
HOUSE BILL 2153

State of Washington

68th Legislature

2024 Regular Session

By Representatives Ryu, Ormsby, Cheney, Reeves, Pollet, and Davis

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1 AN ACT Relating to deterring the theft of catalytic converters;
2 amending RCW 19.290.010, 19.290.020, 19.290.030, 19.290.040,
3 19.290.050, 19.290.060, 19.290.080, 19.290.220, 19.290.240,
4 46.79.010, 46.80.080, 46.80.210, and 9A.82.010; reenacting and
5 amending RCW 46.80.010 and 9.94A.515; adding a new section to chapter
6 19.290 RCW; adding a new section to chapter 46.70 RCW; adding new
7 sections to chapter 46.79 RCW; adding a new section to chapter 46.80
8 RCW; adding new sections to chapter 43.43 RCW; adding new sections to
9 chapter 9A.82 RCW; creating a new section; prescribing penalties;
10 providing effective dates; and declaring an emergency.

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

12 NEW SECTION. **Sec. 1.** The legislature finds that rates of
13 catalytic converter theft have rapidly increased statewide and
14 nationwide, due in part to existing challenges with accurately
15 identifying stolen catalytic converters and tracking them through the
16 stream of commerce after they have been removed from their
17 originating vehicles. The legislature also finds that recent evidence
18 suggests most purchases of stolen catalytic converters are conducted
19 by unlicensed, unregulated purchasers.

20 Therefore, the legislature intends to require all purchasers to
21 be licensed and subject to regulation and inspection. To facilitate

1 the ability to track catalytic converters, the legislature further
2 intends to require permanent marking of catalytic converters for the
3 purpose of identifying the originating vehicle. The legislature also
4 intends to create a related structure for enforcing these provisions
5 and imposing penalties commensurate with the enforcement and penalty
6 structures found in comparable areas of law.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.290
8 RCW to read as follows:

9 Nothing in this chapter shall be construed to authorize licensed
10 scrap metal businesses to purchase or sell junk vehicles or major
11 component parts as defined in RCW 46.79.010.

12 **Sec. 3.** RCW 19.290.010 and 2023 c 125 s 2 are each amended to
13 read as follows:

14 The definitions in this section apply throughout this chapter
15 unless the context clearly requires otherwise.

16 (1) "Commercial account" means a relationship between a scrap
17 metal business and a commercial enterprise that is ongoing and
18 properly documented under RCW 19.290.030.

19 (2) "Commercial enterprise" means a corporation, partnership,
20 limited liability company, association, state agency, political
21 subdivision of the state, public corporation, or any other legal or
22 commercial entity.

23 (3) "Commercial metal property" means: Utility access covers;
24 street light poles and fixtures; road and bridge guardrails; highway
25 or street signs; water meter covers; traffic directional and control
26 signs; traffic light signals; any metal property marked with the name
27 of a commercial enterprise, including but not limited to a telephone,
28 commercial mobile radio services, cable, electric, water, natural
29 gas, or other utility, or railroad; unused or undamaged building
30 construction materials consisting of copper pipe, tubing, or wiring,
31 or aluminum wire, siding, downspouts, or gutters; aluminum or
32 stainless steel fence panels made from one inch tubing, 42 inches
33 high with four-inch gaps; aluminum decking, bleachers, or risers;
34 historical markers; statue plaques; grave markers and funeral vases;
35 components of electric vehicle supply equipment made available for
36 commercial or public use; or agricultural irrigation wheels,
37 sprinkler heads, and pipes.

1 (4) "Engage in business" means conducting more than 12
2 transactions in a 12-month period.

3 (5) "Nonferrous metal property" means metal property for which
4 the value of the metal property is derived from the property's
5 content of copper, brass, aluminum, bronze, lead, zinc, nickel, and
6 their alloys. "Nonferrous metal property" does not include precious
7 metals.

8 (6) "Person" means an individual, domestic or foreign
9 corporation, limited liability corporation, partnership, trust,
10 unincorporated association, or other entity; an affiliate or
11 associate of any such person; or any two or more persons acting as a
12 partnership, syndicate, or other group for the purpose of acquiring,
13 holding, or dispersing of securities of a domestic or foreign
14 corporation.

15 (7) "Precious metals" means gold, silver, and platinum.

16 (8) (~~("Private metal property" means catalytic converters, either~~
17 ~~singly or in bundles, bales, or bulk, that have been removed from~~
18 ~~vehicles for sale as a specific commodity.~~

19 ~~(9))~~ "Record" means a paper, electronic, or other method of
20 storing information.

21 ~~((10))~~ (9) "Scrap metal business" means a scrap metal supplier,
22 scrap metal recycler, and scrap metal processor.

23 ~~((11))~~ (10) "Scrap metal processor" means a person with a
24 current business license that conducts business from a permanent
25 location, that is engaged in the business of purchasing or receiving
26 (~~(private metal property,~~) nonferrous metal property~~(,~~) and
27 commercial metal property for the purpose of altering the metal in
28 preparation for its use as feedstock in the manufacture of new
29 products, and that maintains a hydraulic bailer, shearing device, or
30 shredding device for recycling.

31 ~~((12))~~ (11) "Scrap metal recycler" means a person with a
32 current business license that is engaged in the business of
33 purchasing or receiving (~~(private metal property,~~) nonferrous metal
34 property~~(,~~) and commercial metal property for the purpose of
35 aggregation and sale to another scrap metal business and that
36 maintains a fixed place of business within the state.

37 ~~((13))~~ (12) "Scrap metal supplier" means a person with a
38 current business license that is engaged in the business of
39 purchasing or receiving (~~(private metal property or)~~) nonferrous
40 metal property for the purpose of aggregation and sale to a scrap

1 metal recycler or scrap metal processor and that does not maintain a
2 fixed business location in the state.

3 ~~((14))~~ (13) "Transaction" means a pledge, or the purchase of,
4 or the trade of any item of ~~((private metal property or))~~ nonferrous
5 metal property by a scrap metal business from a member of the general
6 public. "Transaction" does not include donations or the purchase or
7 receipt of ~~((private metal property or))~~ nonferrous metal property by
8 a scrap metal business from a commercial enterprise, from another
9 scrap metal business, or from a duly authorized employee or agent of
10 the commercial enterprise or scrap metal business.

11 **Sec. 4.** RCW 19.290.020 and 2022 c 221 s 3 are each amended to
12 read as follows:

13 (1) At the time of a transaction, every scrap metal business
14 doing business in this state shall produce wherever that business is
15 conducted an accurate and legible record of each transaction
16 involving ~~((private metal property or))~~ nonferrous metal property.
17 This record must be written in the English language, documented on a
18 standardized form or in electronic form, and contain the following
19 information:

20 (a) The signature of the person with whom the transaction is
21 made;

22 (b) The time, date, location, and value of the transaction;

23 (c) The name of the employee representing the scrap metal
24 business in the transaction;

25 (d) The name, street address, and telephone number of the person
26 with whom the transaction is made;

27 (e) The license plate number and state of issuance of the license
28 plate on the motor vehicle used to deliver the ~~((private metal
29 property or))~~ nonferrous metal property subject to the transaction;

30 (f) A description of the motor vehicle used to deliver the
31 ~~((private metal property or))~~ nonferrous metal property subject to
32 the transaction;

33 (g) The current driver's license number or other government-
34 issued picture identification card number of the seller or a copy of
35 the seller's government-issued picture identification card; and

36 (h) A description of the predominant types of ~~((private metal
37 property or))~~ nonferrous metal property subject to the transaction,
38 utilizing the institute of scrap recycling industries' generally

1 accepted terminology, and including weight, quantity, or volume(~~+~~
2 and

3 ~~(i) For every transaction specifically involving a catalytic~~
4 ~~converter that has been removed from a vehicle, documentation~~
5 ~~indicating that the private metal property in the seller's possession~~
6 ~~is the result of the seller replacing private metal property from a~~
7 ~~vehicle registered in the seller's name)).~~

8 (2) For every transaction that involves (~~private metal property~~
9 ~~or~~) nonferrous metal property, every scrap metal business doing
10 business in the state shall require the person with whom a
11 transaction is being made to sign a declaration. The declaration may
12 be included as part of the transactional record required under
13 subsection (1) of this section, or on a receipt for the transaction.
14 The declaration must state substantially the following:

15 "I, the undersigned, affirm under penalty of law that the
16 property that is subject to this transaction is not to the best of my
17 knowledge stolen property."

18 The declaration must be signed and dated by the person with whom
19 the transaction is being made. An employee of the scrap metal
20 business must witness the signing and dating of the declaration and
21 sign the declaration accordingly before any transaction may be
22 consummated.

