
HOUSE BILL 1439

State of Washington

69th Legislature

2025 Regular Session

By Representatives Bernbaum, Abell, Donaghy, Reed, and Tharinger; by request of Department of Licensing

Read first time 01/21/25. Referred to Committee on Transportation.

1 AN ACT Relating to modifying motor vehicle and driver licensing
2 laws to align with federal definitions, making technical corrections,
3 and streamlining requirements; amending RCW 46.12.635, 46.12.665,
4 46.12.665, 46.20.328, 46.20.329, 46.25.082, 46.29.050, 46.65.060, and
5 46.65.065; repealing RCW 46.18.240 and 46.18.250; providing effective
6 dates; and providing an expiration date.

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

8 **Sec. 1.** RCW 46.12.635 and 2021 c 93 s 6 are each amended to read
9 as follows:

10 (1) Notwithstanding the provisions of chapter 42.56 RCW, the name
11 or address of an individual vehicle or vessel owner shall not be
12 released by the department, county auditor, data recipient,
13 subrecipient, or agency or firm authorized by the department except
14 under the following circumstances:

15 (a) The requesting party is a business entity that requests the
16 information for use as defined by the department in rule, and in the
17 course of business;

18 (b) The request is a written request that is signed by the person
19 requesting disclosure that contains the full legal name and address
20 of the requesting party, that specifies the purpose for which the
21 information will be used; and

1 (c) The requesting party enters into a disclosure agreement with
2 the department in which the party promises that the party will use
3 the information only for the purpose stated in the request for the
4 information; and that the party does not intend to use, or facilitate
5 the use of, the information for the purpose of making any unsolicited
6 business contact with a person named in the disclosed information.
7 The term "unsolicited business contact" means a contact that is
8 intended to result in, or promote, the sale of any goods or services
9 to a person named in the disclosed information. The term does not
10 apply to situations where the requesting party and such person have
11 been involved in a business transaction prior to the date of the
12 disclosure request and where the request is made in connection with
13 the transaction.

14 (2) Where both a mailing address and residence address are
15 recorded on the vehicle or vessel record and are different, only the
16 mailing address will be disclosed. Both addresses will be disclosed
17 in response to requests for disclosure from courts, law enforcement
18 agencies, or government entities with enforcement, investigative, or
19 taxing authority and only for use in the normal course of conducting
20 their business.

21 (3) The disclosing entity shall retain the request for disclosure
22 for three years.

23 (4) (a) Whenever the disclosing entity grants a request for
24 information under this section by an attorney or private
25 investigator, the disclosing entity shall provide notice to the
26 vehicle or vessel owner, to whom the information applies, that the
27 request has been granted. The notice must only include: (i) That the
28 disclosing entity has disclosed the vehicle or vessel owner's name
29 and address pursuant to a request made under this section; (ii) the
30 date that the disclosure was made; and (iii) ~~((that the vehicle or
31 vessel owner has five days from receipt of the notice to contact the
32 disclosing entity to determine the occupation of the requesting
33 party.~~

34 ~~(b) Except as provided in (c) of this subsection, the only
35 information about the requesting party that the disclosing entity may
36 disclose in response to a request made by a vehicle or vessel owner
37 under (a) of this subsection is whether the requesting party was an
38 attorney or private investigator. The request by the vehicle or
39 vessel owner must be submitted to the disclosing entity within five~~

1 ~~days of receipt of the original notice))~~ the occupation of the
2 requesting party.

3 ((~~e~~)) (b) In the case of a vehicle or vessel owner who submits
4 to the disclosing entity a copy of a valid court order restricting
5 another person from contacting the vehicle or vessel owner or his or
6 her family or household member, the disclosing entity shall provide
7 the vehicle or vessel owner with the name and address of the
8 requesting party. All inquiries from a vehicle or vessel owner,
9 without a court order, will be treated and processed as a request for
10 public record as required in chapter 42.56 RCW.

11 (5) Any person who is furnished vehicle or vessel owner
12 information under this section shall be responsible for assuring that
13 the information furnished is not used for a purpose contrary to the
14 agreement between the person and the department.

