S-3493.1

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**SENATE BILL 5778**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Braun, Honeyford, Lovick, Padden, Short, and J. Wilson

AN ACT Relating to addressing the current backlog of vehicle inspections; and amending RCW 46.12.560.

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

**Sec.**  RCW 46.12.560 and 2011 c 114 s 7 are each amended to read as follows:

(1)(a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol or other authorized inspector if the vehicle:

(i) Was declared a total loss or salvage vehicle under the laws of this state;

(ii) Has been rebuilt after the certificate of title was returned to the department under RCW 46.12.600 and the vehicle was not kept by the registered owner at the time of the vehicle's destruction or declaration as a total loss; or

(iii) Is presented with documents from another state showing that the vehicle was a total loss or salvage vehicle and has not been reissued a valid registration certificate from that state after the declaration of total loss or salvage.

(b) A vehicle presented for inspection must have all damaged major component parts replaced or repaired to meet all requirements in law and rule before the Washington state patrol will inspect the vehicle. The inspection must verify that the vehicle identification number is genuine and agrees with the number shown on the certificate of title and registration certificate.

(c) A Washington state patrol vehicle identification number specialist or other authorized inspector must ensure that all major component parts used for the reconstruction of a salvage or rebuilt vehicle were obtained legally, and must securely attach a marking at the driver's door latch pillar indicating the vehicle was previously destroyed or declared a total loss. It is a class C felony for a person to remove the marking indicating that the vehicle was previously destroyed or declared a total loss.

(2) A person presenting a vehicle for inspection under subsection (1) of this section must provide original invoices for new and used parts from:

(a) A vendor that is registered with the department of revenue or a comparable agency in the jurisdiction where the major component parts were purchased for the collection of retail sales or use taxes. The invoices must include:

(i) The name and address of the business;

(ii) A description of the part or parts sold;

(iii) The date of sale; and

(iv) The amount of sale to include all taxes paid unless exempted by the department of revenue or a comparable agency in the jurisdiction where the major component parts were purchased;

(b) A vehicle wrecker licensed under chapter 46.80 RCW or a comparable business in the jurisdiction outside Washington state where the major component part was purchased; and

(c) Private individuals. The private individual must have the certificate of title to the vehicle where the parts were taken from unless the parts were obtained from a parts car owned by a collector. Bills of sale for parts must be notarized and include:

(i) The names and addresses of the sellers and purchasers;

(ii) A description of the vehicle and the part or parts being sold, including the make, model, year, and identification or serial number;

(iii) The date of sale; and

(iv) The purchase price of the vehicle part or parts.

(3) A person presenting a vehicle for inspection under this section who is unable to provide an acceptable release of interest or proof of ownership for a vehicle or major component part as described in this section shall apply for an ownership in doubt application described in RCW 46.12.680.

(4)(a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol or other authorized inspector when the application is for a vehicle being titled for the first time as:

(i) Assembled;

(ii) Glider kit;

(iii) Homemade;

(iv) Kit vehicle;

(v) Street rod vehicle;

(vi) Custom vehicle; or

(vii) Subject to ownership in doubt under RCW 46.12.680.

(b) The inspection must verify that the vehicle identification number is genuine and agrees with the number shown on the certificate of title and registration certificate.

(5)(a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol when the application is for a vehicle with a vehicle identification number that has been:

(i) Altered;

(ii) Defaced;

(iii) Obliterated;

(iv) Omitted;

(v) Removed; or

(vi) Otherwise absent.

(b) The application must include payment of the fee required in RCW 46.17.135.

(c) The Washington state patrol shall assign a new vehicle identification number to the vehicle and place or stamp the new number in a conspicuous position on the vehicle.

(d) The department shall use the new vehicle identification number assigned by the Washington state patrol as the official vehicle identification number assigned to the vehicle.

(6) For purposes of this section and RCW 46.12.695, "other authorized inspector" means an entity certified to perform vehicle inspections pursuant to subsection (7) of this section.

(7)(a) By January 1, 2023, the Washington state patrol must establish a process to allow local law enforcement agencies and qualified private parties, on a voluntary basis, to become certified and to perform vehicle identification inspections under this section and RCW 46.12.695.

(b) The requirements established by the Washington state patrol must ensure that any local law enforcement agency or qualified private party that is certified is able to perform the inspections at a comparable level to that of the inspections performed by the Washington state patrol and have adequate protections in place to safeguard personal and private information.

(c) Following successful certification, the Washington state patrol must establish contractual agreements with local law enforcement agencies and qualified private parties to perform vehicle inspections, which must include recoupment of the full cost incurred by the local law enforcement agency or qualified private party in performing the inspections.

(d) By October 1, 2022, the Washington state patrol must provide a report to the joint transportation committee and the joint legislative audit and review committee detailing the implementation plan for the voluntary vehicle inspection program pursuant to this subsection. The report must include information on the number of local law enforcement agencies and qualified private parties that are anticipated to participate, and the expected impact on the backlog of vehicle inspections over time.

(8) The department may adopt rules as necessary to implement this section.

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