CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE HOUSE BILL 1736**

68th Legislature

2023 Regular Session

|  |  |
| --- | --- |
| Passed by the House April 14, 2023Yeas 52 Nays 44**Speaker of the House of Representatives**Passed by the Senate April 10, 2023Yeas 28 Nays 20**President of the Senate** | CERTIFICATEI, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1736** as passed by the House of Representatives and the Senate on the dates hereon set forth.Chief Clerk |
| Approved  |  |
| **Governor of the State of Washington** | **Secretary of State** **State of Washington** |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ENGROSSED SUBSTITUTE HOUSE BILL 1736**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

**State of Washington 68th Legislature 2023 Regular Session**

**By** House Transportation (originally sponsored by Representatives Cortes, Fey, Senn, Ryu, Wylie, Slatter, Reed, and Pollet)

AN ACT Relating to requiring the department of licensing to collect vehicle odometer readings at the time of original vehicle registration and registration renewal; amending RCW 46.16A.040, 46.16A.110, and 42.56.330; creating new sections; and providing an effective date.

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

NEW SECTION. **Sec.**  For the purpose of gaining more accurate information on vehicle miles traveled in the state, including by geographical region, to further state transportation planning efforts and the transportation system policy goals of preservation, safety, stewardship, mobility, economic vitality, and protection of the environment established in RCW 47.04.280, as well as to facilitate development of alternative transportation funding mechanisms, the legislature finds it necessary to collect motor vehicle mileage information through the reporting of annual odometer readings. However, the legislature does not intend for failure to provide an odometer reading to prevent the registration of a vehicle. Therefore, the legislature intends to require the department of licensing to begin requesting motor vehicle odometer mileage upon vehicle registration beginning March 1, 2024.

**Sec.**  RCW 46.16A.040 and 2017 c 147 s 4 are each amended to read as follows:

(1) An owner or the owner's authorized representative must apply for an original vehicle registration to the department, county auditor or other agent, or subagent appointed by the director on a form furnished by the department. The application must contain:

(a) A description of the vehicle, including its make, model, vehicle identification number, type of body, and power to be used;

(b) The name and address of the person who is the registered owner of the vehicle and, if the vehicle is subject to a security interest, the name and address of the secured party;

(c) The purpose for which the vehicle is to be used;

(d) The licensed gross weight for the vehicle, which is:

(i) The adult seating capacity, including the operator, as provided for in RCW 46.16A.455(1) if the vehicle will be operated as a for hire vehicle or auto stage and has a seating capacity of more than six; or

(ii) The gross weight declared by the applicant as required in RCW 46.16A.455(2) if the vehicle will be operated as a motor truck, tractor, or truck tractor;

(e) The empty scale weight of the vehicle; and

(f) Other information that the department may require.

(2) In the application for an original vehicle registration of a motor vehicle for on-road use, the department shall request the mileage shown on the odometer of the motor vehicle being registered at the time of application. The vehicle owner is not required to provide the mileage shown on the odometer. Failure to provide the mileage shown on the odometer is not grounds to deny vehicle registration or issue any monetary or civil penalty or infraction. The application for an original vehicle registration must state that the vehicle owner is not required to provide the mileage shown on the odometer and that failure to provide the mileage shown on the odometer is not grounds to deny vehicle registration or issue any monetary or civil penalty or infraction.

(3) The registered owner or the registered owner's authorized representative shall sign the application for an original vehicle registration and certify that the statements on the application are true to the best of the applicant's knowledge.

((~~(3)~~)) (4) The application for an original vehicle registration must be accompanied by a draft, money order, certified bank check, or cash for all fees and taxes due for the application for an original vehicle registration.

((~~(4)~~)) (5) Whenever any person, after applying for or receiving a vehicle registration, moves from the address named in the application or in the registration issued to him or her, or changes his or her name of record, the person shall, within ((~~ten~~)) 10 days thereafter, notify the department of the name or address change as provided in RCW 46.08.195.

**Sec.**  RCW 46.16A.110 and 2014 c 80 s 3 are each amended to read as follows:

(1) A registered owner or the registered owner's authorized representative must apply for a renewal vehicle registration to the department, county auditor or other agent, or subagent appointed by the director on a form approved by the director. The application for a renewal vehicle registration must be accompanied by a draft, money order, certified bank check, or cash for all fees and taxes required by law for the application for a renewal vehicle registration. In the application for a renewal vehicle registration of a motor vehicle for on-road use, the department shall request the mileage shown on the odometer of the motor vehicle being registered at the time of application. The vehicle owner is not required to provide the mileage shown on the odometer. Failure to provide the mileage shown on the odometer is not grounds to deny vehicle registration or issue any monetary or civil penalty or infraction. The application for a renewal vehicle registration must state that the vehicle owner is not required to provide the mileage shown on the odometer and that failure to provide the mileage shown on the odometer is not grounds to deny vehicle registration or issue any monetary or civil penalty or infraction.