23 (3) The record and declaration required under this section must
24 be open to the inspection of any commissioned law enforcement officer
25 of the state or any of its political subdivisions at all times during
26 the ordinary hours of business, or at reasonable times if ordinary
27 hours of business are not kept, and must be maintained wherever that
28 business is conducted for five years following the date of the
29 transaction.

30 **Sec. 5.** RCW 19.290.030 and 2022 c 221 s 4 are each amended to
31 read as follows:

32 (1) No scrap metal business may enter into a transaction to
33 purchase or receive (~~private metal property or~~) nonferrous metal
34 property from any person who cannot produce at least one piece of
35 current government-issued picture identification, including a valid
36 driver's license or identification card issued by any state.

37 (2) No scrap metal business may purchase or receive (~~private~~
38 ~~metal property or~~) commercial metal property unless the seller: (a)
39 Has a commercial account with the scrap metal business; (b) can prove

1 ownership of the property by producing written documentation that the
2 seller is the owner of the property; or (c) can produce written
3 documentation that the seller is an employee or agent authorized to
4 sell the property on behalf of a commercial enterprise.

5 (3) No scrap metal business may enter into a transaction to
6 purchase or receive metallic wire that was burned in whole or in part
7 to remove insulation unless the seller can produce written proof to
8 the scrap metal business that the wire was lawfully burned.

9 (4) (a) No transaction involving (~~(private metal property or)~~)
10 nonferrous metal property may be made in cash or with any person who
11 does not provide a street address and photographic identification and
12 sign a declaration under the requirements of RCW 19.290.020 (~~((1) (d)~~
13 ~~and (g))~~) except as described in (b) (~~(and (e))~~) of this subsection.
14 The person with whom the transaction is being made may only be paid
15 by a nontransferable check, mailed by the scrap metal business to a
16 street address provided under RCW 19.290.020, no earlier than three
17 days after the transaction was made. A transaction occurs on the date
18 provided in the record required under RCW 19.290.020.

19 (b) A scrap metal business that is in compliance with this
20 chapter may pay up to a maximum of \$30 in cash, stored value device,
21 or electronic funds transfer for nonferrous metal property. The
22 balance of the value of the transaction may be made by
23 nontransferable check, stored value device, or electronic funds
24 transfer at the time the transaction is made if the scrap metal
25 business digitally captures:

26 (i) A copy of one piece of current government-issued picture
27 identification, including a current driver's license or
28 identification card issued by any state; and

29 (ii) Either a picture or video of either the material subject to
30 the transaction in the form received or the material subject to the
31 transaction within the vehicle which the material was transported to
32 the scrap metal business.

33 (~~((c) Payment to individual sellers of private metal property as~~
34 ~~defined in this chapter may not be made at the time of the~~
35 ~~transaction and shall not be paid earlier than three business days~~
36 ~~after the transaction was made. Records of payment for private metal~~
37 ~~property as defined in this chapter must be kept in the same file or~~
38 ~~record as all records collected under this subsection and retained~~
39 ~~and be available for review for two years from the date of the~~
40 ~~transaction.))~~)

1 (5) (a) A scrap metal business's usage of video surveillance shall
2 be sufficient to comply with subsection (4) (b) (ii) of this section so
3 long as the video captures the material subject to the transaction.

4 (b) A digital image or picture taken under this section must be
5 available for two years from the date of transaction, while a video
6 recording must be available for 30 days.

7 (6) No scrap metal business may purchase or receive beer kegs
8 from anyone except a manufacturer of beer kegs or licensed brewery.

9 **Sec. 6.** RCW 19.290.040 and 2013 c 322 s 7 are each amended to
10 read as follows:

11 (1) Every scrap metal business must create and maintain a
12 permanent record with a commercial enterprise, including another
13 scrap metal business, in order to establish a commercial account.
14 That record, at a minimum, must include the following information:

15 (a) The full name of the commercial enterprise or commercial
16 account;

17 (b) The business address and telephone number of the commercial
18 enterprise or commercial account; and

19 (c) The full name of the person employed by the commercial
20 enterprise who is authorized to deliver (~~(private metal property)~~)
21 nonferrous metal property(~~(r)~~) and commercial metal property to the
22 scrap metal business.

23 (2) The record maintained by a scrap metal business for a
24 commercial account must document every purchase or receipt of
25 (~~(private metal property)~~) nonferrous metal property(~~(r)~~) and
26 commercial metal property from the commercial enterprise. The record
27 must be maintained for three years following the date of the transfer
28 or receipt. The documentation must include, at a minimum, the
29 following information:

30 (a) The time, date, and value of the property being purchased or
31 received;

32 (b) A description of the predominant types of property being
33 purchased or received; and

34 (c) The signature of the person delivering the property to the
35 scrap metal business.

36 **Sec. 7.** RCW 19.290.050 and 2013 c 322 s 8 are each amended to
37 read as follows:

1 (1) (~~Upon~~) In addition to all other requirements of this
2 chapter, upon request by any commissioned law enforcement officer of
3 the state or any of its political subdivisions, every scrap metal
4 business shall furnish a full, true, and correct transcript of the
5 records from the purchase or receipt of (~~private metal property,~~)
6 nonferrous metal property((~~r~~)) and commercial metal property
7 involving only a specified individual, vehicle, or item of (~~private~~
8 ~~metal property,~~) nonferrous metal property((~~r~~)) or commercial metal
9 property. This information may be transmitted within a specified time
10 of not less than two business days to the applicable law enforcement
11 agency electronically, by facsimile transmission, or by modem or
12 similar device, or by delivery of computer disk subject to the
13 requirements of, and approval by, the chief of police or the county's
14 chief law enforcement officer.

15 (2) Any records created or produced under this section are exempt
16 from disclosure under chapter 42.56 RCW.

17 (3) If the scrap metal business has good cause to believe that
18 any (~~private metal property,~~) nonferrous metal property((~~r~~)) or
19 commercial metal property in (~~his or her~~) their possession has been
20 previously lost or stolen, the scrap metal business shall promptly
21 report that fact to the applicable commissioned law enforcement
22 officer of the state, the chief of police, or the county's chief law
23 enforcement officer, together with the name of the owner, if known,
24 and the date when and the name of the person from whom it was
25 received.

26 (4) Compliance with this section shall not give rise to or form
27 the basis of private civil liability on the part of a scrap metal
28 business or scrap metal recycler.

29 **Sec. 8.** RCW 19.290.060 and 2013 c 322 s 9 are each amended to
30 read as follows:

31 (1) Following notification in writing from a commissioned law
32 enforcement officer of the state or any of its political subdivisions
33 that an item of (~~private metal property,~~) nonferrous metal
34 property((~~r~~)) or commercial metal property has been reported as
35 stolen, a scrap metal business shall hold that property intact and
36 safe from alteration, damage, or commingling, and shall place an
37 identifying tag or other suitable identification upon the property.
38 The scrap metal business shall hold the property for a period of time

1 as directed by the applicable law enforcement agency up to a maximum
2 of ten business days.

3 (2) A commissioned law enforcement officer of the state or any of
4 its political subdivisions shall not place on hold any item of
5 (~~(private metal property)~~) nonferrous metal property(~~(r)~~) or
6 commercial metal property unless that law enforcement agency
7 reasonably suspects that the property is a lost or stolen item. Any
8 hold that is placed on the property must be removed within ten
9 business days after the property on hold is determined not to be
10 stolen or lost and the property must be returned to the owner or
11 released.

12 **Sec. 9.** RCW 19.290.080 and 2007 c 377 s 8 are each amended to
13 read as follows:

14 (1) Each violation of the requirements of this chapter that are
15 not subject to the criminal penalties under RCW (~~(19.290.070)~~)
16 9A.56.410 shall be punishable(~~(r upon conviction)~~) by a fine of not
17 more than one thousand dollars.

18 (2) Within two years (~~(of being convicted)~~) of a violation of any
19 of the requirements of this chapter that (~~(are not subject to the~~
20 ~~criminal penalties under RCW 19.290.070)~~) results in a civil penalty
21 under this section, each subsequent violation shall be punishable(~~(r~~
22 ~~upon conviction)~~) by a fine of not more than two thousand dollars.

23 **Sec. 10.** RCW 19.290.220 and 2013 c 322 s 25 are each amended to
24 read as follows:

25 (1) Law enforcement agencies may register with the scrap theft
26 alert system that is maintained and provided at no charge to users by
27 the institute of scrap recycling industries, incorporated, or its
28 successor organization, to receive alerts regarding thefts of
29 (~~(private)~~) nonferrous(~~(r)~~) or commercial metal property in the
30 relevant geographic area.

