
SENATE BILL 5127

State of Washington

55th Legislature

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By Senators Wojahn, Deccio, Thibaudeau, Wood, Oke, Loveland, Sellar, Snyder, Fairley, Spanel, Sheldon, McCaslin, West, Bauer, Winsley, Goings and Schow

Read first time 01/15/97. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to funding trauma care services; amending RCW
2 70.168.040, 46.16.060, 46.16.606, 63.14.010, and 63.14.130; adding a
3 new section to chapter 70.168 RCW; and adding a new section to chapter
4 46.70 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.168 RCW
7 to read as follows:

8 The department shall establish by rule a grant program for
9 designated trauma care services. The grants shall be made from the
10 emergency medical services and trauma care system trust account and
11 shall require regional matching funds so that the grant amounts support
12 a maximum of seventy-five percent of the costs of the services funded.

13 **Sec. 2.** RCW 70.168.040 and 1990 c 269 s 17 are each amended to
14 read as follows:

15 The emergency medical services and trauma care system trust account
16 is hereby created in the state treasury. Moneys shall be transferred
17 to the emergency medical services and trauma care system trust account
18 from the public safety education account or other sources as

1 appropriated, and as collected under section 3 of this act and RCW
2 46.16.060. Disbursements shall be made by the department subject to
3 legislative appropriation.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.70 RCW
5 to read as follows:

6 Upon the retail sale or lease of any new or used motor vehicle by
7 a vehicle dealer, the dealer shall collect from the consumer an
8 emergency medical services fee of ten dollars and an administrative fee
9 of five dollars. The ten dollar fee shall be forwarded to the
10 department of health for deposit in the emergency medical services and
11 trauma care system trust account created in RCW 70.168.040.

12 In any motor vehicle transaction where the seller or transferor is
13 not a vehicle dealer, the subagent or auditor shall collect the ten-
14 dollar fee from the purchaser at the time of vehicle registration or
15 transfer of title and the fee shall be transmitted to the department of
16 health for deposit in the emergency medical services and trauma care
17 system trust account.

18 Upon the sale of any new or used motor vehicle to a rental car
19 business as defined in RCW 46.04.466, where the vehicle is to be used
20 as a rental car as defined in RCW 46.04.465, the ten-dollar fee shall
21 be collected from the rental car business by the department of
22 licensing, or any of its authorized agents, at the time of vehicle
23 registration or application for certificate of title. The fee shall be
24 transmitted to the department of health for deposit in the emergency
25 medical services and trauma care system trust account.

26 The administrative fee charged by a dealer shall not be considered
27 a violation of RCW 46.70.180(2).

28 **Sec. 4.** RCW 46.16.060 and 1992 c 216 s 4 are each amended to read
29 as follows:

30 (1) Except for vehicles already so taxed in RCW 46.16.070 and
31 46.16.085 or as otherwise specifically provided by law for the
32 licensing of vehicles, there shall be paid and collected annually for
33 each registration year or fractional part thereof and upon each vehicle
34 a license fee of twenty-three dollars, but effective with initial motor
35 vehicle registrations that expire in January, 1989, and thereafter, the
36 license fee shall be twenty-seven dollars and seventy-five cents;
37 however, if the vehicle was previously licensed in this state and has

1 not been registered in another jurisdiction in the intervening period,
2 the renewal license fee shall be nineteen dollars, but effective with
3 vehicle license renewals that expire in January, 1989, and thereafter,
4 the renewal license fee shall be twenty-three dollars and seventy-five
5 cents. On all new and renewal license fees, an additional fifty cents
6 shall be collected and remitted to the department for deposit into the
7 department of licensing services account of the motor vehicle fund.
8 The proceeds of such fees shall be distributed in accordance with RCW
9 46.68.030. On all renewal license fees, an additional one dollar shall
10 be collected and remitted to the department of health for deposit into
11 the emergency medical services and trauma care system trust account and
12 disbursed to designated trauma care services as defined by RCW
13 70.168.015. The fee for licensing each house-moving dolly which is
14 used exclusively for moving buildings or homes on the highway under
15 special permit as provided for in chapter 46.44 RCW shall be twenty-
16 five dollars, but effective with licenses that expire in January, 1989,
17 and thereafter, the fee shall be twenty-nine dollars and seventy-five
18 cents, and no other fee shall be charged for the load carried thereon.

