CERTIFICATION OF ENROLLMENT

SENATE BILL 6476

Chapter 315, Laws of 1996

54th Legislature
1996 Regular Session

VEHICLE AND VESSEL FEES

EFFECTIVE DATE: 6/6/96 – See section 6 for exceptions.

Passed by the Senate February 7, 1996
YEAS 48 NAYS 1

JOEL PRITCHARD
President of the Senate

Passed by the House March 5, 1996
YEAS 86 NAYS 9

CLYDE BALLARD
Speaker of the House of Representatives

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is SENATE BILL 6476 as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN
Secretary

Approved March 30, 1996

FILED
March 30, 1996 - 4:49 p.m.

MIKE LOWRY
Governor of the State of Washington

Secretary of State
State of Washington
SENATE BILL 6476

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Senators Sheldon and Schow

Read first time 01/16/96. Referred to Committee on Transportation.

1 AN ACT Relating to vehicle and vessel fees; amending RCW 46.01.140, 46.01.320, and 88.02.070; adding a new section to chapter 46.01 RCW; adding a new section to chapter 46.16 RCW; and providing effective dates.

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

Sec. 1. RCW 46.01.140 and 1992 c 216 s 1 are each amended to read as follows:

(1) The county auditor, if appointed by the director of licensing shall carry out the provisions of this title relating to the licensing of vehicles and the issuance of vehicle license number plates under the direction and supervision of the director and may with the approval of the director appoint assistants as special deputies and recommend subagents to accept applications and collect fees for vehicle licenses and transfers and to deliver vehicle license number plates.

(2) A county auditor appointed by the director may request that the director appoint subagencies within the county. Upon authorization of the director, the auditor shall advertise a request for proposals and use the process for soliciting vendors under RCW 39.04.190(2), except that the provision requiring the contract to be awarded to the lowest
responsible bidder shall not apply. The auditor shall submit all proposals to the director, and shall recommend the appointment of one or more subagents who have applied through the request for proposal process. The director has final appointment authority.

(3)(a) A county auditor who is appointed as an agent by the department shall enter into a standard contract provided by the director, developed with the advice of the title and registration advisory committee.

(b) A subagent appointed under subsection (2) of this section shall enter into a standard contract with the county auditor, developed with the advice of the title and registration advisory committee. The director shall provide the standard contract to county auditors.

(c) The contracts provided for in (a) and (b) of this subsection must contain at a minimum provisions that:

(i) Describe the responsibilities, and where applicable, the liability, of each party relating to the service expectations and levels, equipment to be supplied by the department, and equipment maintenance;

(ii) Require the specific type of insurance or bonds so that the state is protected against any loss of collected motor vehicle tax revenues or loss of equipment;

(iii) Specify the amount of training that will be provided by the state, the county auditor, or subagents;

(iv) Describe allowable costs that may be charged to ((motor)) vehicle licensing activities as provided for in (d) of this subsection;

(v) Describe the causes and procedures for termination of the contract, which may include mediation and binding arbitration.

(d) The department shall develop procedures that will standardize and prescribe allowable costs that may be assigned to ((motor)) vehicle licensing and vessel registration and title activities performed by county auditors.

(e) The contracts may include any provision that the director deems necessary to ensure acceptable service and the full collection of ((motor)) vehicle and vessel tax revenues.

(f) The director may waive any provisions of the contract deemed necessary in order to ensure that readily accessible service is provided to the citizens of the state.

(4)(a) At any time any application is made to the director, the county auditor, or other agent pursuant to any law dealing with
licenses, registration, or the right to operate any vehicle or vessel upon the public highways or waters of this state, excluding applicants already paying such fee under RCW 46.16.070 or 46.16.085, the applicant shall pay to the director, county auditor, or other agent a fee of \((two)\) three dollars for each application in addition to any other fees required by law.

(b) Counties that do not cover the expenses of \((motor)\) vehicle licensing and vessel registration and title activities may submit to the department a request for cost-coverage moneys. The request must be submitted on a form developed by the department. The department shall develop procedures to verify whether a request is reasonable. Payment shall be made on requests found to be allowable from the licensing services account.

(c) Applicants for certificates of ownership, including applicants paying fees under RCW 46.16.070 or 46.16.085, shall pay to the director, county auditor, or other agent a fee of \((three)\) four dollars in addition to any other fees required by law.

(d) The fees under (a) and (c) of this subsection, if paid to the county auditor as agent of the director, or if paid to a subagent of the county auditor, shall be paid to the county treasurer in the same manner as other fees collected by the county auditor and credited to the county current expense fund. If the fee is paid to another agent of the director, the fee shall be used by the agent to defray his or her expenses in handling the application.

(5) A subagent shall collect a service fee of (a) \((five)\) seven dollars and fifty cents for changes in a certificate of ownership, with or without registration renewal, or verification of record and preparation of an affidavit of lost title other than at the time of the title application or transfer and (b) \((two)\) three dollars \((and twenty-five cents)\) for registration renewal only, issuing a transit permit, or any other service under this section.

(6) If the fee is collected by the state patrol as agent for the director, the fee so collected shall be certified to the state treasurer and deposited to the credit of the state patrol highway account. If the fee is collected by the department of transportation as agent for the director, the fee shall be certified to the state treasurer and deposited to the credit of the motor vehicle fund. All such fees collected by the director or branches of his office shall be
certified to the state treasurer and deposited to the credit of the highway safety fund.

(7) Any county revenues that exceed the cost of providing vehicle licensing and vessel registration and title activities in a county, calculated in accordance with the procedures in subsection (3)(d) of this section, shall be expended as determined by the county legislative authority during the process established by law for adoption of county budgets.