31 (2) Any business licensed under this chapter shall:

32 (a) Sign up with the scrap theft alert system that is maintained
33 and provided at no charge to users by the institute of scrap
34 recycling industries, incorporated, or its successor organization, to
35 receive alerts regarding thefts of (~~(private)~~) nonferrous(~~(r)~~) or
36 commercial metal property in the relevant geographic area;

37 (b) Download the scrap metal theft alerts generated by the scrap
38 theft alert system on a daily basis;

1 (c) Use the alerts to identify potentially stolen commercial
2 metal property(~~(r)~~) and nonferrous metal property(~~(r—and private~~
3 ~~metal property)~~); and

4 (d) Maintain for (~~(ninety)~~) 90 days copies of any theft alerts
5 received and downloaded pursuant to this section.

6 **Sec. 11.** RCW 19.290.240 and 2013 c 322 s 28 are each amended to
7 read as follows:

8 The provisions of this chapter shall be liberally construed to
9 the end that traffic in stolen (~~(private)~~) commercial metal property
10 (~~(or)~~) and nonferrous metal property may be prevented, and
11 irresponsible, unreliable, or dishonest persons may be prevented from
12 engaging in the business of processing, recycling, or supplying scrap
13 metal in this state and reliable persons may be encouraged to engage
14 in businesses of processing, recycling, or supplying scrap metal in
15 this state.

16 NEW SECTION. **Sec. 12.** A new section is added to chapter 46.70
17 RCW to read as follows:

18 (1) A vehicle dealer shall, prior to the sale and transfer of a
19 vehicle, clearly and permanently mark the last eight digits of the
20 originating vehicle's vehicle identification number on the vehicle's
21 catalytic converter unless such marking already exists on the
22 catalytic converter, the catalytic converter is not in a location
23 where it is clearly visible from the underside of the vehicle, or the
24 vehicle is sold at wholesale. Reasonable costs for the marking may be
25 included in the sale price of the vehicle if separately delineated
26 and clearly marked.

27 (2) Catalytic converters that are not marked as required by this
28 section are subject to immediate seizure and forfeiture by law
29 enforcement.

30 (3) Beginning November 1, 2024, the Washington state patrol may
31 grant a vehicle dealer an exception to the requirements of this
32 section if it determines that meeting the requirements would impose
33 an unreasonable financial hardship on the vehicle dealer in
34 accordance with the policies established pursuant to section 22 of
35 this act.

36 **Sec. 13.** RCW 46.79.010 and 2001 c 64 s 10 are each amended to
37 read as follows:

1 The definitions set forth in this section apply throughout this
2 chapter unless the context indicates otherwise.

3 (1) "Junk vehicle" means a motor vehicle certified under RCW
4 46.55.230 as meeting all the following requirements:

5 (a) Is three years old or older;

6 (b) Is extensively damaged, such damage including but not limited
7 to any of the following: A broken window or windshield or missing
8 wheels, tires, motor, or transmission;

9 (c) Is apparently inoperable;

10 (d) Is without a valid, current registration plate;

11 (e) Has a fair market value equal only to the value of the scrap
12 in it.

13 (2) "Scrap processor" means a licensed establishment that
14 maintains a hydraulic baler and shears, or a shredder for recycling
15 salvage.

16 (3) "Demolish" means to destroy completely by use of a hydraulic
17 baler and shears, or a shredder.

18 (4) "Hulk hauler" means any person who deals in vehicles for the
19 sole purpose of transporting and/or selling them to a licensed
20 vehicle wrecker or scrap processor in substantially the same form in
21 which they are obtained. A hulk hauler may not sell secondhand motor
22 vehicle parts to anyone other than a licensed vehicle wrecker or
23 scrap processor, except for those parts specifically enumerated in
24 RCW 46.79.020(2), as now or hereafter amended, which may be sold to a
25 licensed vehicle wrecker or disposed of at a public facility for
26 waste disposal.

27 (5) "Director" means the director of licensing.

28 (6) "Major component parts" include engines and short blocks,
29 frames, transmissions or transfer cases, cabs, doors, front or rear
30 differentials, front or rear clips, quarter panels or fenders,
31 bumpers, truck beds or boxes, seats, ~~((and))~~ hoods, and catalytic
32 converters.

33 NEW SECTION. **Sec. 14.** A new section is added to chapter 46.79
34 RCW to read as follows:

35 (1) No person may engage in the business of disassembling or de-
36 canning a catalytic converter for removal or processing of the
37 internal core to extract platinum, palladium, rhodium, or other
38 metals, unless the person is a licensed scrap processor under this
39 chapter.

1 (2) Any licensed scrap processor engaged in disassembling or de-
2 canning catalytic converters as described in this section shall
3 maintain the records of every catalytic converter the scrap processor
4 disassembles or de-cans in accordance with the recordkeeping
5 requirements of this chapter and other provisions of the law.

6 (3) Any licensed scrap processor engaged in disassembling or de-
7 canning catalytic converters as described in this section shall
8 implement a 30-day waiting period between the purchase and
9 disassembly or de-canning of a catalytic converter, unless the scrap
10 processor is also the registered owner of the originating vehicle.

11 NEW SECTION. **Sec. 15.** A new section is added to chapter 46.79
12 RCW to read as follows:

13 (1) Payment to individual sellers of catalytic converters that
14 have been removed from a vehicle may not be made at the time of the
15 transaction and shall not be paid earlier than three business days
16 after the transaction was made.

17 (2) No transaction involving catalytic converters that have been
18 removed from a vehicle may be made in cash or with any person who
19 does not provide a street address and photographic identification.
20 The person with whom the transaction is being made may only be paid
21 by a nontransferable check, mailed by the licensed scrap processor to
22 the street address recorded according to this section, no earlier
23 than three days after the transaction was made. A transaction occurs
24 on the date provided in the record required under this section.

25 (3) A record of each purchase of catalytic converters that have
26 been removed from a vehicle must be kept for three years following
27 the date of the transaction and be open to inspection by any
28 commissioned law enforcement officer of the state or any of its
29 political subdivisions at all times during the ordinary hours of
30 business, or at reasonable times if ordinary hours of business are
31 not kept. The record shall include, at a minimum, the following
32 elements:

33 (a) The time, date, location, and value of the transaction;

34 (b) The name of the employee representing the scrap processor in
35 the transaction;

36 (c) The name, street address, and telephone number of the person
37 with whom the transaction is made;

1 (d) The license plate number and state of issuance of the license
2 plate on the motor vehicle used to deliver the catalytic converter or
3 converters subject to the transaction;

4 (e) A description of the motor vehicle used to deliver the
5 catalytic converter or converters subject to the transaction;

6 (f) A copy of the seller's current driver's license or other
7 government-issued picture identification card;

8 (g) The vehicle identification number of the vehicle from which
9 the catalytic converter was removed;

10 (h) A declaration signed by the seller that states substantially
11 the following:

12 "I, the undersigned, affirm under penalty of law that the
13 property that is subject to this transaction is not to the best of my
14 knowledge stolen property and the information provided by me is
15 accurate."; and

16 (i) A photo of the catalytic converter that includes the vehicle
17 identification number marking required under section 23 of this act.

18 (4) This section does not apply to the purchase of material from
19 a licensed business that manufactures catalytic converters in the
20 ordinary course of its legal business.

21 NEW SECTION. **Sec. 16.** A new section is added to chapter 46.79
22 RCW to read as follows:

23 The license fees required under RCW 46.79.040 and 46.79.050 for a
24 scrap processor's license must also include a \$500 catalytic
25 converter inspection fee, to be deposited in the state patrol highway
26 account, in order to support the activities of the Washington state
27 patrol under section 21 of this act.

28 **Sec. 17.** RCW 46.80.010 and 2010 c 161 s 1138 and 2010 c 8 s 9097
29 are each reenacted and amended to read as follows:

30 The definitions set forth in this section apply throughout this
31 chapter.

32 (1) "Core" means a major component part received by a vehicle
33 wrecker in exchange for a like part sold by the vehicle wrecker, is
34 not resold as a major component part except for scrap metal value or
35 for remanufacture, and the vehicle wrecker maintains records for
36 three years from the date of acquisition to identify the name of the
37 person from whom the core was received.

1 (2) "Established place of business" means a building or enclosure
2 which the vehicle wrecker occupies either continuously or at regular
3 periods and where his or her books and records are kept and business
4 is transacted and which must conform with zoning regulations.

5 (3) "Interim owner" means the owner of a vehicle who has the
6 original certificate of title for the vehicle, which certificate has
7 been released by the person named on the certificate and assigned to
8 the person offering to sell the vehicle to the wrecker.

