

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5504**

68th Legislature  
2023 Regular Session

Passed by the Senate April 18, 2023  
Yeas 47 Nays 1

---

**President of the Senate**

Passed by the House April 10, 2023  
Yeas 96 Nays 0

---

**Speaker of the House of  
Representatives**

Approved

---

**Governor of the State of Washington**

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5504** as passed by the Senate and the House of Representatives on the dates hereon set forth.

---

**Secretary**

FILED

**Secretary of State  
State of Washington**

---

**SUBSTITUTE SENATE BILL 5504**

---

AS AMENDED BY THE HOUSE

Passed Legislature - 2023 Regular Session

**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Saldaña, Liiias, Valdez, and C. Wilson)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to open motor vehicle safety recalls; adding a  
2 new section to chapter 46.32 RCW; adding a new section to chapter  
3 46.16A RCW; creating a new section; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** This act requires an official motor  
6 vehicle inspection facility or licensed private inspection facility  
7 to provide written notice to the owner of a motor vehicle being  
8 inspected for all open safety recalls applicable to the motor vehicle  
9 at the time the motor vehicle is inspected. The recall notice must  
10 include a description of each open safety recall and a statement that  
11 each open safety recall may be repaired by certain motor vehicle  
12 dealers at no cost to the owner, except in certain circumstances.  
13 This act requires the department of licensing to provide written  
14 notice to the owner of a motor vehicle, at the time a vehicle is  
15 registered or upon mailing a motor vehicle's registration renewal  
16 notice, of all open safety recalls applicable to the motor vehicle.  
17 The recall notice is to include a statement that each open safety  
18 recall may be repaired by certain motor vehicle dealers at no cost to  
19 the owner, except in certain circumstances.

1 Nothing in this act may alter the liability of any motor vehicle  
2 manufacturer or motor vehicle dealer approved by a manufacturer to  
3 repair an open safety recall.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.32  
5 RCW to read as follows:

6 (1) During a motor vehicle inspection, an official inspection  
7 facility, or licensed private inspection facility, shall check  
8 information made available by the national highway traffic safety  
9 administration to determine whether the motor vehicle being inspected  
10 is subject to an open safety recall. If the vehicle is subject to one  
11 or more open safety recalls, the official inspection facility or  
12 licensed private inspection facility, shall provide the owner of the  
13 motor vehicle, at the time of inspection, written notice of all open  
14 safety recalls applicable to the motor vehicle. The recall notice  
15 must include the following:

- 16 (a) A description of each open safety recall; and  
17 (b) A statement that each open safety recall may be repaired by a  
18 motor vehicle dealer approved by the manufacturer of the motor  
19 vehicle at no cost to the owner of the motor vehicle, except as  
20 provided in 49 U.S.C. Sec. 30120.

21 (2) Nothing in this section alters the liability of any motor  
22 vehicle manufacturer or motor vehicle dealer approved by the  
23 manufacturer to repair an open safety recall.

24 (3) (a) The chief of the Washington state patrol and the chief of  
25 the Washington state patrol's designees, for the purposes of  
26 discharging their duties pursuant to this act are not liable for any  
27 act or omission related to the provision of an open safety recall  
28 notice and are immune from any related civil suit or action.

29 (b) For the purposes of discharging their duties pursuant to this  
30 act, a private inspection facility or its owner and employees are not  
31 liable to any person for any act or omission related to the open  
32 safety recall notice provided pursuant to this section, except for  
33 cases of gross negligence.

34 (4) For the purposes of this section, "open safety recall" means  
35 a safety-related recall, for which notification by a manufacturer is  
36 required to be provided under 49 U.S.C. Secs. 30118 and 30119, that  
37 necessitates repairs or modifications to a motor vehicle by an  
38 authorized motor vehicle dealer. "Open safety recall" does not  
39 include: Recalls related to defects or failures to comply with

1 requirements relating to labeling or notification in a motor  
2 vehicle's owner's manual; or recalls where the remedy is for the  
3 manufacturer to repurchase the motor vehicle or otherwise provide  
4 financial compensation to the owner of the motor vehicle.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.16A  
6 RCW to read as follows:

7 (1)(a) The department shall, before issuing a motor vehicle  
8 registration or mailing a motor vehicle registration renewal notice,  
9 check information made available by the national highway traffic  
10 safety administration to determine whether the motor vehicle is  
11 subject to an open safety recall. For a vehicle that is subject to  
12 one or more open safety recalls, the department shall provide the  
13 owner of the motor vehicle written notice of all open safety recalls  
14 applicable to the motor vehicle. The recall notice must be provided  
15 at the time the vehicle is registered as well as be included in any  
16 registration renewal notices sent to consumers by the department. The  
17 renewal notice must include a statement that the vehicle has one or  
18 more open safety recalls that may be repaired by a motor vehicle  
19 dealer approved by the manufacturer of the motor vehicle at no cost  
20 to the owner of the motor vehicle, except as provided in 49 U.S.C.  
21 Sec. 30120.

22 (b) The department shall include as part of any reminder notices  
23 sent to consumers before the expiration of their registration a  
24 notice that their vehicle has one or more open safety recalls and  
25 that each open safety recall may be repaired by a motor vehicle  
26 dealer approved by the manufacturer of the motor vehicle at no cost  
27 to the owner of the motor vehicle, except as provided in 49 U.S.C.  
28 Sec. 30120.

29 (2) Nothing in this section alters the liability of any motor  
30 vehicle manufacturer or motor vehicle dealer approved by the  
31 manufacturer to repair an open safety recall.

32 (3) The director and director's designees including, pursuant to  
33 RCW 46.01.140, county auditors, agents, and subagents, for the  
34 purposes of discharging their duties pursuant to this act are not  
35 liable for any act or omission related to the provision of an open  
36 safety recall notice and are immune from any related civil suit or  
37 action, consistent with RCW 46.01.310.

38 (4) For the purposes of this section, "open safety recall" means  
39 a safety-related recall, for which notification by a manufacturer is

1 required to be provided under 49 U.S.C. Secs. 30118 and 30119, that  
2 necessitates repairs or modifications to a motor vehicle by an  
3 authorized motor vehicle dealer. "Open safety recall" does not  
4 include: Recalls related to defects or failures to comply with  
5 requirements relating to labeling or notification in a motor  
6 vehicle's owner's manual; or recalls where the remedy is for the  
7 manufacturer to repurchase the motor vehicle or otherwise provide  
8 financial compensation to the owner of the motor vehicle.

9 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2024.

--- END ---