15 (6) This section shall not apply to requests for information by
16 governmental entities or requests that may be granted under any other
17 provision of this title expressly authorizing the disclosure of the
18 names or addresses of vehicle or vessel owners. Requests from law
19 enforcement officers for vessel record information must be granted.
20 The disclosure agreement with law enforcement entities must provide
21 that law enforcement may redisclose a vessel owner's name or address
22 when trying to locate the owner of or otherwise deal with a vessel
23 that has become a hazard.

24 (7) The department shall disclose vessel records for any vessel
25 owned by a governmental entity upon request.

26 (8) This section shall not apply to title history information
27 under RCW 19.118.170.

28 (9) The department shall charge a fee of ((~~two dollars~~)) \$2 for
29 each record returned pursuant to a request made by a business entity
30 under subsection (1) of this section and deposit the fee into the
31 highway safety fund.

32 (10) The department, county auditor, or agency or firm authorized
33 by the department shall not release the name, any address, vehicle
34 make, vehicle model, vehicle year, vehicle identification number,
35 vessel make and model, vessel model year, hull identification number,
36 vessel document number, vessel registration number, vessel decal
37 number, or license plate number associated with an individual vehicle
38 or vessel owner who is a participant in the address confidentiality
39 program under chapter 40.24 RCW except as allowed in subsection (6)
40 of this section and RCW 40.24.075.

1 **Sec. 2.** RCW 46.12.665 and 2010 c 161 s 312 are each amended to
2 read as follows:

3 (1) The department, county auditor or other agent, or subagent
4 appointed by the director shall require a written odometer disclosure
5 statement with every application for a certificate of title for a
6 motor vehicle. The odometer disclosure statement must be on either
7 the certificate of title or on a separate form approved by the
8 department. A secure odometer disclosure statement is required if the
9 certificate of title was issued after April 30, 1990. Odometer
10 disclosure statements must include, at a minimum, the following:

11 (a) The miles shown on the odometer at the time of transfer of
12 ownership, but not to include tenths of miles;

13 (b) The date of transfer of ownership;

14 (c) The transferor's printed name, current address, and
15 signature;

16 (d) The transferee's printed name, current address, and
17 signature;

18 (e) The identity of the motor vehicle, including its make, model,
19 year, body type, and vehicle identification number;

20 (f) Information that the odometer statement is required by the
21 federal truth in mileage act of 1986 and that failure to complete the
22 odometer statement or providing false information may result in fines
23 or imprisonment, or both; and

24 (g) One of the following statements:

25 (i) The mileage shown is actual to the best of transferor's
26 knowledge;

27 (ii) The odometer reading exceeds the mechanical limits of the
28 odometer to the best of the transferor's knowledge; or

29 (iii) The odometer reading is not the actual mileage.

30 If the odometer reading is under (~~one hundred thousand~~) 100,000
31 miles, the only options that can be certified are "actual to the best
32 of the transferor's knowledge" or "not the actual mileage." If the
33 odometer reading is (~~one hundred thousand~~) 100,000 miles or more,
34 the options "actual to the best of the transferor's knowledge" or
35 "not the actual mileage" cannot be used unless the odometer has six
36 digit capability.

37 (2) The transferee and the transferor shall each sign the
38 odometer disclosure statement. Only one registered owner is required
39 to complete the odometer disclosure statement for the transferee, and
40 only one owner is required to complete the odometer disclosure

1 statement for the transferor. When applicable, both the business name
2 and a company representative's name must be shown on the odometer
3 disclosure statement when the registered owner is a business or the
4 transferee represents a company, or both.

5 (3) The transferee shall return a signed copy of the odometer
6 disclosure statement to the transferor at the time of transfer of
7 ownership.

8 (4) The following vehicles are not subject to odometer disclosure
9 requirements at the time of ownership transfer:

10 (a) A motor vehicle having a declared gross vehicle weight of
11 more than (~~sixteen thousand~~) 16,000 pounds;

12 (b) A vehicle that is not self-propelled;

13 (c) A motor vehicle that (~~is ten years old~~) has a model year of
14 2010 or older;

15 (d) A motor vehicle sold directly by a manufacturer to a federal
16 agency in conformity with contract specifications; or

17 (e) A new motor vehicle before its first retail sale.