9 (4) "Major component part" includes at least each of the
10 following vehicle parts: (a) Engines and short blocks; (b) frame; (c)
11 transmission and/or transfer case; (d) cab; (e) door; (f) front or
12 rear differential; (g) front or rear clip; (h) quarter panel; (i)
13 truck bed or box; (j) seat; (k) hood; (l) bumper; (m) fender; ~~((and))~~
14 (n) airbag; and (o) catalytic converter. The director may supplement
15 this list by rule.

16 (5) "Vehicle wrecker" means every person, firm, partnership,
17 association, or corporation engaged in the business of buying,
18 selling, or dealing in vehicles of a type required to be registered
19 under the laws of this state, for the purpose of wrecking,
20 dismantling, disassembling, or substantially changing the form of a
21 vehicle, or who buys or sells integral secondhand parts of component
22 material thereof, in whole or in part, or who deals in secondhand
23 vehicle parts.

24 (6) "Wrecked vehicle" means a vehicle which is disassembled or
25 dismantled or a vehicle which is acquired with the intent to
26 dismantle or disassemble and never again to operate as a vehicle, or
27 a vehicle which has sustained such damage that its cost to repair
28 exceeds the fair market value of a like vehicle which has not
29 sustained such damage, or a damaged vehicle whose salvage value plus
30 cost to repair equals or exceeds its fair market value, if repaired,
31 or a vehicle which has sustained such damage or deterioration that it
32 may not lawfully operate upon the highways of this state for which
33 the salvage value plus cost to repair exceeds its fair market value,
34 if repaired; further, it is presumed that a vehicle is a wreck if it
35 has sustained such damage or deterioration that it may not lawfully
36 operate upon the highways of this state.

37 **Sec. 18.** RCW 46.80.080 and 2022 c 221 s 7 are each amended to
38 read as follows:

1 (1) Every vehicle wrecker shall maintain books or files in which
2 the wrecker shall keep a record and a description of:

3 (a) Every vehicle wrecked, dismantled, disassembled, or
4 substantially altered by the wrecker; and

5 (b) Every major component part, including catalytic converters,
6 acquired by the wrecker; together with a bill of sale signed by a
7 seller whose identity has been verified and the name and address of
8 the person, firm, or corporation from whom the wrecker purchased the
9 vehicle or part. Major component parts other than cores shall be
10 further identified by the vehicle identification number of the
11 vehicle from which the part came.

12 (2) The record shall also contain the following data regarding
13 the wrecked or acquired vehicle or vehicle that is the source of a
14 major component part, including catalytic converters, other than a
15 core:

16 (a) The certificate of title number (if previously titled in this
17 or any other state);

18 (b) Name of state where last registered;

19 (c) Number of the last license number plate issued;

20 (d) Name of vehicle;

21 (e) Motor or identification number and serial number of the
22 vehicle;

23 (f) Date purchased;

24 (g) Disposition of the motor and chassis;

25 (h) Yard number assigned by the licensee to the vehicle or major
26 component part, which shall also appear on the identified vehicle or
27 part; and

28 (i) Such other information as the department may require.

29 (3) The records shall also contain a bill of sale signed by the
30 seller for other minor component parts, including catalytic
31 converters, acquired by the licensee, identifying the seller by name,
32 address, and date of sale.

33 (4) In addition to all other requirements of this chapter, the
34 records of each transaction involving the purchase of catalytic
35 converters that have been removed from a vehicle shall also include,
36 at a minimum, the following elements:

37 (a) The time, date, location, and value of the transaction;

38 (b) The name of the employee representing the vehicle wrecker in
39 the transaction;

1 (c) The name, street address, and telephone number of the person
2 with whom the transaction is made;

3 (d) The license plate number and state of issuance of the license
4 plate on the motor vehicle used to deliver the catalytic converter or
5 converters subject to the transaction;

6 (e) A description of the motor vehicle used to deliver the
7 catalytic converter or converters subject to the transaction;

8 (f) A copy of the seller's current driver's license or other
9 government-issued picture identification card;

10 (g) The vehicle identification number of the vehicle from which
11 the catalytic converter was removed;

12 (h) A declaration signed by the seller that states substantially
13 the following:

14 "I, the undersigned, affirm under penalty of law that the
15 property that is subject to this transaction is not to the best of my
16 knowledge stolen property and the information provided by me is
17 accurate."; and

18 (i) A photo of the catalytic converter that includes the vehicle
19 identification number marking required under section 23 of this act.

20 (5) The records shall be maintained by the licensee at his or her
21 established place of business for a period of three years from the
22 date of acquisition.

23 ~~((+5))~~ (6) The record is subject to inspection at all times
24 during regular business hours by members of the police department,
25 sheriff's office, members of the Washington state patrol, or officers
26 or employees of the department.

27 ~~((+6))~~ (7) A vehicle wrecker shall also maintain a similar
28 record of all disabled vehicles that have been towed or transported
29 to the vehicle wrecker's place of business or to other places
30 designated by the owner of the vehicle or his or her representative.
31 This record shall specify the name and description of the vehicle,
32 name of owner, number of license plate, condition of the vehicle and
33 place to which it was towed or transported.

34 ~~((+7))~~ (8) Failure to comply with this section is a gross
35 misdemeanor.

36 **Sec. 19.** RCW 46.80.210 and 2022 c 221 s 6 are each amended to
37 read as follows:

38 (1) Payment to individual sellers of ~~((private metal property as~~
39 ~~defined in RCW 19.290.010))~~ catalytic converters that have been

1 removed from a vehicle may not be made at the time of the transaction
2 and shall not be paid earlier than three business days after the
3 transaction was made.

4 (2) No transaction involving catalytic converters that have been
5 removed from a vehicle may be made in cash or with any person who
6 does not provide a street address and photographic identification.
7 The person with whom the transaction is being made may only be paid
8 by a nontransferable check, mailed by the licensed auto wrecker to a
9 street address recorded according to RCW 46.80.080, no earlier than
10 three days after the transaction was made. A transaction occurs on
11 the date provided in the record required under RCW 46.80.080.

12 (3) This section does not apply to the purchase of material from
13 a licensed business that manufactures catalytic converters in the
14 ordinary course of its legal business.

15 NEW SECTION. Sec. 20. A new section is added to chapter 46.80
16 RCW to read as follows:

17 The license fees required under RCW 46.80.040 and 46.80.050 must
18 also include a \$500 catalytic converter inspection fee, to be
19 deposited in the state patrol highway account, in order to support
20 the activities of the Washington state patrol under section 21 of
21 this act.

22 NEW SECTION. Sec. 21. A new section is added to chapter 43.43
23 RCW to read as follows:

24 Subject to the availability of amounts appropriated for this
25 specific purpose, the Washington state patrol shall:

26 (1) Conduct periodic inspections at least once a year of all
27 licensed purchasers of catalytic converters that have been removed
28 from vehicles that are licensed under chapter 46.79 or 46.80 RCW;

29 (2) Develop a standardized inspection form and train local law
30 enforcement agencies, civilian employees, and limited authority law
31 enforcement personnel on inspection procedures of licensed
32 purchasers;

33 (3) Specify which specific law enforcement agencies have a duty
34 to inspect the different business types that are licensed to purchase
35 catalytic converters; and

36 (4) Authorize inspections to be conducted by civilian employees
37 or limited authority law enforcement agencies if necessary to

1 increase the availability of potential inspectors, provided that the
2 Washington state patrol shall retain oversight of such inspections.

3 NEW SECTION. **Sec. 22.** A new section is added to chapter 43.43
4 RCW to read as follows:

5 By November 1, 2024, and subject to the availability of amounts
6 appropriated for this specific purpose, the Washington state patrol
7 shall establish a process for evaluating and granting exemptions to
8 vehicle dealers from the catalytic converter permanent marking
9 requirements under section 12 of this act, including by developing
10 and publishing a list of factors and circumstances that must be
11 considered when determining whether meeting the requirements under
12 section 12 of this act would impose an unreasonable financial
13 hardship on a vehicle dealer.

14 NEW SECTION. **Sec. 23.** A new section is added to chapter 9A.82
15 RCW to read as follows:

16 (1) Any person who removes a catalytic converter from a vehicle
17 for a purpose other than maintenance, repair, or demolition, or who
18 knowingly possesses an unmarked detached catalytic converter, must
19 permanently mark the detached catalytic converter with the last eight
20 digits of the originating vehicle's vehicle identification number
21 such that at least a portion of the marking is visible from any side.
22 The marking must be completed in a reasonable time after removal, but
23 no later than 24 hours after removal, and before off-site transport
24 of the detached catalytic converter.

25 (2) Detached catalytic converters that are not marked as required
26 by this section are subject to immediate seizure and forfeiture by
27 law enforcement.

