

FINAL BILL REPORT

SSB 5504

C 440 L 23
Synopsis as Enacted

Brief Description: Addressing open motor vehicle safety recalls.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Saldaña, Lias, Valdez and Wilson, C.).

Senate Committee on Transportation
House Committee on Transportation

Background: Vehicle Registration. Vehicles, unless specifically exempt, must be registered with the state to be operated on public roadways. It is unlawful for a person to operate any vehicle, unless specifically exempt, on public highways in Washington without a current and proper vehicle registration. Vehicle registrations are issued by the Department of Licensing (DOL), county auditors or other agents, or subagents appointed by DOL, and are typically valid for one year from the date of purchase. Registrations are indicated with dated license tabs placed in a designated area on the vehicle license plate.

Vehicle Inspections. The Washington State Patrol (WSP) is required to complete a vehicle identification number (VIN) inspection when a vehicle:

- is declared a total loss or salvaged and not kept by the registered owner;
- has been rebuilt after the certificate of title was returned to the state; or
- has been presented to the state with documents that show the vehicle was a total loss or salvaged in another state and has not been reissued a valid registration certificate.

A VIN inspection is also required when certain kinds of vehicles are being titled in the state for the first time, including a kit vehicle, a homemade vehicle, a street rod, a custom vehicle, or a vehicle when there is question about the VIN documentation on the vehicle.

The inspection must verify that the VIN is genuine and agrees with the number shown on the certificate of title and registration certificate. As part of the inspection, a VIN specialist must ensure that all major component parts used for the reconstruction of a salvage or rebuilt vehicle were obtained legally.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Motor Vehicle Safety Recalls. Under federal law, the National Highway Traffic Safety Administration (NHTSA) has the authority to issue vehicle safety standards and to require manufacturers to recall vehicles that have safety-related defects or do not meet these federal safety standards. Manufacturers voluntarily initiate some recalls, while others are either influenced by NHTSA investigations or ordered by NHTSA via the courts. If a safety defect is discovered, the manufacturer must notify NHTSA, as well as vehicle or equipment owners, dealers, and distributors. The manufacturer is then required to remedy the problem at no charge to the owner. NHTSA is responsible for monitoring the manufacturer's corrective action to ensure successful completion of the recall campaign.

Summary: Vehicle Registration. Prior to issuing a motor vehicle registration or mailing a motor vehicle registration renewal notice, DOL is required to determine whether a vehicle is subject to an open NHTSA safety recall, as defined in applicable federal law, and provide written notice to the vehicle owner as part of the vehicle registration process. The notice must include:

- a statement that the vehicle has one or more open safety recalls; and
- a statement that open safety recalls must be repaired by a motor vehicle dealer approved by the manufacturer at no cost to the vehicle owner, except as provided by federal law.

Vehicle Inspections. All motor vehicle inspectors are required to determine and provide the owner of an inspected vehicle with written notice of any open NHTSA safety recalls, as defined in applicable federal law. The notice must include:

- a description of each open safety recall; and
- a statement that open safety recalls must be repaired by a motor vehicle dealer approved by the manufacturer at no cost to the vehicle owner, except as provided by federal law.

Liability. The DOL director and director's designees including, county auditors, agents, and subagents, are not liable for any act or omission related to the provision of an open safety recall notice and are immune from any related civil suit or action. The chief of WSP and the chief's designees are not liable for any act or omission related to the provision of an open safety recall notice and are immune from any related civil suit or action. Certain motor vehicle inspectors, are not liable for any act or omission related to an open safety recall notice, except in the case of gross negligence.

Votes on Final Passage:

Senate	49	0	
House	96	0	(House amended)
Senate	47	1	(Senate concurred)

Effective: July 1, 2024