18 (5) The requirements of this section also apply to the transfer
19 of a motor vehicle held:

20 (a) For lease when transferred to a lessee and then to the lessor
21 at the end of the leasehold; and

22 (b) In a fleet when transferred to a purchaser.

23 **Sec. 3.** RCW 46.12.665 and 2010 c 161 s 312 are each amended to
24 read as follows:

25 (1) The department, county auditor or other agent, or subagent
26 appointed by the director shall require a written odometer disclosure
27 statement with every application for a certificate of title for a
28 motor vehicle. The odometer disclosure statement must be on either
29 the certificate of title or on a separate form approved by the
30 department. A secure odometer disclosure statement is required if the
31 certificate of title was issued after April 30, 1990. Odometer
32 disclosure statements must include, at a minimum, the following:

33 (a) The miles shown on the odometer at the time of transfer of
34 ownership, but not to include tenths of miles;

35 (b) The date of transfer of ownership;

36 (c) The transferor's printed name, current address, and
37 signature;

38 (d) The transferee's printed name, current address, and
39 signature;

1 (e) The identity of the motor vehicle, including its make, model,
2 year, body type, and vehicle identification number;

3 (f) Information that the odometer statement is required by the
4 federal truth in mileage act of 1986 and that failure to complete the
5 odometer statement or providing false information may result in fines
6 or imprisonment, or both; and

7 (g) One of the following statements:

8 (i) The mileage shown is actual to the best of transferor's
9 knowledge;

10 (ii) The odometer reading exceeds the mechanical limits of the
11 odometer to the best of the transferor's knowledge; or

12 (iii) The odometer reading is not the actual mileage.

13 If the odometer reading is under (~~one hundred thousand~~) 100,000
14 miles, the only options that can be certified are "actual to the best
15 of the transferor's knowledge" or "not the actual mileage." If the
16 odometer reading is (~~one hundred thousand~~) 100,000 miles or more,
17 the options "actual to the best of the transferor's knowledge" or
18 "not the actual mileage" cannot be used unless the odometer has six
19 digit capability.

20 (2) The transferee and the transferor shall each sign the
21 odometer disclosure statement. Only one registered owner is required
22 to complete the odometer disclosure statement for the transferee, and
23 only one owner is required to complete the odometer disclosure
24 statement for the transferor. When applicable, both the business name
25 and a company representative's name must be shown on the odometer
26 disclosure statement when the registered owner is a business or the
27 transferee represents a company, or both.

28 (3) The transferee shall return a signed copy of the odometer
29 disclosure statement to the transferor at the time of transfer of
30 ownership.

31 (4) The following vehicles are not subject to odometer disclosure
32 requirements at the time of ownership transfer:

33 (a) A motor vehicle having a declared gross vehicle weight of
34 more than (~~sixteen thousand~~) 16,000 pounds;

35 (b) A vehicle that is not self-propelled;

36 (c) A motor vehicle that is (~~ten~~) 20 years old or older;

37 (d) A motor vehicle sold directly by a manufacturer to a federal
38 agency in conformity with contract specifications; or

39 (e) A new motor vehicle before its first retail sale.

1 (5) The requirements of this section also apply to the transfer
2 of a motor vehicle held:

3 (a) For lease when transferred to a lessee and then to the lessor
4 at the end of the leasehold; and

5 (b) In a fleet when transferred to a purchaser.

6 **Sec. 4.** RCW 46.20.328 and 1979 c 61 s 11 are each amended to
7 read as follows:

8 Upon the conclusion of a driver improvement interview, the
9 department's referee shall make findings on the matter under
10 consideration and shall notify the person involved in writing (~~by~~
11 ~~personal service of the findings~~). Such findings may be served on a
12 party via electronic distribution, with a party's agreement. The
13 referee's findings shall be final unless the person involved is
14 notified to the contrary (~~by personal service or by certified mail~~)
15 within (~~fifteen~~) 15 days. The decision is effective upon notice.
16 The person upon receiving such notice may, in writing and within ten
17 days, request a formal hearing.