28 (3) It is a gross misdemeanor for any person who is not a scrap
29 processor licensed under chapter 46.79 RCW or vehicle wrecker
30 licensed under chapter 46.80 RCW to knowingly possess, sell, or offer
31 for sale four or fewer detached catalytic converters that do not
32 comply with the marking requirements under subsection (1) of this
33 section.

34 (4) It is a class C felony for any person who is not a scrap
35 processor licensed under chapter 46.79 RCW or vehicle wrecker
36 licensed under chapter 46.80 RCW to knowingly possess, sell, or offer
37 for sale five or more detached catalytic converters that do not

1 comply with the marking requirements under subsection (1) of this
2 section.

3 (5) Where a case is legally sufficient to charge an alleged
4 juvenile offender with a violation under this section, and that
5 violation would be the alleged offender's first violation involving
6 detached catalytic converters, the prosecutor is encouraged to divert
7 the case pursuant to RCW 13.40.070.

8 (6) It is an affirmative defense to this section that the
9 possessor removed the detached catalytic converter with the
10 permission of the registered owner of the vehicle or vehicles.

11 NEW SECTION. **Sec. 24.** A new section is added to chapter 9A.82
12 RCW to read as follows:

13 (1) A person is guilty of trafficking in catalytic converters in
14 the first degree if the person knowingly:

15 (a) Traffics five or more catalytic converters that have been
16 removed from a motor vehicle, without fulfilling the requirements
17 under chapter 46.79 or 46.80 RCW for lawful transfer; or

18 (b) Purchases a catalytic converter that has been removed from a
19 motor vehicle, without possessing a valid scrap processor license
20 under chapter 46.79 RCW or vehicle wrecker license under chapter
21 46.80 RCW.

22 (2) Trafficking in catalytic converters in the first degree is a
23 class B felony.

24 NEW SECTION. **Sec. 25.** A new section is added to chapter 9A.82
25 RCW to read as follows:

26 (1) A person is guilty of trafficking in catalytic converters in
27 the second degree if the person knowingly traffics four or fewer
28 catalytic converters that have been removed from a motor vehicle,
29 without fulfilling the requirements under chapter 46.79 or 46.80 RCW
30 for lawful transfer.

31 (2) Trafficking in catalytic converters in the second degree is a
32 class C felony.

33 **Sec. 26.** RCW 9A.82.010 and 2013 c 302 s 10 are each amended to
34 read as follows:

35 Unless the context requires the contrary, the definitions in this
36 section apply throughout this chapter.

37 (1)(a) "Beneficial interest" means:

1 (i) The interest of a person as a beneficiary under a trust
2 established under Title 11 RCW in which the trustee for the trust
3 holds legal or record title to real property;

4 (ii) The interest of a person as a beneficiary under any other
5 trust arrangement under which a trustee holds legal or record title
6 to real property for the benefit of the beneficiary; or

7 (iii) The interest of a person under any other form of express
8 fiduciary arrangement under which one person holds legal or record
9 title to real property for the benefit of the other person.

10 (b) "Beneficial interest" does not include the interest of a
11 stockholder in a corporation or the interest of a partner in a
12 general partnership or limited partnership.

13 (c) A beneficial interest is considered to be located where the
14 real property owned by the trustee is located.

15 (2) "Control" means the possession of a sufficient interest to
16 permit substantial direction over the affairs of an enterprise.

17 (3) "Creditor" means a person making an extension of credit or a
18 person claiming by, under, or through a person making an extension of
19 credit.

20 (4) "Criminal profiteering" means any act, including any
21 anticipatory or completed offense, committed for financial gain, that
22 is chargeable or indictable under the laws of the state in which the
23 act occurred and, if the act occurred in a state other than this
24 state, would be chargeable or indictable under the laws of this state
25 had the act occurred in this state and punishable as a felony and by
26 imprisonment for more than one year, regardless of whether the act is
27 charged or indicted, as any of the following:

28 (a) Murder, as defined in RCW 9A.32.030 and 9A.32.050;

29 (b) Robbery, as defined in RCW 9A.56.200 and 9A.56.210;

30 (c) Kidnapping, as defined in RCW 9A.40.020 and 9A.40.030;

31 (d) Forgery, as defined in RCW 9A.60.020 and 9A.60.030;

32 (e) Theft, as defined in RCW 9A.56.030, 9A.56.040, 9A.56.060,
33 9A.56.080, and 9A.56.083;

34 (f) Unlawful sale of subscription television services, as defined
35 in RCW 9A.56.230;

36 (g) Theft of telecommunication services or unlawful manufacture
37 of a telecommunication device, as defined in RCW 9A.56.262 and
38 9A.56.264;

39 (h) Child selling or child buying, as defined in RCW 9A.64.030;

1 (i) Bribery, as defined in RCW 9A.68.010, 9A.68.020, 9A.68.040,
2 and 9A.68.050;

3 (j) Gambling, as defined in RCW 9.46.220 and 9.46.215 and
4 9.46.217;

5 (k) Extortion, as defined in RCW 9A.56.120 and 9A.56.130;

6 (l) Unlawful production of payment instruments, unlawful
7 possession of payment instruments, unlawful possession of a personal
8 identification device, unlawful possession of fictitious
9 identification, or unlawful possession of instruments of financial
10 fraud, as defined in RCW 9A.56.320;

11 (m) Extortionate extension of credit, as defined in RCW
12 9A.82.020;

13 (n) Advancing money for use in an extortionate extension of
14 credit, as defined in RCW 9A.82.030;

15 (o) Collection of an extortionate extension of credit, as defined
16 in RCW 9A.82.040;

17 (p) Collection of an unlawful debt, as defined in RCW 9A.82.045;

18 (q) Delivery or manufacture of controlled substances or
19 possession with intent to deliver or manufacture controlled
20 substances under chapter 69.50 RCW;

21 (r) Trafficking in stolen property, as defined in RCW 9A.82.050;

22 (s) Leading organized crime, as defined in RCW 9A.82.060;

23 (t) Money laundering, as defined in RCW 9A.83.020;

24 (u) Obstructing criminal investigations or prosecutions in
25 violation of RCW 9A.72.090, 9A.72.100, 9A.72.110, 9A.72.120,
26 9A.72.130, 9A.76.070, or 9A.76.180;

27 (v) Fraud in the purchase or sale of securities, as defined in
28 RCW 21.20.010;

29 (w) Promoting pornography, as defined in RCW 9.68.140;

30 (x) Sexual exploitation of children, as defined in RCW 9.68A.040,
31 9.68A.050, and 9.68A.060;

32 (y) Promoting prostitution, as defined in RCW 9A.88.070 and
33 9A.88.080;

34 (z) Arson, as defined in RCW 9A.48.020 and 9A.48.030;

35 (aa) Assault, as defined in RCW 9A.36.011 and 9A.36.021;

36 (bb) Assault of a child, as defined in RCW 9A.36.120 and
37 9A.36.130;

38 (cc) A pattern of equity skimming, as defined in RCW 61.34.020;

39 (dd) Commercial telephone solicitation in violation of RCW
40 19.158.040(1);

1 (ee) Trafficking in insurance claims, as defined in RCW
2 48.30A.015;
3 (ff) Unlawful practice of law, as defined in RCW 2.48.180;
4 (gg) Commercial bribery, as defined in RCW 9A.68.060;
5 (hh) Health care false claims, as defined in RCW 48.80.030;
6 (ii) Unlicensed practice of a profession or business, as defined
7 in RCW 18.130.190(7);
8 (jj) Improperly obtaining financial information, as defined in
9 RCW 9.35.010;
10 (kk) Identity theft, as defined in RCW 9.35.020;
11 (ll) Unlawful shipment of cigarettes in violation of RCW
12 70.155.105(6) (a) or (b);
13 (mm) Unlawful shipment of cigarettes in violation of RCW
14 82.24.110(2);
15 (nn) Unauthorized sale or procurement of telephone records in
16 violation of RCW 9.26A.140;
17 (oo) Theft with the intent to resell, as defined in RCW
18 9A.56.340;
19 (pp) Organized retail theft, as defined in RCW 9A.56.350;
20 (qq) Mortgage fraud, as defined in RCW 19.144.080;
21 (rr) Commercial sexual abuse of a minor, as defined in RCW
22 9.68A.100;
23 (ss) Promoting commercial sexual abuse of a minor, as defined in
24 RCW 9.68A.101; ((~~ee~~))
25 (tt) Trafficking, as defined in RCW 9A.40.100, promoting travel
26 for commercial sexual abuse of a minor, as defined in RCW 9.68A.102,
27 and permitting commercial sexual abuse of a minor, as defined in RCW
28 9.68A.103; or
29 (uu) Trafficking in catalytic converters, as defined in sections
30 24 and 25 of this act.

