

WSR 23-23-183

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed November 22, 2023, 10:37 a.m., effective December 23, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The department of licensing (DOL) is removing the requirement for DOL to provide the names and addresses of current vehicle owners of record.

Citation of Rules Affected by this Order: Amending WAC 308-56A-210 Ownership in doubt—Bonded title or three-year registration without title.

Statutory Authority for Adoption: RCW 46.12.635 Disclosure of names and addresses of individual vehicle and vessel owners—Vehicle and vessel information—Address confidentiality program participants.

Adopted under notice filed as WSR 23-19-100 on September 20, 2023.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 22, 2023.

Ellis Starrett
Rules and Policy Manager

OTS-4910.1

AMENDATORY SECTION (Amending WSR 07-13-082, filed 6/19/07, effective 7/20/07)

WAC 308-56A-210 Ownership in doubt—Bonded title or three-year registration without title. (1) **What is ownership in doubt?** Ownership in doubt is when a vehicle owner(s) is unable to obtain satisfactory evidence of ownership or releases of interest as described in WAC 308-56A-265.

(2) **What options are available in an ownership in doubt situation?** When in an ownership in doubt situation, the owner may:

(a) Apply for three-year registration without title; or

(b) Apply for a bonded title described in RCW 46.12.151; or

(c) Petition any district or superior court of any county of this state to receive a judgment awarding ownership of the vehicle. This is required if ownership of the vehicle is contested after the applicant

makes application for ownership in doubt and before the three-year ownership in doubt period has lapsed.

(3) **What documents are required when applying for a bonded title or three-year registration without title?** Required documents when applying for a bonded title or three-year registration include:

(a) The originals or copies of letters sent by registered or certified mail to the registered and legal owners of record, including the return receipt. The letters must include information regarding the applicant's claim to ownership and a request for the released certificate of ownership (title) or a notarized or certified release of interest.

(i) ~~((Registered and legal owner information will be released under WAC 308-56A-090 for applications needing that information.~~

~~(ii))~~ If there is no Washington record, (a) of this subsection does not apply.

~~((iii))~~ (ii) If the owners of record do not respond before submitting their application, the applicant must wait ~~((fifteen))~~ 15 days from acknowledged receipt of the letter.

~~((iv))~~ (iii) If the letter is returned unclaimed, the applicant must submit the letter, unopened, with the application.

(b) A bonded title or a three-year registration without title affidavit completed by the applicant and signed by all persons to be shown as a registered owner.

(c) Washington state patrol inspection, unless the vehicle is specifically exempt under subsection (4) of this section. For vehicles exempt from the Washington state patrol inspection under subsection (4) of this section, the following documents are also required:

(i) A bonded title or three-year registration without title affidavit for vehicles exempt from the Washington state patrol inspection completed and signed by a person to be shown as a registered owner; and

(ii) A legible etching or photograph of the VIN as proof of the VIN.

(d) Application for certificate of ownership (title).

(e) A bond as described in RCW 46.12.151, if the applicant is applying for a bonded title.

(f) Other documents that may be required by law or rule.

(4) **Are there exemptions from the Washington state patrol inspection?** Yes.

(a) Certain vehicles are exempt from the Washington state patrol inspection if:

(i) There is a Washington record; or

(ii) There is no Washington record, but the vehicle owner has a title or registration certificate issued by Washington or another jurisdiction.

(b) Vehicles exempt from the Washington state patrol inspection include:

(i) Mopeds;

(ii) Trailers with a scale weight less than ~~((two-thousand))~~ 2,000 pounds;

(iii) Not eligible for road use (NEFRU) vehicles as defined in WAC 308-56A-500 when the model year is ~~((ten))~~ 10 years old or older;

(iv) Travel trailers and park model trailers when the model year is ~~((ten))~~ 10 years old and older;

(v) Campers when the model year is ~~((ten))~~ 10 years old and older;

(vi) Manufactured and mobile homes are exempt at all times.

(5) **When is a bond required?** A bond is required in ownership in doubt situations when:

(a) The applicant is a Washington state licensed vehicle dealer; or

(b) The Washington record shows there is an existing lien.

(6) **How is a vehicle value determined for filing a bond?** Vehicle value may be determined from one of the following sources:

(a) The department's automated valuing system; or

(b) A published appraisal guide; or

(c) Appraisal from a licensed vehicle dealer or appraisal company. The appraisal must be on company letterhead and have the business card attached; or

(d) Insured amount; or

(e) Consideration or payment plus estimated repairs by a bona fide mechanic; or

(f) Other valuing sources approved by the department.

(7) **May I transfer ownership on a vehicle with a bonded title or three-year registration without title?** Yes.

(a) Owners releasing interest in a vehicle with a bonded title or three-year registration without title must provide a release of interest described in WAC 308-56A-265;

(b) The new owners must submit an application for title as described in this chapter and complete the time remaining on the current ownership in doubt period.