
SENATE BILL 6540

State of Washington

55th Legislature

1998 Regular Session

By Senators Schow and T. Sheldon

Read first time 01/21/98. Referred to Committee on Transportation.

1 AN ACT Relating to vehicle licensing agents; and amending RCW
2 46.01.140.

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

4 **Sec. 1.** RCW 46.01.140 and 1996 c 315 s 1 are each amended to read
5 as follows:

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

13 (2) A county auditor appointed by the director may request that the
14 director appoint subagencies within the county. Upon authorization of
15 the director, the auditor shall advertise a request for proposals and
16 use the process for soliciting vendors under RCW 39.04.190(2), except
17 that the provision requiring the contract to be awarded to the lowest
18 responsible bidder shall not apply. The auditor shall submit all
19 proposals to the director, and shall recommend the appointment of one

1 or more subagents who have applied through the request for proposal
2 process. The director has final appointment authority.

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

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

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

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

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

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

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

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

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

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

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

36 (4) The legislature recognizes that vehicle licensing agents and
37 subagents appointed under this section provide a valuable service to
38 the citizens of the state of Washington. The legislature intends to
39 ensure that the same criteria be used to determine the siting and

1 establishment of vehicle licensing agencies and subagencies as are used
2 to determine the siting and establishment of vehicle licensing
3 facilities offered by the department of licensing.

4 (5) In determining whether to establish and site vehicle licensing
5 services for the public in a state-owned or state-leased facility, or
6 through an agent or subagent operating in a state-owned or state-leased
7 facility, the department of licensing shall use the same criteria
8 applied to establishing and siting a vehicle licensing agency or
9 subagency located outside a state-owned or state-leased facility.

10 (6) In determining whether to establish and site vehicle licensing
11 services in a state-owned or state-leased facility to be operated by
12 the department of licensing or to establish and site vehicle licensing
13 services through an agent or subagent operating in a state-owned or
14 state-leased facility, the department shall further determine whether
15 appointed agents or subagents operating outside a state-owned or state-
16 leased facility could better perform the vehicle licensing services
17 using the criteria set forth in subsection (7) of this section. If the
18 department determines that agents or subagents operating outside a
19 state-owned or state-leased facility could better perform the vehicle
20 licensing services, the department shall authorize an agent or subagent
21 operating outside a state-owned or state-leased facility to perform the
22 vehicle licensing services.

23 (7) The department of licensing shall adopt the same criteria in
24 subsections (5) and (6) of this section, thus proclaiming rules for
25 establishing and siting an agency or subagency in a state-owned or
26 state-leased facility to offer vehicle licensing services to the
27 public; for establishing and siting an agency or subagency outside a
28 state-owned or state-leased facility to offer vehicle licensing
29 services to the public; or for offering vehicle licensing services to
30 the public to be performed exclusively by the department of licensing
31 in a state-owned or state-leased facility.

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

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

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

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

19 ~~((+5))~~ (9) A subagent shall collect a service fee of (a) seven
20 dollars and fifty cents for changes in a certificate of ownership, with
21 or without registration renewal, or verification of record and
22 preparation of an affidavit of lost title other than at the time of the
23 title application or transfer and (b) three dollars for registration
24 renewal only, issuing a transit permit, or any other service under this
25 section.

26 ~~((+6))~~ (10) If the fee is collected by the state patrol as agent
27 for the director, the fee so collected shall be certified to the state
28 treasurer and deposited to the credit of the state patrol highway
29 account. If the fee is collected by the department of transportation
30 as agent for the director, the fee shall be certified to the state
31 treasurer and deposited to the credit of the motor vehicle fund. All
32 such fees collected by the director or branches of his office shall be
33 certified to the state treasurer and deposited to the credit of the
34 highway safety fund.

35 ~~((+7))~~ (11) Any county revenues that exceed the cost of providing
36 vehicle licensing and vessel registration and title activities in a
37 county, calculated in accordance with the procedures in subsection
38 (3)(d) of this section, shall be expended as determined by the county

1 legislative authority during the process established by law for
2 adoption of county budgets.
3 (~~(8)~~) (12) The director may adopt rules to implement this
4 section.

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