31 (5) "Dealer in property" means a person who buys and sells
32 property as a business.

33 (6) "Debtor" means a person to whom an extension of credit is
34 made or a person who guarantees the repayment of an extension of
35 credit or in any manner undertakes to indemnify the creditor against
36 loss resulting from the failure of a person to whom an extension is
37 made to repay the same.

38 (7) "Documentary material" means any book, paper, document,
39 writing, drawing, graph, chart, photograph, phonograph record,
40 magnetic tape, computer printout, other data compilation from which

1 information can be obtained or from which information can be
2 translated into usable form, or other tangible item.

3 (8) "Enterprise" includes any individual, sole proprietorship,
4 partnership, corporation, business trust, or other profit or
5 nonprofit legal entity, and includes any union, association, or group
6 of individuals associated in fact although not a legal entity, and
7 both illicit and licit enterprises and governmental and
8 nongovernmental entities.

9 (9) "Extortionate extension of credit" means an extension of
10 credit with respect to which it is the understanding of the creditor
11 and the debtor at the time the extension is made that delay in making
12 repayment or failure to make repayment could result in the use of
13 violence or other criminal means to cause harm to the person,
14 reputation, or property of any person.

15 (10) "Extortionate means" means the use, or an express or
16 implicit threat of use, of violence or other criminal means to cause
17 harm to the person, reputation, or property of any person.

18 (11) "Financial institution" means any bank, trust company,
19 savings and loan association, savings bank, mutual savings bank,
20 credit union, or loan company under the jurisdiction of the state or
21 an agency of the United States.

22 (12) "Pattern of criminal profiteering activity" means engaging
23 in at least three acts of criminal profiteering, one of which
24 occurred after July 1, 1985, and the last of which occurred within
25 five years, excluding any period of imprisonment, after the
26 commission of the earliest act of criminal profiteering. In order to
27 constitute a pattern, the three acts must have the same or similar
28 intent, results, accomplices, principals, victims, or methods of
29 commission, or be otherwise interrelated by distinguishing
30 characteristics including a nexus to the same enterprise, and must
31 not be isolated events. However, in any civil proceedings brought
32 pursuant to RCW 9A.82.100 by any person other than the attorney
33 general or county prosecuting attorney in which one or more acts of
34 fraud in the purchase or sale of securities are asserted as acts of
35 criminal profiteering activity, it is a condition to civil liability
36 under RCW 9A.82.100 that the defendant has been convicted in a
37 criminal proceeding of fraud in the purchase or sale of securities
38 under RCW 21.20.400 or under the laws of another state or of the
39 United States requiring the same elements of proof, but such
40 conviction need not relate to any act or acts asserted as acts of

1 criminal profiteering activity in such civil action under RCW
2 9A.82.100.

3 (13) "Real property" means any real property or interest in real
4 property, including but not limited to a land sale contract, lease,
5 or mortgage of real property.

6 (14) "Records" means any book, paper, writing, record, computer
7 program, or other material.

8 (15) "Repayment of an extension of credit" means the repayment,
9 satisfaction, or discharge in whole or in part of a debt or claim,
10 acknowledged or disputed, valid or invalid, resulting from or in
11 connection with that extension of credit.

12 (16) "Stolen property" means property that has been obtained by
13 theft, robbery, or extortion.

14 (17) "To collect an extension of credit" means to induce in any
15 way a person to make repayment thereof.

16 (18) "To extend credit" means to make or renew a loan or to enter
17 into an agreement, tacit or express, whereby the repayment or
18 satisfaction of a debt or claim, whether acknowledged or disputed,
19 valid or invalid, and however arising, may or shall be deferred.

20 (19) "Traffic" means to sell, transfer, distribute, dispense, or
21 otherwise dispose of stolen property to another person, or to buy,
22 receive, possess, or obtain control of stolen property, with intent
23 to sell, transfer, distribute, dispense, or otherwise dispose of the
24 property to another person.

25 (20)(a) "Trustee" means:

26 (i) A person acting as a trustee under a trust established under
27 Title 11 RCW in which the trustee holds legal or record title to real
28 property;

29 (ii) A person who holds legal or record title to real property in
30 which another person has a beneficial interest; or

31 (iii) A successor trustee to a person who is a trustee under
32 (a)(i) or (ii) of this subsection.

33 (b) "Trustee" does not mean a person appointed or acting as:

34 (i) A personal representative under Title 11 RCW;

35 (ii) A trustee of any testamentary trust;

36 (iii) A trustee of any indenture of trust under which a bond is
37 issued; or

38 (iv) A trustee under a deed of trust.

39 (21) "Unlawful debt" means any money or other thing of value
40 constituting principal or interest of a debt that is legally

1 unenforceable in the state in full or in part because the debt was
2 incurred or contracted:

- 3 (a) In violation of any one of the following:
 - 4 (i) Chapter 67.16 RCW relating to horse racing;
 - 5 (ii) Chapter 9.46 RCW relating to gambling;
- 6 (b) In a gambling activity in violation of federal law; or
- 7 (c) In connection with the business of lending money or a thing
8 of value at a rate that is at least twice the permitted rate under
9 the applicable state or federal law relating to usury.

10 **Sec. 27.** RCW 9.94A.515 and 2023 c 196 s 3 and 2023 c 7 s 3 are
11 each reenacted and amended to read as follows:

12 TABLE 2

13 CRIMES INCLUDED WITHIN EACH
14 SERIOUSNESS LEVEL

- 15 XVI Aggravated Murder 1 (RCW 10.95.020)
- 16 XV Homicide by abuse (RCW 9A.32.055)
- 17 Malicious explosion 1 (RCW
18 70.74.280(1))
- 19 Murder 1 (RCW 9A.32.030)
- 20 XIV Murder 2 (RCW 9A.32.050)
- 21 Trafficking 1 (RCW 9A.40.100(1))
- 22 XIII Malicious explosion 2 (RCW
23 70.74.280(2))
- 24 Malicious placement of an explosive 1
25 (RCW 70.74.270(1))
- 26 XII Assault 1 (RCW 9A.36.011)
- 27 Assault of a Child 1 (RCW 9A.36.120)
- 28 Malicious placement of an imitation
29 device 1 (RCW 70.74.272(1)(a))
- 30 Promoting Commercial Sexual Abuse
31 of a Minor (RCW 9.68A.101)
- 32 Rape 1 (RCW 9A.44.040)
- 33 Rape of a Child 1 (RCW 9A.44.073)
- 34 Trafficking 2 (RCW 9A.40.100(3))

1 XI Manslaughter 1 (RCW 9A.32.060)
2 Rape 2 (RCW 9A.44.050)
3 Rape of a Child 2 (RCW 9A.44.076)
4 Vehicular Homicide, by being under the
5 influence of intoxicating liquor or
6 any drug (RCW 46.61.520)
7 Vehicular Homicide, by the operation of
8 any vehicle in a reckless manner
9 (RCW 46.61.520)
10 X Child Molestation 1 (RCW 9A.44.083)
11 Criminal Mistreatment 1 (RCW
12 9A.42.020)
13 Indecent Liberties (with forcible
14 compulsion) (RCW
15 9A.44.100(1)(a))
16 Kidnapping 1 (RCW 9A.40.020)
17 Leading Organized Crime (RCW
18 9A.82.060(1)(a))
19 Malicious explosion 3 (RCW
20 70.74.280(3))
21 Sexually Violent Predator Escape (RCW
22 9A.76.115)
23 IX Abandonment of Dependent Person 1
24 (RCW 9A.42.060)
25 Assault of a Child 2 (RCW 9A.36.130)
26 Explosive devices prohibited (RCW
27 70.74.180)
28 Hit and Run—Death (RCW
29 46.52.020(4)(a))
30 Homicide by Watercraft, by being under
31 the influence of intoxicating liquor
32 or any drug (RCW 79A.60.050)
33 Inciting Criminal Profiteering (RCW
34 9A.82.060(1)(b))

1 Malicious placement of an explosive 2
2 (RCW 70.74.270(2))
3 Robbery 1 (RCW 9A.56.200)
4 Sexual Exploitation (RCW 9.68A.040)
5 VIII Arson 1 (RCW 9A.48.020)
6 Commercial Sexual Abuse of a Minor
7 (RCW 9.68A.100)
8 Homicide by Watercraft, by the
9 operation of any vessel in a reckless
10 manner (RCW 79A.60.050)
11 Manslaughter 2 (RCW 9A.32.070)
12 Promoting Prostitution 1 (RCW
13 9A.88.070)
14 Theft of Ammonia (RCW 69.55.010)
15 VII Air bag diagnostic systems (causing
16 bodily injury or death) (RCW
17 46.37.660(2)(b))
18 Air bag replacement requirements
19 (causing bodily injury or death)
20 (RCW 46.37.660(1)(b))
21 Burglary 1 (RCW 9A.52.020)
22 Child Molestation 2 (RCW 9A.44.086)
23 Civil Disorder Training (RCW
24 9A.48.120)
25 Custodial Sexual Misconduct 1 (RCW
26 9A.44.160)
27 Dealing in depictions of minor engaged
28 in sexually explicit conduct 1
29 (RCW 9.68A.050(1))
30 Drive-by Shooting (RCW 9A.36.045)
31 False Reporting 1 (RCW
32 9A.84.040(2)(a))
33 Homicide by Watercraft, by disregard
34 for the safety of others (RCW
35 79A.60.050)

