

RCW 46.12.650 Releasing interest—Reports of sale—Transfer of ownership—Requirements—Penalty, exceptions. (1) **Releasing interest.** An owner releasing interest in a vehicle shall:

(a) Sign the release of interest section provided on the certificate of title or on a release of interest document or form approved by the department;

(b) Give the certificate of title or most recent evidence of ownership to the person gaining the interest in the vehicle;

(c) Give the person gaining interest in the vehicle an odometer disclosure statement if one is required; and

(d) Report the vehicle sold as provided in subsection (2) of this section.

(2) **Report of sale.** An owner shall notify the department, county auditor or other agent, or subagent appointed by the director in writing within five business days after a vehicle is or has been:

(a) Sold;

(b) Given as a gift to another person;

(c) Traded, either privately or to a dealership;

(d) Donated to charity;

(e) Turned over to an insurance company or wrecking yard; or

(f) Disposed of.

(3) **Report of sale properly filed.** A report of sale is properly filed if it is received by the department, county auditor or other agent, or subagent appointed by the director within five business days after the date of sale or transfer and it includes:

(a) The date of sale or transfer;

(b) The owner's full name and complete, current address;

(c) The full name and complete, current address of the person acquiring the vehicle, including street name and number, and apartment number if applicable, or post office box number, city or town, and postal code;

(d) The vehicle identification number and license plate number;

(e) A date or stamp by the department showing it was received on or before the fifth business day after the date of sale or transfer; and

(f) Payment of the fees required under RCW 46.17.050.

(4) **Report of sale - administration.** (a) The department shall:

(i) Provide or approve reports of sale forms;

(ii) Provide a system enabling an owner to submit reports of sale electronically;

(iii) Immediately update the department's vehicle record when a report of sale has been filed;

(iv) Provide instructions on release of interest forms that allow the seller of a vehicle to release their interest in a vehicle at the same time a financial institution, as defined in RCW 30A.22.040, releases its lien on the vehicle; and

(v) Send a report to the department of revenue that lists vehicles for which a report of sale has been received but no transfer of ownership has taken place. The department shall send the report once each quarter.

(b) A report of sale is not proof of a completed vehicle transfer for purposes of the collection of expenses related to towing, storage, and auction of an abandoned vehicle in situations where there is no evidence indicating the buyer knew of or was a party to acceptance of the vehicle transfer. A contract signed by the prior owner and the new owner, a certificate of title, a receipt, a purchase order or

wholesale order, or other legal proof or record of acceptance of the vehicle by the new owner may be provided to establish legal responsibility for the abandoned vehicle.

(5) **Report of sale - licensed dealers.** A vehicle dealer as defined in RCW 46.70.011 may, but is not required to, file a report of sale on behalf of an owner who trades in, sells, or otherwise transfers ownership of a vehicle to the dealer. A vehicle dealer who files on behalf of an owner shall collect and remit the fees required under RCW 46.17.050 from the owner in addition to any other fees charged to or owed by the customer.

(6) (a) **Transferring ownership.** A person who has recently acquired a vehicle by purchase, exchange, gift, lease, inheritance, or legal action shall apply to the department, county auditor or other agent, or subagent appointed by the director for a new certificate of title within 15 days of delivery of the vehicle. A secured party who has possession of the certificate of title shall either:

(i) Apply for a new certificate of title on behalf of the owner and pay the fee required under RCW 46.17.100; or

(ii) Provide all required documents to the owner, as long as the transfer was not a breach of its security agreement, to allow the owner to apply for a new certificate of title.

(b) Compliance with this subsection does not affect the rights of the secured party.

(7) **Certificate of title delivered to secured party.** The certificate of title must be kept by or delivered to the person who becomes the secured party when a security interest is reserved or created at the time of the transfer of ownership. The parties must comply with RCW 46.12.675.

(8) **Penalty for late transfer.** A person who has recently acquired a motor vehicle by purchase, exchange, gift, lease, inheritance, or legal action who does not apply for a new certificate of title within 15 calendar days of delivery of the vehicle is charged a penalty, as described in RCW 46.17.140, when applying for a new certificate of title. It is a misdemeanor to fail or neglect to apply for a transfer of ownership within 45 days after delivery of the vehicle. The misdemeanor is a single continuing offense for each day that passes regardless of the number of days that have elapsed following the 45-day time period.

(9) **Penalty for late transfer - exceptions.** The penalty is not charged if the delay in application is due to at least one of the following:

(a) The department requests additional supporting documents;

(b) The department, county auditor or other agent, or subagent fails to perform or is neglectful;

(c) The owner is prevented from applying due to an illness or extended hospitalization;

(d) The legal owner fails or neglects to release interest;

(e) The owner did not know of the filing of a report of sale by the previous owner and signs an affidavit to the fact; or

(f) The department finds other conditions exist that adequately explain the delay.

(10) **Review and issue.** The department shall review applications for certificates of title and issue certificates of title when it has determined that all applicable provisions of law have been complied with.

(11) **Rules.** The department may adopt rules as necessary to implement this section. [2023 c 273 § 1; 2016 c 86 § 1; 2015 3rd

sp.s. c 44 § 214; 2010 c 161 § 309; 2008 c 316 § 1; 2007 c 96 § 1; 2006 c 291 § 2. Prior: 2004 c 223 § 1; 2004 c 200 § 2; 2003 c 264 § 7; 2002 c 279 § 1; 1998 c 203 § 11; 1991 c 339 § 19; 1990 c 238 § 4; 1987 c 127 § 1; 1984 c 39 § 1; 1972 ex.s. c 99 § 1; 1969 ex.s. c 281 § 38; 1969 ex.s. c 42 § 1; 1967 c 140 § 7. Formerly RCW 46.12.101.]

Effective date—2015 3rd sp.s. c 44: See note following RCW 46.68.395.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Effective date—2004 c 200: See note following RCW 46.68.020.

Finding—1998 c 203: See note following RCW 46.55.105.

Effective date, implementation—1990 c 238: See note following RCW 46.12.530.

Effective date—1967 c 140: See note following RCW 46.12.520.