

WAC 308-56A-640 Odometer disclosure statement. (1) **When is an odometer disclosure statement required?** An odometer disclosure statement is required on all transfers of ownership as required by RCW 46.12.124 and Title 49 of the Code of Federal Regulations (C.F.R.), unless specifically exempted.

(2) **What odometer disclosure statement forms will the department accept?** The department will accept odometer disclosure statement forms that comply with the Federal Truth in Mileage Act of 1986, Title 49 C.F.R., and RCW 46.12.124.

Note: An odometer power of attorney used in compliance with Part 580, Title 49 of the Code of Federal Regulations (C.F.R.) is acceptable, and will not violate the intention of this rule.

(3) **When is an odometer disclosure/title extension statement used?** An odometer disclosure/title extension statement is a form used:

(a) With a certificate of ownership when an odometer disclosure statement is required; and

(b) If all reassignments on the certificate of ownership are full; or

(c) If the certificate of ownership is unavailable.

(4) **What are the odometer disclosure requirements for dealer transactions?** Dealers are required to obtain an odometer disclosure statement from the selling owner (transferor), and acknowledge the disclosure as transferee, when taking a vehicle in on trade, purchase, or otherwise acquiring a vehicle. Dealers must complete an odometer disclosure statement as transferor when selling a vehicle either wholesale or retail.

(5) **What are the odometer disclosure requirements for vehicles sold through an auction company?** The seller/consignor completes an odometer disclosure statement as transferor and the successful bidder/buyer acknowledges the disclosure as transferee.

(6) **How long must dealers and auction companies maintain odometer disclosure statement records?** Dealers and auction companies must keep odometer disclosure statement records for five years.

(7) **What are the odometer disclosure requirements for leased vehicles?** Odometer disclosure is required when establishing, terminating, or buying out a lease.

(a) When establishing a lease, the lessor must complete an odometer disclosure statement as transferor, and the lessee must acknowledge the disclosure as transferee.

(b) When terminating or buying out a lease, the lessee must complete an odometer disclosure statement as transferor, and the lessor must acknowledge the disclosure as transferee. Prior to the termination of the lease or any transfer of ownership, the lessor must notify the lessee in writing that the lessee must provide an odometer disclosure statement to the lessor.

(c) Only the former lessee needs to submit a completed odometer disclosure statement with an application for certificate of ownership following a lease buyout. The former lessee must complete the odometer disclosure statement as transferee. No transferor signature is required.

(8) **May a power of attorney be used to complete an odometer disclosure statement?** Yes, with the following restrictions:

(a) The transferor cannot authorize or give power of attorney to the transferee or dealer to complete the odometer disclosure statement.

(b) The transferee cannot authorize or give power of attorney to the transferor or dealer to complete the odometer disclosure statement.

(c) No person may sign an odometer disclosure statement as both the transferor and transferee in the same transaction.

Note: An odometer power of attorney used in compliance with Part 580, Title 49 of the Code of Federal Regulations (C.F.R.) is acceptable, and will not violate the intention of this rule.

(9) **Is an odometer disclosure statement required when involuntary divestiture occurs?** Yes. The seller, although not the owner of record, must complete an odometer disclosure statement as transferor, and the buyer must acknowledge the disclosure as transferee. The department may approve disclosure by the transferee only in extenuating circumstances.

[Statutory Authority: RCW 46.01.110 and 46.12.020. WSR 04-03-016, § 308-56A-640, filed 1/12/04, effective 2/12/04. Statutory Authority: RCW 46.01.110 and 46.12.030. WSR 00-06-020, § 308-56A-640, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.124. WSR 97-14-034, § 308-56A-640, filed 6/25/97, effective 7/26/97. Statutory Authority: RCW 46.12.030 and 46.01.110. WSR 89-16-074 (Order TL/RG 49), § 308-56A-640, filed 7/31/89, effective 8/31/89.]