19 (2) The department of licensing, county auditors, and other
20 authorized agents shall collect for any registration year any increase
21 in the fees authorized by this section for the months of that
22 registration year in which any such increase is effective in the same
23 manner and at the same time as such fees for that registration year
24 would otherwise be collected as provided by law.

25 **Sec. 5.** RCW 46.16.606 and 1991 sp.s. c 7 s 13 are each amended to
26 read as follows:

27 In addition to the fees imposed in RCW 46.16.585 for application
28 and renewal of personalized license plates an additional fee of ~~((ten))~~
29 twelve dollars shall be charged. The revenue from the additional fee
30 shall be deposited as follows: Ten dollars of the fee shall be
31 deposited in the state wildlife fund and used for the management of
32 resources associated with the nonconsumptive use of wildlife and two
33 dollars of the fee shall be deposited into the emergency medical
34 services and trauma care system trust account and disbursed to
35 designated trauma care services as defined by RCW 70.168.015.

36 **Sec. 6.** RCW 63.14.010 and 1993 sp.s. c 5 s 1 are each amended to
37 read as follows:

1 In this chapter, unless the context otherwise requires:

2 (1) "Goods" means all chattels personal when purchased primarily
3 for personal, family, or household use and not for commercial or
4 business use, but not including money or, except as provided in the
5 next sentence, things in action. The term includes but is not limited
6 to merchandise certificates or coupons, issued by a retail seller, to
7 be used in their face amount in lieu of cash in exchange for goods or
8 services sold by such a seller and goods which, at the time of sale or
9 subsequently, are to be so affixed to real property as to become a part
10 thereof, whether or not severable therefrom;

11 (2) "Lender credit card" means a card or device under a lender
12 credit card agreement pursuant to which the issuer gives to a
13 cardholder residing in this state the privilege of obtaining credit
14 from the issuer or other persons in purchasing or leasing property or
15 services, obtaining loans, or otherwise, and the issuer of which is
16 not: (a) Principally engaged in the business of selling goods; or (b)
17 a financial institution;

18 (3) "Lender credit card agreement" means an agreement entered into
19 or performed in this state prescribing the terms of retail installment
20 transactions pursuant to which the issuer may, with the buyer's
21 consent, purchase or acquire one or more retail sellers' indebtedness
22 of the buyer under a sales slip or memorandum evidencing the purchase,
23 lease, loan, or otherwise to be paid in accordance with the agreement.
24 The issuer of a lender credit card agreement shall not be principally
25 engaged in the business of selling goods or be a financial institution;

26 (4) "Financial institution" means any bank or trust company, mutual
27 savings bank, credit union, or savings and loan association organized
28 pursuant to the laws of any one of the United States of America or the
29 United States of America, or the laws of a foreign country if also
30 qualified to conduct business in any one of the United States of
31 America or pursuant to the laws of the United States of America;

32 (5) "Services" means work, labor, or services of any kind when
33 purchased primarily for personal, family, or household use and not for
34 commercial or business use whether or not furnished in connection with
35 the delivery, installation, servicing, repair, or improvement of goods
36 and includes repairs, alterations, or improvements upon or in
37 connection with real property, but does not include services for which
38 the price charged is required by law to be determined or approved by or
39 to be filed, subject to approval or disapproval, with the United States

1 or any state, or any department, division, agency, officer, or official
2 of either as in the case of transportation services;

3 (6) "Retail buyer" or "buyer" means a person who buys or agrees to
4 buy goods or obtain services or agrees to have services rendered or
5 furnished, from a retail seller;

6 (7) "Retail seller" or "seller" means a person engaged in the
7 business of selling goods or services to retail buyers;

8 (8) "Retail installment transaction" means any transaction in which
9 a retail buyer purchases goods or services from a retail seller
10 pursuant to a retail installment contract, a retail charge agreement,
11 or a lender credit card agreement, as defined in this section, which
12 provides for a service charge, as defined in this section, and under
13 which the buyer agrees to pay the unpaid balance in one or more
14 installments or which provides for no service charge and under which
15 the buyer agrees to pay the unpaid balance in more than four
16 installments;

