:

18 "Suspend," in all its forms and unless a different period is
19 specified, means invalidation for any period less than one
20 (~~calendar~~) year and thereafter until reinstatement.

1 **Sec. 3.** RCW 46.12.635 and 2021 c 93 s 6 are each amended to read
2 as follows:

3 (1) Notwithstanding the provisions of chapter 42.56 RCW, the name
4 or address of an individual vehicle or vessel owner shall not be
5 released by the department, county auditor, data recipient,
6 subrecipient, or agency or firm authorized by the department except
7 under the following circumstances:

8 (a) The requesting party is a business entity that requests the
9 information for use as defined by the department in rule, and in the
10 course of business;

11 (b) The request is a written request that is signed by the person
12 requesting disclosure that contains the full legal name and address
13 of the requesting party, that specifies the purpose for which the
14 information will be used; and

15 (c) The requesting party enters into a disclosure agreement with
16 the department in which the party promises that the party will use
17 the information only for the purpose stated in the request for the
18 information; and that the party does not intend to use, or facilitate
19 the use of, the information for the purpose of making any unsolicited
20 business contact with a person named in the disclosed information.
21 The term "unsolicited business contact" means a contact that is
22 intended to result in, or promote, the sale of any goods or services
23 to a person named in the disclosed information. The term does not
24 apply to situations where the requesting party and such person have
25 been involved in a business transaction prior to the date of the
26 disclosure request and where the request is made in connection with
27 the transaction.

28 (2) Where both a mailing address and residence address are
29 recorded on the vehicle or vessel record and are different, only the
30 mailing address will be disclosed. Both addresses will be disclosed
31 in response to requests for disclosure from courts, law enforcement
32 agencies, or government entities with enforcement, investigative, or
33 taxing authority and only for use in the normal course of conducting
34 their business.

35 (3) The disclosing entity shall retain the request for disclosure
36 for three years.

37 (4) (a) Whenever the disclosing entity grants a request for
38 information under this section by an attorney or private
39 investigator, the disclosing entity shall provide notice to the
40 vehicle or vessel owner, to whom the information applies, that the

1 request has been granted. The notice must only include: (i) That the
2 disclosing entity has disclosed the vehicle or vessel owner's name
3 and address pursuant to a request made under this section; (ii) the
4 date that the disclosure was made; and (iii) ~~((that the vehicle or
5 vessel owner has five days from receipt of the notice to contact the
6 disclosing entity to determine the occupation of the requesting
7 party.~~

8 ~~(b) Except as provided in (c) of this subsection, the only
9 information about the requesting party that the disclosing entity may
10 disclose in response to a request made by a vehicle or vessel owner
11 under (a) of this subsection is whether the requesting party was an
12 attorney or private investigator. The request by the vehicle or
13 vessel owner must be submitted to the disclosing entity within five
14 days of receipt of the original notice)) the occupation of the
15 requesting party.~~

16 ~~((c))~~ (b) In the case of a vehicle or vessel owner who submits
17 to the disclosing entity a copy of a valid court order restricting
18 another person from contacting the vehicle or vessel owner or his or
19 her family or household member, the disclosing entity shall provide
20 the vehicle or vessel owner with the name and address of the
21 requesting party. All inquiries from a vehicle or vessel owner,
22 without a court order, will be treated and processed as a request for
23 public record as required in chapter 42.56 RCW.

24 (5) Any person who is furnished vehicle or vessel owner
25 information under this section shall be responsible for assuring that
26 the information furnished is not used for a purpose contrary to the
27 agreement between the person and the department.

28 (6) This section shall not apply to requests for information by
29 governmental entities or requests that may be granted under any other
30 provision of this title expressly authorizing the disclosure of the
31 names or addresses of vehicle or vessel owners. Requests from law
32 enforcement officers for vessel record information must be granted.
33 The disclosure agreement with law enforcement entities must provide
34 that law enforcement may redisclose a vessel owner's name or address
35 when trying to locate the owner of or otherwise deal with a vessel
36 that has become a hazard.