1 Indecent Liberties (without forcible
2 compulsion) (RCW 9A.44.100(1)
3 (b) and (c))
4 Introducing Contraband 1 (RCW
5 9A.76.140)
6 Malicious placement of an explosive 3
7 (RCW 70.74.270(3))
8 Manufacture or import counterfeit,
9 nonfunctional, damaged, or
10 previously deployed air bag
11 (causing bodily injury or death)
12 (RCW 46.37.650(1)(b))
13 Negligently Causing Death By Use of a
14 Signal Preemption Device (RCW
15 46.37.675)
16 Sell, install, or reinstall counterfeit,
17 nonfunctional, damaged, or
18 previously deployed airbag (RCW
19 46.37.650(2)(b))
20 Sending, bringing into state depictions
21 of minor engaged in sexually
22 explicit conduct 1 (RCW
23 9.68A.060(1))
24 Unlawful Possession of a Firearm in the
25 first degree (RCW 9.41.040(1))
26 Use of a Machine Gun or Bump-fire
27 Stock in Commission of a Felony
28 (RCW 9.41.225)
29 Vehicular Homicide, by disregard for
30 the safety of others (RCW
31 46.61.520)
32 VI Bail Jumping with Murder 1 (RCW
33 9A.76.170(3)(a))
34 Bribery (RCW 9A.68.010)
35 Incest 1 (RCW 9A.64.020(1))
36 Intimidating a Judge (RCW 9A.72.160)

1 Intimidating a Juror/Witness (RCW
2 9A.72.110, 9A.72.130)
3 Malicious placement of an imitation
4 device 2 (RCW 70.74.272(1)(b))
5 Possession of Depictions of a Minor
6 Engaged in Sexually Explicit
7 Conduct 1 (RCW 9.68A.070(1))
8 Rape of a Child 3 (RCW 9A.44.079)
9 Theft of a Firearm (RCW 9A.56.300)
10 Theft from a Vulnerable Adult 1 (RCW
11 9A.56.400(1))
12 Unlawful Storage of Ammonia (RCW
13 69.55.020)
14 V Abandonment of Dependent Person 2
15 (RCW 9A.42.070)
16 Advancing money or property for
17 extortionate extension of credit
18 (RCW 9A.82.030)
19 Air bag diagnostic systems (RCW
20 46.37.660(2)(c))
21 Air bag replacement requirements
22 (RCW 46.37.660(1)(c))
23 Bail Jumping with class A Felony
24 (RCW 9A.76.170(3)(b))
25 Child Molestation 3 (RCW 9A.44.089)
26 Criminal Mistreatment 2 (RCW
27 9A.42.030)
28 Custodial Sexual Misconduct 2 (RCW
29 9A.44.170)
30 Dealing in Depictions of Minor
31 Engaged in Sexually Explicit
32 Conduct 2 (RCW 9.68A.050(2))
33 Domestic Violence Court Order
34 Violation (RCW 7.105.450,
35 10.99.040, 10.99.050, 26.09.300,
36 26.26B.050, or 26.52.070)

1 Extortion 1 (RCW 9A.56.120)
2 Extortionate Extension of Credit (RCW
3 9A.82.020)
4 Extortionate Means to Collect
5 Extensions of Credit (RCW
6 9A.82.040)
7 Incest 2 (RCW 9A.64.020(2))
8 Kidnapping 2 (RCW 9A.40.030)
9 Manufacture or import counterfeit,
10 nonfunctional, damaged, or
11 previously deployed air bag (RCW
12 46.37.650(1)(c))
13 Perjury 1 (RCW 9A.72.020)
14 Persistent prison misbehavior (RCW
15 9.94.070)
16 Possession of a Stolen Firearm (RCW
17 9A.56.310)
18 Rape 3 (RCW 9A.44.060)
19 Rendering Criminal Assistance 1 (RCW
20 9A.76.070)
21 Sell, install, or reinstall counterfeit,
22 nonfunctional, damaged, or
23 previously deployed airbag (RCW
24 46.37.650(2)(c))
25 Sending, Bringing into State Depictions
26 of Minor Engaged in Sexually
27 Explicit Conduct 2 (RCW
28 9.68A.060(2))
29 Sexual Misconduct with a Minor 1
30 (RCW 9A.44.093)
31 Sexually Violating Human Remains
32 (RCW 9A.44.105)
33 Stalking (RCW 9A.46.110)
34 Taking Motor Vehicle Without
35 Permission 1 (RCW 9A.56.070)
36 IV Arson 2 (RCW 9A.48.030)

1 Assault 2 (RCW 9A.36.021)
2 Assault 3 (of a Peace Officer with a
3 Projectile Stun Gun) (RCW
4 9A.36.031(1)(h))
5 Assault 4 (third domestic violence
6 offense) (RCW 9A.36.041(3))
7 Assault by Watercraft (RCW
8 79A.60.060)
9 Bribing a Witness/Bribe Received by
10 Witness (RCW 9A.72.090,
11 9A.72.100)
12 Cheating 1 (RCW 9.46.1961)
13 Commercial Bribery (RCW 9A.68.060)
14 Counterfeiting (RCW 9.16.035(4))
15 Driving While Under the Influence
16 (RCW 46.61.502(6))
17 Endangerment with a Controlled
18 Substance (RCW 9A.42.100)
19 Escape 1 (RCW 9A.76.110)
20 Hate Crime (RCW 9A.36.080)
21 Hit and Run—Injury (RCW
22 46.52.020(4)(b))
23 Hit and Run with Vessel—Injury
24 Accident (RCW 79A.60.200(3))
25 Identity Theft 1 (RCW 9.35.020(2))
26 Indecent Exposure to Person Under Age
27 14 (subsequent sex offense) (RCW
28 9A.88.010)
29 Influencing Outcome of Sporting Event
30 (RCW 9A.82.070)
31 Physical Control of a Vehicle While
32 Under the Influence (RCW
33 46.61.504(6))

1 Possession of Depictions of a Minor
2 Engaged in Sexually Explicit
3 Conduct 2 (RCW 9.68A.070(2))
4 Residential Burglary (RCW 9A.52.025)
5 Robbery 2 (RCW 9A.56.210)
6 Theft of Livestock 1 (RCW 9A.56.080)
7 Threats to Bomb (RCW 9.61.160)
8 Trafficking in Catalytic Converters 1
9 (section 24 of this act)
10 Trafficking in Stolen Property 1 (RCW
11 9A.82.050)
12 Unlawful factoring of a credit card or
13 payment card transaction (RCW
14 9A.56.290(4)(b))
15 Unlawful transaction of health coverage
16 as a health care service contractor
17 (RCW 48.44.016(3))
18 Unlawful transaction of health coverage
19 as a health maintenance
20 organization (RCW 48.46.033(3))
21 Unlawful transaction of insurance
22 business (RCW 48.15.023(3))
23 Unlicensed practice as an insurance
24 professional (RCW 48.17.063(2))
25 Use of Proceeds of Criminal
26 Profiteering (RCW 9A.82.080 (1)
27 and (2))
28 Vehicle Prowling 2 (third or subsequent
29 offense) (RCW 9A.52.100(3))
30 Vehicular Assault, by being under the
31 influence of intoxicating liquor or
32 any drug, or by the operation or
33 driving of a vehicle in a reckless
34 manner (RCW 46.61.522)

