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**HOUSE BILL 1742**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Stambaugh, Fey, Orcutt, Riccelli, McDonald, and Jinkins

AN ACT Relating to modifying the motor vehicle transporter's license to accommodate automotive repair facilities; amending RCW 46.76.040, 46.76.060, and 46.76.065; adding a new section to chapter 46.76 RCW; adding a new section to chapter 46.71 RCW; providing an effective date; and declaring an emergency.

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

NEW SECTION. **Sec.**  A new section is added to chapter 46.76 RCW to read as follows:

(1) Any automotive repair facility may procure a transporter's license in accordance with this chapter for the purpose of evaluating vehicles in need of repair, or that have been repaired, on the public roads of this state.

(2) This section may not be construed as requiring an automotive repair facility to obtain a transporter's license.

(3) For the purposes of this section, "automotive repair facility" or "repair facility" has the same meaning as defined in RCW 46.71.011. "Automotive repair facility" or "repair facility" includes entities that perform commercial fleet repair or maintenance transactions involving two or more vehicles, or that perform ongoing service or maintenance contracts involving vehicles used primarily for business purposes.

**Sec.**  RCW 46.76.040 and 1990 c 250 s 68 are each amended to read as follows:

The fee for an original transporter's license is twenty-five dollars. Transporter license number plates bearing an appropriate symbol and serial number ((~~shall~~)) must be attached to all vehicles being delivered or evaluated in the conduct of the business licensed under this chapter. The plates may be obtained for a fee of two dollars for each set.

**Sec.**  RCW 46.76.060 and 2010 c 8 s 9093 are each amended to read as follows:

Transporter's license plates ((~~shall~~)) must be conspicuously displayed on all vehicles being delivered by the driveaway or towaway methods or being driven on the public roads of the state for the purpose of repair evaluation. These plates ((~~shall~~)) must not be loaned to or used by any person other than the holder of the license or his or her employees.

**Sec.**  RCW 46.76.065 and 1977 ex.s. c 254 s 1 are each amended to read as follows:

The following conduct shall be sufficient grounds pursuant to RCW 34.05.422 for the director or a designee to deny, suspend, or revoke the license of a motor vehicle transporter:

(1) Using transporter plates for driveaway or towaway of any vehicle owned by such transporter;

(2) Knowingly, as that term is defined in RCW 9A.08.010(1)(b), having possession of a stolen vehicle or a vehicle with a defaced, missing, or obliterated manufacturer's identification serial number;

(3) Loaning transporter plates;

(4) Using transporter plates for any purpose other than as provided under RCW 46.76.010 or section 1 of this act; or

(5) Violation of provisions of this chapter or of rules and regulations adopted relating to enforcement and proper operation of this chapter.

NEW SECTION. **Sec.**  A new section is added to chapter 46.71 RCW to read as follows:

Any automotive repair facility may apply for a transporter's license under chapter 46.76 RCW for the purpose of evaluating vehicles in need of repair, or that have been repaired, on the public roads of this state.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2017.

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