(8) The director may adopt rules to implement this section.

Sec. 2. RCW 46.01.320 and 1992 c 216 s 3 are each amended to read as follows:

The title and registration advisory committee is created within the department. The committee consists of the director or a designee, who shall serve as chair, the assistant director for vehicle services, the administrator of title and registration services, two members from each of the house and senate transportation committees, two county auditors nominated by the Washington association of county officials, and two representatives of subagents nominated by an association of vehicle subagents. The committee shall meet at least twice a year, and may meet as often as is necessary.

The committee’s purpose is to foster communication between the legislature, the department, county auditors, and subagents. The committee shall make recommendations when requested by the legislative transportation committee, or on its own initiative, about revisions to fee structures, implications of fee revisions on cost sharing, and the development of standard contracts provided for in RCW 46.01.140(3).

((The committee shall make recommendations about fee revisions to the legislative transportation committee by January 1, 1996.))

NEW SECTION. Sec. 3. A new section is added to chapter 46.01 RCW to read as follows:

(1) The director shall prepare, with the advice of the title and registration advisory committee, an annual comprehensive analysis and evaluation of agent and subagent fees. The director shall make recommendations for agent and subagent fee revisions approved by the title and registration advisory committee to the legislative transportation committee by January 1st of every third year starting with 1996. Fee revision recommendations may be made more frequently
when justified by the annual analysis and evaluation, and requested by
the title and registration advisory committee.

(2) The annual comprehensive analysis and evaluation must consider,
but is not limited to:

(a) Unique and significant financial, legislative, or other
relevant developments that may impact fees;

(b) Current funding for ongoing operating and maintenance
automation project costs affecting revenue collection and service
delivery;

(c) Future system requirements including an appropriate sharing of
costs between the department, agents, and subagents;

(d) Beneficial mix of customer service delivery options based on a
fee structure commensurate with quality performance standards;

(e) Appropriate indices projecting state and national growth in
business and economic conditions prepared by the United States
department of commerce, the department of revenue, and the revenue
forecast council for the state of Washington.

NEW SECTION.  Sec. 4. A new section is added to chapter 46.16 RCW
to read as follows:

(1) In addition to the fees set forth in RCW 46.16.070, there shall
be paid and collected annually upon registration, a fee of one dollar
for each truck, motor truck, truck tractor, road tractor, tractor, bus,
auto stage, or for hire vehicle with seating capacity of more than six,
notwithstanding the provisions of RCW 46.16.070.

(2) In addition to the fees set forth in RCW 46.16.085, there shall
be paid and collected annually upon registration, a fee of one dollar
for each trailer, semitrailer, and pole trailer, notwithstanding the
provisions of RCW 46.16.085.

(3) The proceeds from the fees collected under subsections (1) and
(2) of this section shall be deposited into the highway safety fund,
except that for each vehicle registered by a county auditor or agent to
a county auditor under RCW 46.01.140, the proceeds shall be credited to
the current county expense fund.

Sec. 5.  RCW 88.02.070 and 1991 c 339 s 31 are each amended to read
as follows:

(1) The department shall provide for the issuance of vessel
certificates of title. Applications for certificates may be made
through the agents appointed under RCW 88.02.040. The fee for a vessel certificate of title is five dollars. Fees required for licensing agents under RCW 46.01.140 are in addition to the vessel certificate of title fee. Fees for vessel certificates of title shall be deposited in the general fund. Security interests in vessels subject to the requirements of this chapter and attaching after July 1, 1983, shall be perfected only by indication upon the vessel’s title certificate. The provisions of chapters 46.12 and 46.16 RCW relating to motor vehicle certificates of registration, titles, certificate issuance, ownership transfer, and perfection of security interests, and other provisions which may be applied to vessels subject to this chapter, may be so applied by rule of the department if they are not inconsistent with this chapter.

(2) Whenever a vessel is to be registered for the first time as required by this chapter, except for a vessel having a valid marine document as a vessel of the United States, application shall be made at the same time for a certificate of title. Any person who purchases or otherwise obtains majority ownership of any vessel subject to the provisions of this chapter, except for a vessel having a valid marine document as a vessel of the United States, shall within fifteen days thereof apply for a new certificate of title which shows the vessel’s change of ownership.

(3) Security interests may be released or acted upon as provided by the law under which they arose or were perfected. No new security interest or renewal or extension of an existing security interest is affected except as provided under the terms of this chapter and RCW 46.12.095.

(4) Notice shall be given to the issuing authority by the owner indicated on the certificate of registration within fifteen days of the occurrence of any of the following: Any change of address of owner; destruction, loss, abandonment, theft, or recovery of the vessel; or loss or destruction of a valid certificate of registration on the vessel.

(5) Within five days, excluding Saturdays, Sundays, and state and federal holidays, the owner shall notify the department in writing, on the appropriate form, of the date of the sale or transfer, the name and address of the owner and of the transferee, and such description of the vessel, including the hull identification number, the vessel decal number, or both, as may be required by the department.
NEW SECTION. Sec. 6. (1) Section 4 of this act and the amendments to RCW 46.01.140(4) (a) and (c) by section 1 of this act become effective on vehicle fees due or to become due on January 1, 1997, and thereafter.

(2) Section 5 of this act and the amendments to RCW 46.01.140(4) (a) and (c) by section 1 of this act become effective on vessel fees due or to become due on July 1, 1997, and thereafter.

(3) The amendments to RCW 46.01.140(5) (a) and (b) by section 1 of this act become effective on July 1, 1996.

Passed the Senate February 7, 1996.
Passed the House March 5, 1996.
Approved by the Governor March 30, 1996.
Filed in Office of Secretary of State March 30, 1996.