

WAC 308-93-440 Ownership in doubt—Bonded title or three-year registration without title. (1) **What is ownership in doubt?** Ownership in doubt is when a vessel owner(s) is unable to obtain satisfactory evidence of ownership or release of interest described in WAC 308-93-460.

(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 as described in vehicle law RCW 46.12.151; or

(c) Petition any district or superior court of any county of this state to receive a judgment. This is required if ownership of the vessel 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 the ownership and 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 308-93-087 for applicants needing that information.

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

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

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

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

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

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

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

(4) **How is a vessel value determined for filing a bond?** Vessel 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 vessel dealer or appraisal company. The appraisal must be on company letterhead and have the business card attached; or

(d) An appraisal from the department of revenue; or

(e) Insured amount; or

(f) Consideration or payment plus estimated repairs by a bona fide repair facility; or

(g) Other valuing sources approved by the department.

(5) **May I sell or release my interest in the vessel during the three-year ownership without title period?** Yes. A bonded certificate of ownership may be released and provided to the buyer in the same way as any other certificate of ownership. The Washington bonded title may

not be accepted by another state. If the other state has a similar program, they may issue their own type of bonded certificate of ownership. For three-year registration without title, provide the buyer with a notarized or certified release of interest. The new owner may either provide a judgment from a district or superior court of Washington or wait until the expiration of the time remaining on the previous ownership in doubt period and then make application for the certificate of ownership. If a notarized or certified release of interest cannot be obtained from the current registered owner, the new owner must start over with a new three-year bonded or three-year registration without title process.

[Statutory Authority: RCW 46.01.110. WSR 07-13-082, § 308-93-440, filed 6/19/07, effective 7/20/07. Statutory Authority: RCW 88.02.070, 88.02.100. WSR 03-07-076, § 308-93-440, filed 3/18/03, effective 4/18/03; WSR 00-23-028, § 308-93-440, filed 11/7/00, effective 12/8/00. Statutory Authority: RCW 88.02.070. WSR 98-09-023, § 308-93-440, filed 4/8/98, effective 5/9/98. Statutory Authority: RCW 88.02.070, 88.02.100 and 46.12.380. WSR 96-03-046, § 308-93-440, filed 1/11/96, effective 2/11/96. Statutory Authority: 1983 c 7 § 20 and 1983 2nd ex.s. c 3 § 46. WSR 83-23-076 (Order 736-DOL), § 308-93-440, filed 11/18/83.]