18 **Sec. 5.** RCW 46.20.329 and 1982 c 189 s 4 are each amended to
19 read as follows:

20 Upon receiving a request for a formal hearing as provided in RCW
21 46.20.328, the department shall fix a time and place for hearing,
22 including a remote hearing, as early as may be arranged (~~in the~~
23 ~~county where the applicant or licensee resides~~), and shall give
24 (~~ten~~) 10 days' notice of the hearing to the applicant or
25 licensee (~~, except that the hearing may be set for a different place~~
26 ~~with the concurrence of the applicant or licensee and the period of~~
27 ~~notice may be waived~~).

28 Any decision by the department suspending or revoking a person's
29 driving privilege shall be stayed and shall not take effect while a
30 formal hearing is pending as herein provided or during the pendency
31 of a subsequent appeal to superior court: PROVIDED, That this stay
32 shall be effective only so long as there is no conviction of a moving
33 violation or a finding that the person has committed a traffic
34 infraction (~~which~~) that is a moving violation during pendency of
35 hearing and appeal: PROVIDED FURTHER, That nothing in this section
36 shall be construed as prohibiting the department from seeking an
37 order setting aside the stay during the pendency of such appeal in
38 those cases where the action of the department is based upon physical

1 or mental incapacity, or a failure to successfully complete an
2 examination required by this chapter.

3 A formal hearing shall be conducted (~~by the director or~~) by a
4 person or persons appointed by the director from among the employees
5 of the department.

6 **Sec. 6.** RCW 46.25.082 and 2013 c 224 s 10 are each amended to
7 read as follows:

8 (1)(a) Before issuing a CDL or CLP, the department must obtain
9 driving record information:

- 10 (i) Through the commercial driver's license information system;
- 11 (ii) Through the national driver register;
- 12 (iii) From the current state of record; and
- 13 (iv) From all states where the applicant was previously licensed
14 over the last (~~ten~~) 10 years to drive any type of motor vehicle.

15 (b) A driving record check under (a)(iv) of this subsection need
16 only be performed once at the time of initial issuance of a CDL or
17 CLP, provided a notation is made on the driver's record confirming
18 that the driving record check has been made and noting the date it
19 was completed.

20 (2) Within (~~ten~~) 10 days after issuing a CDL or CLP, the
21 department must notify the commercial driver's license information
22 system of the information required under 49 C.F.R. Sec. 383.73 as it
23 existed on July 8, 2014, or such subsequent date as may be provided
24 by the department by rule, consistent with the purposes of this
25 section and provide all information required to ensure identification
26 of the person.

27 (3) Every district court, municipal court, and clerk of a
28 superior court shall report a traffic conviction of a CDL or CLP
29 holder so that the conviction may be posted to the record in the
30 commercial driver's license information system. No state, county, or
31 municipal official or employee may take any action to mask, defer
32 imposition of judgment, or allow entry into a diversion or
33 alternative disposition program.

34 **Sec. 7.** RCW 46.29.050 and 2012 c 74 s 5 are each amended to read
35 as follows:

36 (1) The department shall upon request furnish any person or his
37 or her attorney a certified abstract of his or her driving record,
38 which abstract shall include enumeration of any motor vehicle

1 accidents in which such person has been involved. Such abstract shall
2 (a) indicate the total number of vehicles involved, whether the
3 vehicles were legally parked or moving, and whether the vehicles were
4 occupied at the time of the accident; and (b) contain reference to
5 any convictions of the person for violation of the motor vehicle laws
6 as reported to the department, reference to any findings that the
7 person has committed a traffic infraction which have been reported to
8 the department, and a record of any vehicles registered in the name
9 of the person. The department shall collect for each abstract the
10 (~~sum of thirteen dollars, fifty percent of which shall be deposited~~
11 ~~in the highway safety fund and fifty percent of which must be~~
12 ~~deposited according to RCW 46.68.038~~) fee required in RCW
13 46.52.130(5).

14 (2) The department shall upon request furnish any person who may
15 have been injured in person or property by any motor vehicle, with an
16 abstract of all information of record in the department pertaining to
17 the evidence of the ability of any driver or owner of any motor
18 vehicle to respond in damages. The department shall collect for each
19 abstract the (~~sum of thirteen dollars, fifty percent of which shall~~
20 ~~be deposited in the highway safety fund and fifty percent of which~~
21 ~~must be deposited according to RCW 46.68.038~~) fee required in RCW
22 46.52.130(5).

