

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1736

68th Legislature
2023 Regular Session

Passed by the House April 14, 2023
Yeas 52 Nays 44

**Speaker of the House of
Representatives**

Passed by the Senate April 10, 2023
Yeas 28 Nays 20

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, 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

FILED

**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)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to requiring the department of licensing to
2 collect vehicle odometer readings at the time of original vehicle
3 registration and registration renewal; amending RCW 46.16A.040,
4 46.16A.110, and 42.56.330; creating new sections; and providing an
5 effective date.

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

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

1 **Sec. 2.** RCW 46.16A.040 and 2017 c 147 s 4 are each amended to
2 read as follows:

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

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

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

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

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

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

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

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

22 (f) Other information that the department may require.

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

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

39 ~~((3))~~ (4) The application for an original vehicle registration
40 must be accompanied by a draft, money order, certified bank check, or

1 cash for all fees and taxes due for the application for an original
2 vehicle registration.

3 ~~((4))~~ (5) Whenever any person, after applying for or receiving
4 a vehicle registration, moves from the address named in the
5 application or in the registration issued to him or her, or changes
6 his or her name of record, the person shall, within ~~((ten))~~ 10 days
7 thereafter, notify the department of the name or address change as
8 provided in RCW 46.08.195.

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

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

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

38 (b) The person taking ownership or his or her authorized
39 representative must be given credit for the portion of a motor

1 vehicle excise tax, including the motor vehicle excise tax collected
2 under RCW 81.104.160, that reflects the remaining period for which
3 the tax was initially paid by the previous owner.

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

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

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

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

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

26 **Sec. 4.** RCW 42.56.330 and 2017 c 333 s 6 are each amended to
27 read as follows:

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

30 (1) Records filed with the utilities and transportation
31 commission or attorney general under RCW 80.04.095 or 81.77.210 that
32 a court has determined are confidential under RCW 80.04.095 or
33 81.77.210;

34 (2) The addresses, telephone numbers, electronic contact
35 information, and customer-specific utility usage and billing
36 information in increments less than a billing cycle of the customers
37 of a public utility contained in the records or lists held by the
38 public utility of which they are customers, except that this
39 information may be released to the division of child support or the

1 agency or firm providing child support enforcement for another state
2 under Title IV-D of the federal social security act, for the
3 establishment, enforcement, or modification of a support order;

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

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

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

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

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

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

38 (7) The personally identifying information of persons who acquire
39 and use transponders or other technology to facilitate payment of
40 tolls. This information may be disclosed in aggregate form as long as

1 the data does not contain any personally identifying information. For
2 these purposes aggregate data may include the census tract of the
3 account holder as long as any individual personally identifying
4 information is not released. Personally identifying information may
5 be released to law enforcement agencies only for toll enforcement
6 purposes. Personally identifying information may be released to law
7 enforcement agencies for other purposes only if the request is
8 accompanied by a court order;

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

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

21 (10) The personally identifying information of persons who
22 voluntarily report their vehicle odometer mileage as part of a
23 vehicle registration or vehicle registration renewal application
24 required under chapter 46.16A RCW. This information may be disclosed
25 in aggregate form only if the data does not contain any personally
26 identifying information. Personally identifying information may be
27 released to law enforcement agencies only if the request is
28 accompanied by a court order.

29 NEW SECTION. **Sec. 5.** After one year of collecting vehicle
30 odometer information, the department must provide a report with the
31 number of people who provided their vehicle odometer mileage, the
32 number of people who were asked to provide their vehicle odometer
33 mileage, and the problems encountered in implementing the collection
34 of vehicle odometer mileage. The report is due to the transportation
35 committees of the legislature by May 1, 2025.

36 NEW SECTION. **Sec. 6.** This act takes effect March 1, 2024.

--- END ---