37 (7) The department shall disclose vessel records for any vessel
38 owned by a governmental entity upon request.

39 (8) This section shall not apply to title history information
40 under RCW 19.118.170.

1 (9) The department shall charge a fee of (~~two dollars~~) \$2 for
2 each record returned pursuant to a request made by a business entity
3 under subsection (1) of this section and deposit the fee into the
4 highway safety fund.

5 (10) The department, county auditor, or agency or firm authorized
6 by the department shall not release the name, any address, vehicle
7 make, vehicle model, vehicle year, vehicle identification number,
8 vessel make and model, vessel model year, hull identification number,
9 vessel document number, vessel registration number, vessel decal
10 number, or license plate number associated with an individual vehicle
11 or vessel owner who is a participant in the address confidentiality
12 program under chapter 40.24 RCW except as allowed in subsection (6)
13 of this section and RCW 40.24.075.

14 **Sec. 4.** RCW 46.12.665 and 2010 c 161 s 312 are each amended to
15 read as follows:

16 (1) The department, county auditor or other agent, or subagent
17 appointed by the director shall require a written odometer disclosure
18 statement with every application for a certificate of title for a
19 motor vehicle. The odometer disclosure statement must be on either
20 the certificate of title or on a separate form approved by the
21 department. A secure odometer disclosure statement is required if the
22 certificate of title was issued after April 30, 1990. Odometer
23 disclosure statements must include, at a minimum, the following:

24 (a) The miles shown on the odometer at the time of transfer of
25 ownership, but not to include tenths of miles;

26 (b) The date of transfer of ownership;

27 (c) The transferor's printed name, current address, and
28 signature;

29 (d) The transferee's printed name, current address, and
30 signature;

31 (e) The identity of the motor vehicle, including its make, model,
32 year, body type, and vehicle identification number;

33 (f) Information that the odometer statement is required by the
34 federal truth in mileage act of 1986 and that failure to complete the
35 odometer statement or providing false information may result in fines
36 or imprisonment, or both; and

37 (g) One of the following statements:

38 (i) The mileage shown is actual to the best of transferor's
39 knowledge;

- 1 (ii) The odometer reading exceeds the mechanical limits of the
2 odometer to the best of the transferor's knowledge; or
3 (iii) The odometer reading is not the actual mileage.

4 If the odometer reading is under (~~one hundred thousand~~) 100,000
5 miles, the only options that can be certified are "actual to the best
6 of the transferor's knowledge" or "not the actual mileage." If the
7 odometer reading is (~~one hundred thousand~~) 100,000 miles or more,
8 the options "actual to the best of the transferor's knowledge" or
9 "not the actual mileage" cannot be used unless the odometer has six
10 digit capability.

11 (2) The transferee and the transferor shall each sign the
12 odometer disclosure statement. Only one registered owner is required
13 to complete the odometer disclosure statement for the transferee, and
14 only one owner is required to complete the odometer disclosure
15 statement for the transferor. When applicable, both the business name
16 and a company representative's name must be shown on the odometer
17 disclosure statement when the registered owner is a business or the
18 transferee represents a company, or both.

19 (3) The transferee shall return a signed copy of the odometer
20 disclosure statement to the transferor at the time of transfer of
21 ownership.

22 (4) The following vehicles are not subject to odometer disclosure
23 requirements at the time of ownership transfer:

24 (a) A motor vehicle having a declared gross vehicle weight of
25 more than (~~sixteen thousand~~) 16,000 pounds;

26 (b) A vehicle that is not self-propelled;

27 (c) A motor vehicle that (~~is ten years old~~) has a model year of
28 2010 or older;

29 (d) A motor vehicle sold directly by a manufacturer to a federal
30 agency in conformity with contract specifications; or

31 (e) A new motor vehicle before its first retail sale.

