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HOUSE BILL 1760

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State of Washington

69th Legislature

2025 Regular Session

By Representatives Volz, Peterson, Connors, Griffey, Schmidt, Waters, Barnard, Low, Chase, Eslick, and Ramel

Read first time 01/31/25. Referred to Committee on Consumer Protection & Business.

1 AN ACT Relating to removing barriers for organizations selling  
2 manufactured homes to low-income households at cost; and amending RCW  
3 46.70.011.

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

5 **Sec. 1.** RCW 46.70.011 and 2016 sp.s. c 26 s 1 are each amended  
6 to read as follows:

7 As used in this chapter:

8 (1) "Auction" means a transaction conducted by means of exchanges  
9 between an auctioneer and the members of the audience, constituting a  
10 series of oral invitations for offers for the purchase of vehicles  
11 made by the auctioneer, offers to purchase by members of the  
12 audience, and the acceptance of the highest or most favorable offer  
13 to purchase.

14 (2) "Auction company" means a sole proprietorship, partnership,  
15 corporation, or other legal or commercial entity licensed under  
16 chapter 18.11 RCW that only sells or offers to sell vehicles at  
17 auction or only arranges or sponsors auctions.

18 (3) "Buyer's agent" means any person, firm, partnership,  
19 association, limited liability company, limited liability  
20 partnership, or corporation retained or employed by a consumer to  
21 arrange for or to negotiate, or both, the purchase or lease of a new

1 motor vehicle on behalf of the consumer, and who is paid a fee or  
2 receives other compensation from the consumer for its services.

3 (4) "Department" means the department of licensing, which shall  
4 administer and enforce the provisions of this chapter.

5 (5) "Director" means the director of licensing.

6 (6) "Established place of business" means a location meeting the  
7 requirements of RCW 46.70.023(1) at which a vehicle dealer conducts  
8 business in this state.

9 (7) "Listing dealer" means a used mobile home dealer who makes  
10 contracts with sellers who will compensate the dealer for obtaining a  
11 willing purchaser for the seller's mobile home.

12 (8) "Manufacturer" means any person, firm, association,  
13 corporation, or trust, resident or nonresident, who manufactures or  
14 assembles new and unused vehicles or remanufactures vehicles in whole  
15 or in part and further includes the terms:

16 (a) "Distributor," which means any person, firm, association,  
17 corporation, or trust, resident or nonresident, who in whole or in  
18 part offers for sale, sells, or distributes any new and unused  
19 vehicle to vehicle dealers or who maintains factory representatives.

20 (b) "Factory branch," which means a branch office maintained by a  
21 manufacturer for the purpose of selling or offering for sale,  
22 vehicles to a distributor, wholesaler, or vehicle dealer, or for  
23 directing or supervising in whole or in part factory or distributor  
24 representatives, and further includes any sales promotion  
25 organization, whether a person, firm, or corporation, which is  
26 engaged in promoting the sale of new and unused vehicles in this  
27 state of a particular brand or make to vehicle dealers.

28 (c) "Factory representative," which means a representative  
29 employed by a manufacturer, distributor, or factory branch for the  
30 purpose of making or promoting for the sale of their vehicles or for  
31 supervising or contracting with their dealers or prospective dealers.

32 (9) "Motor vehicle" means every vehicle which is self-propelled  
33 and every vehicle which is propelled by electric power obtained from  
34 overhead trolley wires, but not operated upon rails, and which is  
35 required to be registered and titled under this title.

36 (10) "New motor vehicle" means any motor vehicle that is self-  
37 propelled and is required to be registered and titled under this  
38 title, has not been previously titled to a retail purchaser or  
39 lessee, and is not a "used vehicle" as defined under RCW 46.04.660.

1 (11) "Principal place of business" means that dealer firm's  
2 business location in the state, which place the dealer designates as  
3 their principal place of business.

4 (12) "Recreational vehicle" means a travel trailer, motor home,  
5 truck camper, or camping trailer that is primarily designed and used  
6 as temporary living quarters, is either self-propelled or mounted on  
7 or drawn by another vehicle, is transient, is not occupied as a  
8 primary residence, and is not immobilized or permanently affixed to a  
9 mobile home lot.

10 (13) "Retail vehicle dealer" means a vehicle dealer who may buy  
11 and sell at both wholesale and retail.

12 (14) "Subagency" means any place of business of a vehicle dealer  
13 within the state, which place is physically and geographically  
14 separated from the principal place of business of the firm or any  
15 place of business of a vehicle dealer within the state, at which  
16 place the firm does business using a name other than the principal  
17 name of the firm, or both.