17 (9) "Retail installment contract" or "contract" means a contract,
18 other than a retail charge agreement, a lender credit card agreement,
19 or an instrument reflecting a sale made pursuant thereto, entered into
20 or performed in this state for a retail installment transaction. The
21 term "retail installment contract" may include a chattel mortgage, a
22 conditional sale contract, and a contract in the form of a bailment or
23 a lease if the bailee or lessee contracts to pay as compensation for
24 their use a sum substantially equivalent to or in excess of the value
25 of the goods sold and if it is agreed that the bailee or lessee is
26 bound to become, or for no other or a merely nominal consideration, has
27 the option of becoming the owner of the goods upon full compliance with
28 the provisions of the bailment or lease. The term "retail installment
29 contract" does not include: (a) A "consumer lease," heretofore or
30 hereafter entered into, as defined in RCW 63.10.020; (b) a lease which
31 would constitute such "consumer lease" but for the fact that: (i) It
32 was entered into before April 29, 1983; (ii) the lessee was not a
33 natural person; (iii) the lease was not primarily for personal, family,
34 or household purposes; or (iv) the total contractual obligations
35 exceeded twenty-five thousand dollars; or (c) a lease-purchase
36 agreement under chapter 63.19 RCW;

37 (10) "Retail charge agreement," "revolving charge agreement," or
38 "charge agreement" means an agreement between a retail buyer and a
39 retail seller that is entered into or performed in this state and that

1 prescribes the terms of retail installment transactions with one or
2 more sellers which may be made thereunder from time to time and under
3 the terms of which a service charge, as defined in this section, is to
4 be computed in relation to the buyer's unpaid balance from time to
5 time;

6 (11) "Service charge" however denominated or expressed, means the
7 amount which is paid or payable for the privilege of purchasing goods
8 or services to be paid for by the buyer in installments over a period
9 of time. It does not include the amount, if any, charged for insurance
10 premiums, delinquency charges, attorneys' fees, court costs, any
11 vehicle dealer administrative fee, or official fees;

12 (12) "Sale price" means the price for which the seller would have
13 sold or furnished to the buyer, and the buyer would have bought or
14 obtained from the seller, the goods or services which are the subject
15 matter of a retail installment transaction. The sale price may include
16 any taxes, registration and license fees, any vehicle dealer
17 administrative fee and charges for transferring vehicle titles,
18 delivery, installation, servicing, repairs, alterations, or
19 improvements;

20 (13) "Official fees" means the amount of the fees prescribed by law
21 and payable to the state, county, or other governmental agency for
22 filing, recording, or otherwise perfecting, and releasing or
23 satisfying, a retained title, lien, or other security interest created
24 by a retail installment transaction;

25 (14) "Time balance" means the principal balance plus the service
26 charge;

27 (15) "Principal balance" means the sale price of the goods or
28 services which are the subject matter of a retail installment contract
29 less the amount of the buyer's down payment in money or goods or both,
30 plus the amounts, if any, included therein, if a separate identified
31 charge is made therefor and stated in the contract, for insurance, any
32 vehicle dealer administrative fee, and official fees;

33 (16) "Person" means an individual, partnership, joint venture,
34 corporation, association, or any other group, however organized;

35 (17) "Rate" means the percentage which, when multiplied times the
36 outstanding balance for each month or other installment period, yields
37 the amount of the service charge for such month or period.

1 **Sec. 7.** RCW 63.14.130 and 1992 c 193 s 1 are each amended to read
2 as follows:

3 The service charge shall be inclusive of all charges incident to
4 investigating and making the retail installment contract or charge
5 agreement and for the privilege of making the installment payments
6 thereunder and no other fee, expense or charge whatsoever shall be
7 taken, received, reserved or contracted therefor from the buyer, except
8 for any vehicle dealer administrative fee.

9 (1) The service charge, in a retail installment contract, shall not
10 exceed the dollar amount or rate agreed to by contract and disclosed
11 under RCW 63.14.040(1)(7)(g).

12 (2) The service charge in a retail charge agreement, revolving
13 charge agreement, lender credit card agreement, or charge agreement,
14 shall not exceed the schedule or rate agreed to by contract and
15 disclosed under RCW 63.14.120(1). If the service charge so computed is
16 less than one dollar for any month, then one dollar may be charged.

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