32 (5) The requirements of this section also apply to the transfer
33 of a motor vehicle held:

34 (a) For lease when transferred to a lessee and then to the lessor
35 at the end of the leasehold; and

36 (b) In a fleet when transferred to a purchaser.

37 **Sec. 5.** RCW 46.12.665 and 2010 c 161 s 312 are each amended to
38 read as follows:

1 (1) The department, county auditor or other agent, or subagent
2 appointed by the director shall require a written odometer disclosure
3 statement with every application for a certificate of title for a
4 motor vehicle. The odometer disclosure statement must be on either
5 the certificate of title or on a separate form approved by the
6 department. A secure odometer disclosure statement is required if the
7 certificate of title was issued after April 30, 1990. Odometer
8 disclosure statements must include, at a minimum, the following:

9 (a) The miles shown on the odometer at the time of transfer of
10 ownership, but not to include tenths of miles;

11 (b) The date of transfer of ownership;

12 (c) The transferor's printed name, current address, and
13 signature;

14 (d) The transferee's printed name, current address, and
15 signature;

16 (e) The identity of the motor vehicle, including its make, model,
17 year, body type, and vehicle identification number;

18 (f) Information that the odometer statement is required by the
19 federal truth in mileage act of 1986 and that failure to complete the
20 odometer statement or providing false information may result in fines
21 or imprisonment, or both; and

22 (g) One of the following statements:

23 (i) The mileage shown is actual to the best of transferor's
24 knowledge;

25 (ii) The odometer reading exceeds the mechanical limits of the
26 odometer to the best of the transferor's knowledge; or

27 (iii) The odometer reading is not the actual mileage.

28 If the odometer reading is under (~~one hundred thousand~~) 100,000
29 miles, the only options that can be certified are "actual to the best
30 of the transferor's knowledge" or "not the actual mileage." If the
31 odometer reading is (~~one hundred thousand~~) 100,000 miles or more,
32 the options "actual to the best of the transferor's knowledge" or
33 "not the actual mileage" cannot be used unless the odometer has six
34 digit capability.

35 (2) The transferee and the transferor shall each sign the
36 odometer disclosure statement. Only one registered owner is required
37 to complete the odometer disclosure statement for the transferee, and
38 only one owner is required to complete the odometer disclosure
39 statement for the transferor. When applicable, both the business name
40 and a company representative's name must be shown on the odometer

1 disclosure statement when the registered owner is a business or the
2 transferee represents a company, or both.

3 (3) The transferee shall return a signed copy of the odometer
4 disclosure statement to the transferor at the time of transfer of
5 ownership.

6 (4) The following vehicles are not subject to odometer disclosure
7 requirements at the time of ownership transfer:

8 (a) A motor vehicle having a declared gross vehicle weight of
9 more than (~~sixteen thousand~~) 16,000 pounds;

10 (b) A vehicle that is not self-propelled;

11 (c) A motor vehicle that is (~~ten~~) 20 years old or older;

12 (d) A motor vehicle sold directly by a manufacturer to a federal
13 agency in conformity with contract specifications; or

14 (e) A new motor vehicle before its first retail sale.

15 (5) The requirements of this section also apply to the transfer
16 of a motor vehicle held:

17 (a) For lease when transferred to a lessee and then to the lessor
18 at the end of the leasehold; and

19 (b) In a fleet when transferred to a purchaser.