18 (15) "Temporary subagency" means a location other than the  
19 principal place of business or subagency within the state where a  
20 licensed vehicle dealer may secure a license to conduct the business  
21 and is licensed for a period of time not to exceed ten days for a  
22 specific purpose such as auto shows, shopping center promotions, tent  
23 sales, exhibitions, or similar merchandising ventures. No more than  
24 six temporary subagency licenses may be issued to a licensee in any  
25 twelve-month period.

26 (16) "Vehicle" means and includes every device capable of being  
27 moved upon a public highway and in, upon, or by which any persons or  
28 property is or may be transported or drawn upon a public highway,  
29 excepting devices moved by human or animal power or used exclusively  
30 upon stationary rails or tracks.

31 (17) "Vehicle dealer" means any person, firm, association,  
32 corporation, or trust, not excluded by subsection (18) of this  
33 section, engaged in the business of buying, selling, listing,  
34 exchanging, offering, brokering, leasing with an option to purchase,  
35 auctioning, soliciting, or advertising the sale of new or used  
36 vehicles, or arranging or offering or attempting to solicit or  
37 negotiate on behalf of others, a sale, purchase, or exchange of an  
38 interest in new or used motor vehicles, irrespective of whether the  
39 motor vehicles are owned by that person. Vehicle dealers shall be  
40 classified as follows:

1 (a) A "motor vehicle dealer" is a vehicle dealer that deals in  
2 new or used motor vehicles, or both;

3 (b) A "mobile home and travel trailer dealer" is a vehicle dealer  
4 that deals in mobile homes, park trailers, or travel trailers, or  
5 more than one type of these vehicles;

6 (c) A "miscellaneous vehicle dealer" is a vehicle dealer that  
7 deals in motorcycles or vehicles other than motor vehicles or mobile  
8 homes and travel trailers or any combination of such vehicles;

9 (d) A "recreational vehicle dealer" is a vehicle dealer that  
10 deals in travel trailers, motor homes, truck campers, or camping  
11 trailers that are primarily designed and used as temporary living  
12 quarters, are either self-propelled or mounted on or drawn by another  
13 vehicle, are transient, are not occupied as a primary residence, and  
14 are not immobilized or permanently affixed to a mobile home lot.

15 (18) "Vehicle dealer" does not include, nor do the licensing  
16 requirements of RCW 46.70.021 apply to, the following persons, firms,  
17 associations, or corporations:

18 (a) Receivers, trustees, administrators, executors, guardians, or  
19 other persons appointed by, or acting under a judgment or order of,  
20 any court; or

21 (b) Public officers while performing their official duties; or

22 (c) Employees of vehicle dealers who are engaged in the specific  
23 performance of their duties as such employees; or

24 (d) Any person engaged in an isolated sale of a vehicle in which  
25 that person is the registered or legal owner, or both, thereof; or

26 (e) Any person, firm, association, corporation, or trust, engaged  
27 in the selling of equipment other than vehicles, subject to  
28 registration, used for agricultural or industrial purposes; or

29 (f) A real estate broker licensed under chapter 18.85 RCW, or an  
30 affiliated licensee, who, on behalf of another negotiates the  
31 purchase, sale, lease, or exchange of a manufactured or mobile home  
32 in conjunction with the purchase, sale, exchange, rental, or lease of  
33 the land upon which the manufactured or mobile home is, or will be,  
34 located; or

35 (g) Owners who are also operators of special highway construction  
36 equipment, as defined in RCW 46.04.551, or of the highway  
37 construction equipment for which a vehicle license and display  
38 vehicle license number plate is required; or

39 (h) Any bank, trust company, savings bank, mutual savings bank,  
40 savings and loan association, credit union, and any parent,

1 subsidiary, or affiliate thereof, authorized to do business in this  
2 state under state or federal law with respect to the sale or other  
3 disposition of a motor vehicle owned and used in their business; or  
4 with respect to the acquisition and sale or other disposition of a  
5 motor vehicle in which the entity has acquired an interest as a  
6 lessor, lessee, or secured party; or

7 (i) Any person who is regularly engaged in the business of  
8 acquiring leases or installment contracts by assignment, with respect  
9 to the acquisition and sale or other disposition of a motor vehicle  
10 in which the person has acquired an interest as a result of the  
11 business; or

12 (j) A community land trust, resident nonprofit cooperative, local  
13 government, public housing authority, nonprofit community or  
14 neighborhood-based organization, federally recognized Indian tribe in  
15 the state of Washington, or regional or statewide nonprofit housing  
16 assistance organization, which does not sell in any 12-month period  
17 more than 12 manufactured homes to low-income households at cost.

18 (19) "Vehicle salesperson" means any person who for any form of  
19 compensation sells, auctions, leases with an option to purchase, or  
20 offers to sell or to so lease vehicles on behalf of a vehicle dealer.

21 (20) "Wholesale vehicle dealer" means a vehicle dealer who buys  
22 vehicles from or sells vehicles to other Washington licensed vehicle  
23 dealers.

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