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HOUSE BILL 2048

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State of Washington

60th Legislature

2007 Regular Session

By Representatives O'Brien, Chandler, Wood, Williams, Moeller, Conway and Condotta

Read first time 02/06/2007. Referred to Committee on Transportation.

1 AN ACT Relating to vehicle dealer transfer of title requirements;  
2 and amending RCW 46.70.122.

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

4 **Sec. 1.** RCW 46.70.122 and 2001 c 272 s 8 are each amended to read  
5 as follows:

6 (1) If the purchaser or transferee is a dealer he or she shall, on  
7 selling, leasing, or otherwise disposing of the vehicle, promptly  
8 execute the assignment and warranty of title, in such form as the  
9 director shall prescribe, unless the dealer has rejected a contract  
10 subject to future acceptance under RCW 46.70.180(4). If the dealer has  
11 rejected a contract subject to future acceptance under RCW  
12 46.70.180(4), the dealer is not required to execute an assignment and  
13 warranty of title.

14 (2) The assignment and warranty shall show any secured party  
15 holding a security interest created or reserved at the time of resale  
16 or lease, to which shall be attached the assigned certificates of  
17 ownership and license registration received by the dealer. The dealer  
18 shall mail or deliver them to the department with the transferee's  
19 application for the issuance of new certificates of ownership and

1 license registration. The title certificate issued for a vehicle  
2 possessed by a dealer and subject to a security interest shall be  
3 delivered to the secured party who upon request of the dealer's  
4 transferee shall, unless the transfer was a breach of the security  
5 agreement, either deliver the certificate to the transferee for  
6 transmission to the department, or upon receipt from the transferee of  
7 the owner's bill of sale or sale document, the transferee's application  
8 for a new certificate and the required fee, mail or deliver to the  
9 department. Failure of a dealer to deliver the title certificate to  
10 the secured party does not affect perfection of the security interest.

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