20 **Sec. 6.** RCW 46.20.285 and 2020 c 16 s 1 are each amended to read
21 as follows:

22 The department shall revoke the license of any driver for the
23 period of one (~~calendar~~) year unless otherwise provided in this
24 section, upon receiving a record of the driver's conviction of any of
25 the following offenses, when the conviction has become final:

26 (1) For vehicular homicide the period of revocation shall be two
27 years. The revocation period shall be tolled during any period of
28 total confinement for the offense;

29 (2) Vehicular assault. The revocation period shall be tolled
30 during any period of total confinement for the offense;

31 (3) Driving a motor vehicle while under the influence of
32 intoxicating liquor or a narcotic drug, or under the influence of any
33 other drug to a degree (~~which~~) that renders the driver incapable of
34 safely driving a motor vehicle, for the period prescribed in RCW
35 46.61.5055;

36 (4) Any felony where the sentencing court determines that in the
37 commission of the offense a motor vehicle was used in a manner that
38 endangered persons or property;

1 (5) Failure to stop and give information or render aid as
2 required under the laws of this state in the event of a motor vehicle
3 accident resulting in the death or personal injury of another or
4 resulting in damage to a vehicle that is driven or attended by
5 another;

6 (6) Perjury or the making of a false affidavit or statement under
7 oath to the department under (~~(Title 46 RCW)~~) this title or under any
8 other law relating to the ownership or operation of motor vehicles;

9 (7) Reckless driving upon a showing by the department's records
10 that the conviction is the third such conviction for the driver
11 within a period of two years.

12 **Sec. 7.** RCW 46.20.2892 and 2021 c 240 s 7 are each amended to
13 read as follows:

14 (1) Whenever the official records of the department show that a
15 person has committed a traffic infraction for a moving violation on
16 three or more occasions within a one-year period, or on four or more
17 occasions within a two-year period, the department must suspend the
18 license of the driver for a period of 60 days and establish a period
19 of probation for one (~~(calendar)~~) year to begin when the suspension
20 ends. Prior to reinstatement of a license, the person must complete a
21 safe driving course as recommended by the department. During the
22 period of probation, the person must not be convicted of any
23 additional traffic infractions for moving violations. Any traffic
24 infraction for a moving violation committed during the period of
25 probation shall result in an additional 30-day suspension to run
26 consecutively with any suspension already being served.

27 (2) When a person has committed a traffic infraction for a moving
28 violation on two occasions within a one-year period or three
29 occasions within a two-year period, the department shall send the
30 person a notice that an additional infraction will result in
31 suspension of the person's license for a period of 60 days.

32 (3) The department may not charge a reissue fee at the end of the
33 term of suspension under this section.

34 (4) For purposes of this section, multiple traffic infractions
35 issued during or as the result of a single traffic stop constitute
36 one occasion.

37 **Sec. 8.** RCW 46.20.328 and 1979 c 61 s 11 are each amended to
38 read as follows:

1 Upon the conclusion of a driver improvement interview, the
2 department's referee shall make findings on the matter under
3 consideration and shall notify the person involved in writing (~~by~~
4 ~~personal service of the findings~~). Such findings may be served on a
5 party via electronic distribution, with a party's agreement. The
6 referee's findings shall be final unless the person involved is
7 notified to the contrary (~~by personal service or by certified mail~~)
8 within (~~fifteen~~) 15 days. The decision is effective upon notice.
9 The person upon receiving such notice may, in writing and within ten
10 days, request a formal hearing.

11 **Sec. 9.** RCW 46.20.329 and 1982 c 189 s 4 are each amended to
12 read as follows:

13 Upon receiving a request for a formal hearing as provided in RCW
14 46.20.328, the department shall fix a time and place for hearing,
15 including a remote hearing or an in-person hearing in the county
16 where the applicant or licensee resides, with the concurrence of the
17 applicant or the licensee, as early as may be arranged (~~in the~~
18 ~~county where the applicant or licensee resides~~), and shall give
19 (~~ten~~) 10 days' notice of the hearing to the applicant or
20 licensee (~~, except that the hearing may be set for a different place~~
21 ~~with the concurrence of the applicant or licensee and the period of~~
22 ~~notice may be waived~~)).

