

HOUSE BILL REPORT

ESHB 1736

As Passed Legislature

Title: An act relating to requiring the department of licensing to collect vehicle odometer readings at the time of original vehicle registration and registration renewal.

Brief Description: Requiring the department of licensing to request motor vehicle odometer readings upon vehicle registration.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Cortes, Fey, Senn, Ryu, Wylie, Slatter, Reed and Pollet).

Brief History:

Committee Activity:

Transportation: 2/15/23, 2/23/23 [DPS].

Floor Activity:

Passed House: 3/4/23, 53-43.

Senate Amended.

Passed Senate: 4/10/23, 28-20.

House Concurred.

Passed House: 4/14/23, 52-44.

Passed Legislature.

Brief Summary of Engrossed Substitute Bill

- Requires the Department of Licensing (DOL) to request odometer information in the application for vehicle registration and vehicle registration renewal.
- Requires the applications for original and renewal vehicle registrations to state that the vehicle owner is not required to provide the odometer information and that the failure to provide the information is not grounds to deny vehicle registration or issue any penalty.
- Exempts from public disclosure the personally identifying information of persons who voluntarily report the vehicle odometer mileage as part of

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the vehicle registration renewal.

- Requires the DOL to report, by May 1, 2025, the numbers of people who provided odometer information, numbers requested to report odometer information, and problems encountered in implementation.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Fey, Chair; Donaghy, Vice Chair; Timmons, Vice Chair; Berry, Bronoske, Chapman, Cortes, Doglio, Duerr, Entenman, Hackney, Mena, Ramel, Ramos, Taylor and Wylie.

Minority Report: Do not pass. Signed by 8 members: Representatives Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Goehner, Griffey, Klicker, Orcutt and Volz.

Minority Report: Without recommendation. Signed by 4 members: Representatives Barkis, Ranking Minority Member; Dent, Schmidt and Walsh.

Staff: Beth Redfield (786-7140).

Background:

To operate a vehicle on the public highways of the state, a person must have in full force and effect a current vehicle registration.

The application for an initial registration must include certain information, including but not limited to:

- a description of the vehicle, including its make, model, and vehicle identification number;
- the name and address of the person registering the vehicle;
- information about any security interest in the vehicle;
- the licensed gross weight of the vehicle; and
- the empty scale weight of the vehicle.

Annual renewal of the vehicle registration is also required, with no additional information required.

Summary of Engrossed Substitute Bill:

The Department of Licensing (DOL) must request odometer information in the application

for vehicle registration and vehicle registration renewal. The vehicle owner is not required to provide the mileage shown on the odometer. Failure to provide mileage is not grounds to deny vehicle registration or issue any penalty. DOL must state on the applications for an original and renewal vehicle registrations that the vehicle owner is not required to provide the mileage information and that the failure to provide the information is not grounds to deny a vehicle registration or to issue any monetary or civil penalty or infraction.

The personally identifying information of persons who voluntarily report their vehicle odometer mileage as part of a vehicle registration is exempt from public disclosure. The information may be disclosed in aggregate form only if the data does not contain any personally identifying information. Personally identifying information may be released to law enforcement agencies only if the request is accompanied by a court order.

The DOL must provide a report with the numbers of people who provided odometer information, numbers requested to report odometer information, and problems encountered in implementation. The report is due to the transportation committees of the Legislature by May 1, 2025.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on March 1, 2024.

Staff Summary of Public Testimony:

(In support) The more information that we have the better we can make decisions as a Legislative body. These odometer readings will give us a better picture of travel trends and patterns statewide; further our knowledge; inform state transportation planning efforts and citizen policy goals around preservation, safety, mobility, economic vitality, and environmental protection; and facilitate the development of transportation funding mechanism which are becoming more important.

(Opposed) This establishes a humiliating annual odometer reporting requirement for vehicle registrations. The only appropriate way for fully funding our roads is to pay at the pump. Those who pay the gas tax should be allowed to continue to do so, electric vehicle owners should be able to pay an electric charge tax, both out and about and via a separate line item on their home electric bills. This would replace the annual registration fee already paid by electric vehicle owners in lieu of the gas tax. The state has no reason for knowing our whereabouts or how far we have driven so long as we are safe. Requiring yearly reporting will create privacy issues, which could reveal private habits and personal information. This information could be used by companies or law enforcement to track and monitor a person's activities. This will lead to mileage taxation and revenue generation. This could be a costly endeavor and may not be worth the expense.

(Other) Operational challenges are presented for the County Auditors if the odometer reading is not provided when someone comes in to renew their car tabs. We see this as a hard stop and we cannot renew the registration until we get that information. We do more than 8 million transactions across the state. If half of the mail-in transactions do not include the information, it could cost us \$200,000 to \$400,000 per year. The committee should consider changing the bill and making the first year optional as an education year, instead of a hard stop. Auditors could renew the registration and then send a note about the requirement going into effect the following year.

Persons Testifying: (In support) Representative Julio Cortes, prime sponsor.

(Opposed) John Peeples; and Eric Pratt.

(Other) Thad Duvall, Washington State Association of County Auditors.

Persons Signed In To Testify But Not Testifying: None.