23 **Sec. 8.** RCW 46.65.060 and 1999 c 274 s 7 are each amended to
24 read as follows:

25 If the department finds that such person is not an habitual
26 offender under this chapter, the proceeding shall be dismissed, but
27 if the department finds that such person is an habitual offender, the
28 department shall revoke the operator's license for a period of seven
29 years: PROVIDED, That the department may stay the date of the
30 revocation if it finds that the traffic offenses upon which it is
31 based were caused by or are the result of alcoholism and/or drug
32 addiction as evaluated by a program approved by the department of
33 (~~social and health services~~) health, and that since his or her last
34 offense he or she has undertaken and followed a course of treatment
35 for alcoholism and/or drug treatment in a program approved by the
36 department of (~~social and health services~~) health; such stay shall
37 be subject to terms and conditions as are deemed reasonable by the
38 department. Said stay shall continue as long as there is no further
39 conviction for any of the offenses listed in RCW 46.65.020(1). Upon a

1 subsequent conviction for any offense listed in RCW 46.65.020(1) or
2 violation of any of the terms or conditions of the original stay
3 order, the stay shall be removed and the department shall revoke the
4 operator's license for a period of seven years.

5 **Sec. 9.** RCW 46.65.065 and 1989 c 337 s 10 are each amended to
6 read as follows:

7 (1) Whenever a person's driving record, as maintained by the
8 department, brings him or her within the definition of an habitual
9 traffic offender, as defined in RCW 46.65.020, the department shall
10 forthwith notify the person of the revocation in writing (~~by~~
11 ~~certified mail~~) at his or her address of record as maintained by the
12 department. If the person is a nonresident of this state, notice
13 shall be sent to the person's last known address. Notices of
14 revocation shall inform the recipient thereof of his or her right to
15 a formal hearing and specify the steps which must be taken in order
16 to obtain a hearing. Within (~~fifteen~~) 15 days after the notice has
17 been given, the person may, in writing, request a formal hearing. If
18 such a request is not made within the prescribed time the right to a
19 hearing is waived. A request for a hearing stays the effectiveness of
20 the revocation.

21 (2) Upon receipt of a request for a hearing, the department shall
22 schedule a hearing (~~in the county in which the person making the~~
23 ~~request resides, and if [the] person is a nonresident of this state,~~
24 ~~the hearing shall be held in Thurston county. The department~~),
25 including a remote hearing, and shall give at least (~~ten days~~) 10
26 days' notice of the hearing to the person.

27 (3) The scope of the hearings provided by this section is limited
28 to the issues of whether the certified transcripts or abstracts of
29 the convictions, as maintained by the department, show that the
30 requisite number of violations have been accumulated within the
31 prescribed period of time as set forth in RCW 46.65.020 and whether
32 the terms and conditions for granting stays, as provided in RCW
33 46.65.060, have been met.

34 (4) Upon receipt of the hearing officer's decision, an aggrieved
35 party may appeal to the superior court of the county in which he or
36 she resides, or, in the case of a nonresident of this state, in the
37 superior court of Thurston county, for review of the revocation.
38 Notice of appeal must be filed within (~~thirty~~) 30 days after

1 receipt of the hearing officer's decision or the right to appeal is
2 waived. Review by the court shall be de novo and without a jury.

3 (5) The filing of a notice of appeal does not stay the effective
4 date of the revocation.

5 NEW SECTION. **Sec. 10.** The following acts or parts of acts are
6 each repealed:

7 (1) RCW 46.18.240 (Foreign organization license plates) and 2010
8 c 161 s 620; and

9 (2) RCW 46.18.250 (Honorary consul special license plates) and
10 2010 c 161 s 622.

11 NEW SECTION. **Sec. 11.** Section 2 of this act expires January 1,
12 2031.

13 NEW SECTION. **Sec. 12.** Section 3 of this act takes effect
14 January 1, 2031.

15 NEW SECTION. **Sec. 13.** Sections 1, 2, and 4 through 10 of this
16 act take effect October 1, 2025.

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