

WAC 308-93-460 Release of interest. (1) **How does an owner release their interest in a vessel?** A vessel owner(s) or secured party who intends to release interest in a vessel must:

(a) Sign the release of interest provided on the certificate of ownership; or

(b) Sign a release of interest document or form approved by the department.

(2) **What documentation may be used in lieu of a release of interest?** Documents that may be used in lieu of a release of interest include, but are not limited to, a certified or notarized:

(a) Bill of sale;

(b) Affidavit in lieu of title with the release of interest portion properly completed;

(c) Release of interest form;

(d) Letter of release;

(e) Affidavit of repossession;

(f) Abandoned vessel reported on an abandoned vehicle report and the affidavit of sale on the report has been completed by the issuing tow company;

(g) Other documentation approved by the department.

(3) **What forms may secured parties use in lieu of subsection (1)(a) and (b) of this section when their intent is to release interest?** Secured parties who intend to release their interest in a vessel may provide one of the following if accompanied by the most recently issued certificate of ownership:

(a) Their properly completed official lien release form; or

(b) The secured party is a business entity, a release of interest on its official letterhead.

(4) **How is the release of interest submitted on an electronically stored Washington certificate of ownership?** If the Washington certificate of ownership is a paperless certificate of ownership (title), the secured party may release its interest electronically or by signing an affidavit in lieu of title.

(5) **When do signatures releasing interest need to be notarized or certified?** An owner's release of interest on department approved documents other than the certificate of ownership must be notarized or certified in accordance with WAC 308-93-470.

(6) **Are there situations when signatures would not need to be notarized or certified in order to release interest?** Yes, the following are situations where notarization or certification is not required:

(a) When a signature releasing interest is provided on the certificate of ownership issued by the department or another jurisdiction;

(b) When a signature releasing interest is provided on an affidavit in lieu of title printed at a Washington paperless title institution's location;

(c) If the Washington certificate of ownership is a paperless certificate of ownership (title), the secured party may release its interest electronically;

(d) When there is a secured party and:

(i) The secured party is a business; and

(ii) Release of interest in a vessel is in accordance with subsection (2)(a) or (b) of this section; and

(iii) The current certificate of ownership is submitted with the separate release of interest and an application for a new certificate of ownership;

(e) A release of interest or bill of sale is obtained from the registered owner when the vessel is from a jurisdiction which does not issue certificate of ownership or titles for this type of vessel;

(f) Documentation for a dissolution of marriage indicates the vessel had been awarded through the court;

(g) The registered owner is deceased (refer to WAC 308-93-520);

(h) Signature notarized on repossession if the vessel has been repossessed by the legal owner of record;

(i) A release of interest or a bill of sale from a wrecker or insurance company;

(j) If a valid marine document has been issued by or applied for from the United States Coast Guard documentation office;

(k) A court order awarding the vessel is provided;

(l) The director determines a notarized signature is not needed.

(7) **When is a registered owner's release of interest not required?** A release of interest is not required when:

(a) A registered owner is identified as a lessee or sublessee on an ownership document or a lienholder sells a contract to another lienholder;

(b) Documentation is required by the department in the event of death;

(c) A dissolution of a marriage has occurred; or

(d) Repossession.

(8) **What is required to release the interest of a secured party in a documented vessel registered in Washington?** A United States Coast Guard abstract may be used to release the interest of the secured party for a vessel registered in Washington.

(9) **What documentation will be provided by the United States Coast Guard documentation office?** The United States Coast Guard documentation office must provide the following documentation for secured parties who intend to release interest on a marine documented vessel:

(a) Their properly completed official lien release form; or a release of interest on their official letterhead, if the secured party is a business entity;

(b) Provide a certified copy of the satisfaction of preferred marine mortgage;

(c) Provide a certified copy of the document abstract from the United States Coast Guard, documentation office showing the lien has been satisfied.

These documents are provided to the United States Coast Guard by the lienholder/secured party, seller, new owner etc. Copies of these items may be requested from the United States Coast Guard for submission to the department when applying for certificate of ownership.

(10) **What must the owner provide to the department when a vessel will no longer be documented with the United States Coast Guard?** The owner must provide:

(a) A copy of the removal letter from the United States Coast Guard documentation office; and

(b) Documentation described in subsection (9) of this section for removing lienholder/secured party; and

(c) If ownership is changing, approved releases of interest as described in this rule.

[Statutory Authority: RCW 88.02.070 and 88.02.100. WSR 00-23-028, § 308-93-460, filed 11/7/00, effective 12/8/00. Statutory Authority: RCW 88.02.070. WSR 98-09-023, § 308-93-460, filed 4/8/98, effective 5/9/98. Statutory Authority: RCW 88.02.070 and [88.02].100. WSR

93-14-082, § 308-93-460, filed 6/30/93, effective 7/31/93. Statutory Authority: 1983 c 7 § 20 and 1983 2nd ex.s. c 3 § 46. WSR 83-23-076 (Order 736-DOL), § 308-93-460, filed 11/18/83.]