23 Any decision by the department suspending or revoking a person's
24 driving privilege shall be stayed and shall not take effect while a
25 formal hearing is pending as herein provided or during the pendency
26 of a subsequent appeal to superior court: PROVIDED, That this stay
27 shall be effective only so long as there is no conviction of a moving
28 violation or a finding that the person has committed a traffic
29 infraction (~~which~~) that is a moving violation during pendency of
30 hearing and appeal: PROVIDED FURTHER, That nothing in this section
31 shall be construed as prohibiting the department from seeking an
32 order setting aside the stay during the pendency of such appeal in
33 those cases where the action of the department is based upon physical
34 or mental incapacity, or a failure to successfully complete an
35 examination required by this chapter.

36 A formal hearing shall be conducted (~~by the director or~~) by a
37 person or persons appointed by the director from among the employees
38 of the department.

1 **Sec. 10.** RCW 46.25.082 and 2013 c 224 s 10 are each amended to
2 read as follows:

3 (1)(a) Before issuing a CDL or CLP, the department must obtain
4 driving record information:

5 (i) Through the commercial driver's license information system;

6 (ii) Through the national driver register;

7 (iii) From the current state of record; and

8 (iv) From all states where the applicant was previously licensed
9 over the last (~~ten~~) 10 years to drive any type of motor vehicle.

10 (b) A driving record check under (a)(iv) of this subsection need
11 only be performed once at the time of initial issuance of a CDL or
12 CLP, provided a notation is made on the driver's record confirming
13 that the driving record check has been made and noting the date it
14 was completed.

15 (2) Within (~~ten~~) 10 days after issuing a CDL or CLP, the
16 department must notify the commercial driver's license information
17 system of the information required under 49 C.F.R. Sec. 383.73 as it
18 existed on July 8, 2014, or such subsequent date as may be provided
19 by the department by rule, consistent with the purposes of this
20 section and provide all information required to ensure identification
21 of the person.

22 (3) Every district court, municipal court, and clerk of a
23 superior court shall report a traffic conviction of a CDL or CLP
24 holder so that the conviction may be posted to the record in the
25 commercial driver's license information system. No state, county, or
26 municipal official or employee may take any action to mask, defer
27 imposition of judgment, or allow entry into a diversion or
28 alternative disposition program.

29 **Sec. 11.** RCW 46.29.050 and 2012 c 74 s 5 are each amended to
30 read as follows:

31 (1) The department shall upon request furnish any person or his
32 or her attorney a certified abstract of his or her driving record,
33 which abstract shall include enumeration of any motor vehicle
34 accidents in which such person has been involved. Such abstract shall
35 (a) indicate the total number of vehicles involved, whether the
36 vehicles were legally parked or moving, and whether the vehicles were
37 occupied at the time of the accident; and (b) contain reference to
38 any convictions of the person for violation of the motor vehicle laws
39 as reported to the department, reference to any findings that the

1 person has committed a traffic infraction which have been reported to
2 the department, and a record of any vehicles registered in the name
3 of the person. The department shall collect for each abstract the
4 (~~sum of thirteen dollars, fifty percent of which shall be deposited~~
5 ~~in the highway safety fund and fifty percent of which must be~~
6 ~~deposited according to RCW 46.68.038)) fee required in RCW
7 46.52.130(5).~~

8 (2) The department shall upon request furnish any person who may
9 have been injured in person or property by any motor vehicle, with an
10 abstract of all information of record in the department pertaining to
11 the evidence of the ability of any driver or owner of any motor
12 vehicle to respond in damages. The department shall collect for each
13 abstract the (~~sum of thirteen dollars, fifty percent of which shall~~
14 ~~be deposited in the highway safety fund and fifty percent of which~~
15 ~~must be deposited according to RCW 46.68.038)) fee required in RCW
16 46.52.130(5).~~

17 **Sec. 12.** RCW 46.65.060 and 1999 c 274 s 7 are each amended to
18 read as follows:

