

**RCW 18.185.010 Definitions.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "Department" means the department of licensing.
- (2) "Director" means the director of licensing.
- (3) "Commission" means the criminal justice training commission.
- (4) "Collateral or security" means property of any kind given as security to obtain a bail bond.
- (5) "Bail bond agency" means a business that sells and issues corporate surety bail bonds or that provides security in the form of personal or real property to ensure the appearance of a criminal defendant before the courts of this state or the United States.
- (6) "Qualified agent" means an owner, sole proprietor, partner, manager, officer, or chief operating officer of a corporation who meets the requirements set forth in this chapter for obtaining a bail bond agency license.
- (7) "Bail bond agent" means a person who is employed by a bail bond agency and engages in the sale or issuance of bail bonds, but does not mean a clerical, secretarial, or other support person who does not participate in the sale or issuance of bail bonds.
- (8) "Licensee" means a bail bond agency, a bail bond agent, a qualified agent, or a bail bond recovery agent.
- (9) "Branch office" means any office physically separated from the principal place of business of the licensee from which the licensee or an employee or agent of the licensee conducts any activity meeting the criteria of a bail bond agency.
- (10) "Bail bond recovery agent" means a person who is under contract with a bail bond agent to receive compensation, reward, or any other form of lawful consideration for locating, apprehending, and surrendering a fugitive criminal defendant for whom a bail bond has been posted. "Bail bond recovery agent" does not include a general authority Washington peace officer or a limited authority Washington peace officer.
- (11) "Contract" means a written agreement between a bail bond agent or qualified agent and a bail bond recovery agent for the purpose of locating, apprehending, and surrendering a fugitive criminal defendant in exchange for lawful consideration.
- (12) "Planned forced entry" means a premeditated forcible entry into a dwelling, building, or other structure without the occupant's knowledge or consent for the purpose of apprehending a fugitive criminal defendant subject to a bail bond. "Planned forced entry" does not include situations where, during an imminent or actual chase or pursuit of a fleeing fugitive criminal defendant, or during a casual or unintended encounter with the fugitive, the bail bond recovery agent forcibly enters into a dwelling, building, or other structure without advanced planning. [2004 c 186 s 2; 2000 c 171 s 40; 1996 c 242 s 1; 1993 c 260 s 2.]

**Legislative recognition—2004 c 186:** "The legislature recognizes that bail bond agents and bail bond recovery agents serve a necessary and important purpose in the criminal justice system by locating, apprehending, and surrendering fugitive criminal defendants. The legislature also recognizes that locating, apprehending, and surrendering fugitives requires special skills and expertise; that bail bond agents and bail bond recovery agents are often required to perform their duties under stressful and demanding conditions; and

that it serves the public interest to have qualified people performing such essential functions. Therefore, bail bond agencies that use the services of bail bond recovery agents must, in the interest of public safety, use bail bond recovery agents who possess the knowledge and competence necessary for the job." [2004 c 186 s 1.]