(2)(a) When a vehicle changes ownership, the person taking ownership or his or her authorized representative must apply for a renewal vehicle registration as provided in subsection (1) of this section and, except as provided in (b) of this subsection, pay all the taxes and fees that are due at the time of registration renewal. For the purposes of this section, when a vehicle is sold to a vehicle dealer for resale, the application for a renewal registration need not be made until the vehicle is sold by the vehicle dealer.

(b) The person taking ownership or his or her authorized representative must be given credit for the portion of a motor vehicle excise tax, including the motor vehicle excise tax collected under RCW 81.104.160, that reflects the remaining period for which the tax was initially paid by the previous owner.

(3) An application and the fees and taxes for a renewal vehicle registration must be handled in the same manner as an original vehicle registration application. The registration does not need to show the name of the lienholder when the application for renewal vehicle registration becomes the renewal registration upon validation.

(4) A person expecting to be out of state during the normal renewal period of a vehicle registration may renew a vehicle registration and have license plates or tabs preissued by applying for a renewal as described in subsection (1) of this section. A vehicle registration may be renewed for the subsequent registration year up to ((~~eighteen~~)) 18 months before the current expiration date and must be displayed from the date of issue or from the day of the expiration of the current registration year, whichever date is later.

(5) An application for a renewal vehicle registration is not required for those vehicles owned, rented, or leased by:

(a) The state of Washington, or by any county, city, town, school district, or other political subdivision of the state of Washington; or

(b) A governing body of an Indian tribe located within this state and recognized as a governmental entity by the United States department of the interior.

**Sec.**  RCW 42.56.330 and 2017 c 333 s 6 are each amended to read as follows:

The following information relating to public utilities and transportation is exempt from disclosure under this chapter:

(1) Records filed with the utilities and transportation commission or attorney general under RCW 80.04.095 or 81.77.210 that a court has determined are confidential under RCW 80.04.095 or 81.77.210;

(2) The addresses, telephone numbers, electronic contact information, and customer-specific utility usage and billing information in increments less than a billing cycle of the customers of a public utility contained in the records or lists held by the public utility of which they are customers, except that this information may be released to the division of child support or the agency or firm providing child support enforcement for another state under Title IV-D of the federal social security act, for the establishment, enforcement, or modification of a support order;

(3) The names, residential addresses, residential telephone numbers, and other individually identifiable records held by an agency in relation to a vanpool, carpool, or other ride-sharing program or service. Participants' names, general locations, and point of contact may be disclosed to other persons who apply for ride-matching services and who need that information in order to identify potential riders or drivers with whom to share rides;

(4) The personally identifying information of current or former participants or applicants in a paratransit or other transit service operated for the benefit of persons with disabilities or elderly persons;

(5) The personally identifying information of persons who acquire and use transit passes or other fare payment media including, but not limited to, stored value smart cards and magnetic strip cards, except that an agency may disclose personally identifying information to a person, employer, educational institution, or other entity that is responsible, in whole or in part, for payment of the cost of acquiring or using a transit pass or other fare payment media for the purpose of preventing fraud. As used in this subsection, "personally identifying information" includes acquisition or use information pertaining to a specific, individual transit pass or fare payment media.

(a) Information regarding the acquisition or use of transit passes or fare payment media may be disclosed in aggregate form if the data does not contain any personally identifying information.

(b) Personally identifying information may be released to law enforcement agencies if the request is accompanied by a court order;

(6) Any information obtained by governmental agencies that is collected by the use of a motor carrier intelligent transportation system or any comparable information equipment attached to a truck, tractor, or trailer; however, the information may be given to other governmental agencies or the owners of the truck, tractor, or trailer from which the information is obtained. As used in this subsection, "motor carrier" has the same definition as provided in RCW 81.80.010;

(7) The personally identifying information of persons who acquire and use transponders or other technology to facilitate payment of tolls. This information may be disclosed in aggregate form as long as the data does not contain any personally identifying information. For these purposes aggregate data may include the census tract of the account holder as long as any individual personally identifying information is not released. Personally identifying information may be released to law enforcement agencies only for toll enforcement purposes. Personally identifying information may be released to law enforcement agencies for other purposes only if the request is accompanied by a court order;

(8) The personally identifying information of persons who acquire and use a driver's license or identicard that includes a radio frequency identification chip or similar technology to facilitate border crossing. This information may be disclosed in aggregate form as long as the data does not contain any personally identifying information. Personally identifying information may be released to law enforcement agencies only for United States customs and border protection enforcement purposes. Personally identifying information may be released to law enforcement agencies for other purposes only if the request is accompanied by a court order; ((~~and~~))

(9) Personally identifying information included in safety complaints submitted under chapter 81.61 RCW; and

(10) The personally identifying information of persons who voluntarily report their vehicle odometer mileage as part of a vehicle registration or vehicle registration renewal application required under chapter 46.16A RCW. This 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.

NEW SECTION. **Sec.**  After one year of collecting vehicle odometer information, the department must provide a report with the number of people who provided their vehicle odometer mileage, the number of people who were asked to provide their vehicle odometer mileage, and the problems encountered in implementing the collection of vehicle odometer mileage. The report is due to the transportation committees of the legislature by May 1, 2025.

NEW SECTION. **Sec.**  This act takes effect March 1, 2024.

**--- END ---**