19 If the department finds that such person is not an habitual
20 offender under this chapter, the proceeding shall be dismissed, but
21 if the department finds that such person is an habitual offender, the
22 department shall revoke the operator's license for a period of seven
23 years: PROVIDED, That the department may stay the date of the
24 revocation if it finds that the traffic offenses upon which it is
25 based were caused by or are the result of alcoholism and/or drug
26 addiction as evaluated by a program approved by the department of
27 (~~social and health services)) health, and that since his or her last
28 offense he or she has undertaken and followed a course of treatment
29 for alcoholism and/or drug treatment in a program approved by the
30 department of (~~social and health services)) health; such stay shall
31 be subject to terms and conditions as are deemed reasonable by the
32 department. Said stay shall continue as long as there is no further
33 conviction for any of the offenses listed in RCW 46.65.020(1). Upon a
34 subsequent conviction for any offense listed in RCW 46.65.020(1) or
35 violation of any of the terms or conditions of the original stay
36 order, the stay shall be removed and the department shall revoke the
37 operator's license for a period of seven years.~~~~

1 **Sec. 13.** RCW 46.65.065 and 1989 c 337 s 10 are each amended to
2 read as follows:

3 (1) Whenever a person's driving record, as maintained by the
4 department, brings him or her within the definition of an habitual
5 traffic offender, as defined in RCW 46.65.020, the department shall
6 forthwith notify the person of the revocation in writing (~~by~~
7 ~~certified mail~~) at his or her address of record as maintained by the
8 department. If the person is a nonresident of this state, notice
9 shall be sent to the person's last known address. Notices of
10 revocation shall inform the recipient thereof of his or her right to
11 a formal hearing and specify the steps which must be taken in order
12 to obtain a hearing. Within (~~fifteen~~) 15 days after the notice has
13 been given, the person may, in writing, request a formal hearing. If
14 such a request is not made within the prescribed time the right to a
15 hearing is waived. A request for a hearing stays the effectiveness of
16 the revocation.

17 (2) Upon receipt of a request for a hearing, the department shall
18 schedule a hearing (~~in the county in which the person making the~~
19 ~~request resides, and if [the] person is a nonresident of this state,~~
20 ~~the hearing shall be held in Thurston county. The department~~),
21 including a remote hearing, and shall give at least (~~ten days~~) 10
22 days' notice of the hearing to the person.

23 (3) The scope of the hearings provided by this section is limited
24 to the issues of whether the certified transcripts or abstracts of
25 the convictions, as maintained by the department, show that the
26 requisite number of violations have been accumulated within the
27 prescribed period of time as set forth in RCW 46.65.020 and whether
28 the terms and conditions for granting stays, as provided in RCW
29 46.65.060, have been met.

30 (4) Upon receipt of the hearing officer's decision, an aggrieved
31 party may appeal to the superior court of the county in which he or
32 she resides, or, in the case of a nonresident of this state, in the
33 superior court of Thurston county, for review of the revocation.
34 Notice of appeal must be filed within (~~thirty~~) 30 days after
35 receipt of the hearing officer's decision or the right to appeal is
36 waived. Review by the court shall be de novo and without a jury.

37 (5) The filing of a notice of appeal does not stay the effective
38 date of the revocation.

1 NEW SECTION. **Sec. 14.** The following acts or parts of acts are
2 each repealed:

3 (1) RCW 46.18.240 (Foreign organization license plates) and 2010
4 c 161 s 620; and

5 (2) RCW 46.18.250 (Honorary consul special license plates) and
6 2010 c 161 s 622.

7 NEW SECTION. **Sec. 15.** Section 4 of this act expires January 1,
8 2031.

9 NEW SECTION. **Sec. 16.** Section 5 of this act takes effect
10 January 1, 2031.

11 NEW SECTION. **Sec. 17.** Sections 1 through 4 and 6 through 14 of
12 this act take effect October 1, 2025.

--- END ---