1 Viewing of Depictions of a Minor
2 Engaged in Sexually Explicit
3 Conduct 1 (RCW 9.68A.075(1))
4 III Animal Cruelty 1 (Sexual Conduct or
5 Contact) (RCW 16.52.205(3))
6 Assault 3 (Except Assault 3 of a Peace
7 Officer With a Projectile Stun Gun)
8 (RCW 9A.36.031 except subsection
9 (1)(h))
10 Assault of a Child 3 (RCW 9A.36.140)
11 Bail Jumping with class B or C Felony
12 (RCW 9A.76.170(3)(c))
13 Burglary 2 (RCW 9A.52.030)
14 Communication with a Minor for
15 Immoral Purposes (RCW
16 9.68A.090)
17 Criminal Gang Intimidation (RCW
18 9A.46.120)
19 Custodial Assault (RCW 9A.36.100)
20 Cyber Harassment (RCW
21 9A.90.120(2)(b))
22 Escape 2 (RCW 9A.76.120)
23 Extortion 2 (RCW 9A.56.130)
24 False Reporting 2 (RCW
25 9A.84.040(2)(b))
26 Harassment (RCW 9A.46.020)
27 Hazing (RCW 28B.10.901(2)(b))
28 Intimidating a Public Servant (RCW
29 9A.76.180)
30 Introducing Contraband 2 (RCW
31 9A.76.150)
32 Malicious Injury to Railroad Property
33 (RCW 81.60.070)
34 Manufacture of Untraceable Firearm
35 with Intent to Sell (RCW 9.41.190)

1 Manufacture or Assembly of an
2 Undetectable Firearm or
3 Untraceable Firearm (RCW
4 9.41.325)
5 Mortgage Fraud (RCW 19.144.080)
6 Negligently Causing Substantial Bodily
7 Harm By Use of a Signal
8 Preemption Device (RCW
9 46.37.674)
10 Organized Retail Theft 1 (RCW
11 9A.56.350(2))
12 Perjury 2 (RCW 9A.72.030)
13 Possession of Incendiary Device (RCW
14 9.40.120)
15 Possession of Machine Gun, Bump-Fire
16 Stock, Undetectable Firearm, or
17 Short-Barreled Shotgun or Rifle
18 (RCW 9.41.190)
19 Promoting Prostitution 2 (RCW
20 9A.88.080)
21 Retail Theft with Special Circumstances
22 1 (RCW 9A.56.360(2))
23 Securities Act violation (RCW
24 21.20.400)
25 Tampering with a Witness (RCW
26 9A.72.120)
27 Telephone Harassment (subsequent
28 conviction or threat of death)
29 (RCW 9.61.230(2))
30 Theft of Livestock 2 (RCW 9A.56.083)
31 Theft with the Intent to Resell 1 (RCW
32 9A.56.340(2))
33 Trafficking in Catalytic Converters 2
34 (section 25 of this act)
35 Trafficking in Stolen Property 2 (RCW
36 9A.82.055)

1 Unlawful Hunting of Big Game 1
2 (RCW 77.15.410(3)(b))
3 Unlawful Imprisonment (RCW
4 9A.40.040)
5 Unlawful Misbranding of Fish or
6 Shellfish 1 (RCW 77.140.060(3))
7 Unlawful possession of firearm in the
8 second degree (RCW 9.41.040(2))
9 Unlawful Taking of Endangered Fish or
10 Wildlife 1 (RCW 77.15.120(3)(b))
11 Unlawful Trafficking in Fish, Shellfish,
12 or Wildlife 1 (RCW
13 77.15.260(3)(b))
14 Unlawful Use of a Nondesignated
15 Vessel (RCW 77.15.530(4))
16 Vehicular Assault, by the operation or
17 driving of a vehicle with disregard
18 for the safety of others (RCW
19 46.61.522)
20 II Commercial Fishing Without a License
21 1 (RCW 77.15.500(3)(b))
22 Computer Trespass 1 (RCW 9A.90.040)
23 Counterfeiting (RCW 9.16.035(3))
24 Electronic Data Service Interference
25 (RCW 9A.90.060)
26 Electronic Data Tampering 1 (RCW
27 9A.90.080)
28 Electronic Data Theft (RCW
29 9A.90.100)
30 Engaging in Fish Dealing Activity
31 Unlicensed 1 (RCW 77.15.620(3))
32 Escape from Community Custody
33 (RCW 72.09.310)

1 Failure to Register as a Sex Offender
2 (second or subsequent offense)
3 (RCW 9A.44.130 prior to June 10,
4 2010, and RCW 9A.44.132)
5 Health Care False Claims (RCW
6 48.80.030)
7 Identity Theft 2 (RCW 9.35.020(3))
8 Improperly Obtaining Financial
9 Information (RCW 9.35.010)
10 Malicious Mischief 1 (RCW 9A.48.070)
11 Organized Retail Theft 2 (RCW
12 9A.56.350(3))
13 Possession of Stolen Property 1 (RCW
14 9A.56.150)
15 Possession of a Stolen Vehicle (RCW
16 9A.56.068)
17 Possession, sale, or offering for sale of
18 five or more unmarked catalytic
19 converters (section 23(4) of this
20 act)
21 Retail Theft with Special Circumstances
22 2 (RCW 9A.56.360(3))
23 Scrap Processing, Recycling, or
24 Supplying Without a License
25 (second or subsequent offense)
26 (RCW 19.290.100)
27 Theft 1 (RCW 9A.56.030)
28 Theft of a Motor Vehicle (RCW
29 9A.56.065)
30 Theft of Rental, Leased, Lease-
31 purchased, or Loaned Property
32 (valued at \$5,000 or more) (RCW
33 9A.56.096(5)(a))
34 Theft with the Intent to Resell 2 (RCW
35 9A.56.340(3))

1 Trafficking in Insurance Claims (RCW
2 48.30A.015)
3 Unlawful factoring of a credit card or
4 payment card transaction (RCW
5 9A.56.290(4)(a))
6 Unlawful Participation of Non-Indians
7 in Indian Fishery (RCW
8 77.15.570(2))
9 Unlawful Practice of Law (RCW
10 2.48.180)
11 Unlawful Purchase or Use of a License
12 (RCW 77.15.650(3)(b))
13 Unlawful Trafficking in Fish, Shellfish,
14 or Wildlife 2 (RCW
15 77.15.260(3)(a))
16 Unlicensed Practice of a Profession or
17 Business (RCW 18.130.190(7))
18 Voyeurism 1 (RCW 9A.44.115)
19 I Attempting to Elude a Pursuing Police
20 Vehicle (RCW 46.61.024)
21 False Verification for Welfare (RCW
22 74.08.055)
23 Forgery (RCW 9A.60.020)
24 Fraudulent Creation or Revocation of a
25 Mental Health Advance Directive
26 (RCW 9A.60.060)
27 Malicious Mischief 2 (RCW 9A.48.080)
28 Mineral Trespass (RCW 78.44.330)
29 Possession of Stolen Property 2 (RCW
30 9A.56.160)
31 Reckless Burning 1 (RCW 9A.48.040)
32 Spotlighting Big Game 1 (RCW
33 77.15.450(3)(b))
34 Suspension of Department Privileges 1
35 (RCW 77.15.670(3)(b))

1 Taking Motor Vehicle Without
2 Permission 2 (RCW 9A.56.075)
3 Theft 2 (RCW 9A.56.040)
4 Theft from a Vulnerable Adult 2 (RCW
5 9A.56.400(2))
6 Theft of Rental, Leased, Lease-
7 purchased, or Loaned Property
8 (valued at \$750 or more but less
9 than \$5,000) (RCW
10 9A.56.096(5)(b))
11 Transaction of insurance business
12 beyond the scope of licensure
13 (RCW 48.17.063)
14 Unlawful Fish and Shellfish Catch
15 Accounting (RCW 77.15.630(3)(b))
16 Unlawful Issuance of Checks or Drafts
17 (RCW 9A.56.060)
18 Unlawful Possession of Fictitious
19 Identification (RCW 9A.56.320)
20 Unlawful Possession of Instruments of
21 Financial Fraud (RCW 9A.56.320)
22 Unlawful Possession of Payment
23 Instruments (RCW 9A.56.320)
24 Unlawful Possession of a Personal
25 Identification Device (RCW
26 9A.56.320)
27 Unlawful Production of Payment
28 Instruments (RCW 9A.56.320)
29 Unlawful Releasing, Planting,
30 Possessing, or Placing Deleterious
31 Exotic Wildlife (RCW
32 77.15.250(2)(b))
33 Unlawful Trafficking in Food Stamps
34 (RCW 9.91.142)
35 Unlawful Use of Food Stamps (RCW
36 9.91.144)

1 Unlawful Use of Net to Take Fish 1
2 (RCW 77.15.580(3)(b))
3 Vehicle Prowl 1 (RCW 9A.52.095)
4 Violating Commercial Fishing Area or
5 Time 1 (RCW 77.15.550(3)(b))

6 NEW SECTION. **Sec. 28.** Section 21 of this act takes effect
7 January 1, 2025.

8 NEW SECTION. **Sec. 29.** Except for section 21 of this act, this
9 act is necessary for the immediate preservation of the public peace,
10 health, or safety, or support of the state government and its
11 existing public institutions, and takes effect April 1, 2024.

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