

CERTIFICATION OF ENROLLMENT

SENATE BILL 5113

55th Legislature
1997 Regular Session

Passed by the Senate March 11, 1997
YEAS 43 NAYS 0

President of the Senate

Passed by the House April 8, 1997
YEAS 97 NAYS 0

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5113** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5113

Passed Legislature - 1997 Regular Session

State of Washington

55th Legislature

1997 Regular Session

By Senator Oke

Read first time 01/15/97. Referred to Committee on Transportation.

1 AN ACT Relating to license fees; and amending RCW 46.68.010 and
2 88.02.055.

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

4 **Sec. 1.** RCW 46.68.010 and 1996 c 31 s 1 are each amended to read
5 as follows:

6 Whenever any license fee, paid under the provisions of this title,
7 has been erroneously paid, either wholly or in part, the payor is
8 entitled to have refunded the amount so erroneously paid. A license
9 fee is refundable in one or more of the following circumstances: (1)
10 If the vehicle for which the renewal license was purchased was
11 destroyed before the beginning date of the registration period for
12 which the renewal fee was paid; (2) if the vehicle for which the
13 renewal license was purchased was permanently removed from the state
14 before the beginning date of the registration period for which the
15 renewal fee was paid; (3) if the vehicle license was purchased after
16 the owner has sold the vehicle; (~~or~~) (4) if the vehicle is currently
17 licensed in Washington and is subsequently licensed in another
18 jurisdiction, in which case any full months of Washington fees between
19 the date of license application in the other jurisdiction and the

1 expiration of the Washington license are refundable; or (5) if the
2 vehicle for which the renewal license was purchased is sold before the
3 beginning date of the registration period for which the renewal fee was
4 paid, and the payor returns the new, unused, never affixed license
5 renewal tabs to the department before the beginning of the registration
6 period for which the registration was purchased. Upon ((such)) the
7 refund being certified to the state treasurer by the director as
8 correct and being claimed in the time required by law the state
9 treasurer shall mail or deliver the amount of each refund to the person
10 entitled thereto. No claim for refund shall be allowed for such
11 erroneous payments unless filed with the director within three years
12 after such claimed erroneous payment was made.

13 If due to error a person has been required to pay a vehicle license
14 fee under this title and an excise tax under Title 82 RCW that amounts
15 to an overpayment of ten dollars or more, that person shall be entitled
16 to a refund of the entire amount of the overpayment, regardless of
17 whether a refund of the overpayment has been requested. If due to
18 error the department or its agent has failed to collect the full amount
19 of the license fee and excise tax due and the underpayment is in the
20 amount of ten dollars or more, the department shall charge and collect
21 such additional amount as will constitute full payment of the tax and
22 fees.

23 Any person who makes a false statement under which he or she
24 obtains a refund to which he or she is not entitled under this section
25 is guilty of a gross misdemeanor.

26 **Sec. 2.** RCW 88.02.055 and 1996 c 31 s 2 are each amended to read
27 as follows:

28 Whenever any license fee paid under this chapter has been
29 erroneously paid, in whole or in part, the person paying the fee, upon
30 satisfactory proof to the director of licensing, is entitled to a
31 refund of the amount erroneously paid. A license fee is refundable in
32 one or more of the following circumstances: (1) If the vessel for
33 which the renewal license was purchased was destroyed before the
34 beginning date of the registration period for which the renewal fee was
35 paid; (2) if the vessel for which the renewal license was purchased was
36 permanently removed from the state before the beginning date of the
37 registration period for which the renewal fee was paid; (3) if the
38 vessel license was purchased after the owner has sold the vessel;

1 ((or)) (4) if the vessel is currently licensed in Washington and is
2 subsequently licensed in another jurisdiction, in which case any full
3 months of Washington fees between the date of license application in
4 the other jurisdiction and the expiration of the Washington license are
5 refundable; or (5) if the vessel for which the renewal license was
6 purchased is sold before the beginning date of the registration period
7 for which the renewal fee was paid, and the payor returns the new,
8 unused, never affixed license renewal decal to the department before
9 the beginning of the registration period for which the registration was
10 purchased. Upon the refund being certified as correct to the state
11 treasurer by the director and being claimed in the time required by
12 law, the state treasurer shall mail or deliver the amount of each
13 refund to the person entitled to the refund. A claim for refund shall
14 not be allowed for erroneous payments unless the claim is filed with
15 the director within three years after such payment was made.

16 If due to error a person has been required to pay a license fee
17 under this chapter and excise tax which amounts to an overpayment of
18 ten dollars or more, ((such)) the person ((shall be)) is entitled to a
19 refund of the entire amount of ((such)) the overpayment, regardless of
20 whether a refund of the overpayment has been requested. If due to
21 error the department or its agents has failed to collect the full
22 amount of the license fee and excise tax due, which underpayment is in
23 the amount of ten dollars or more, the department shall charge and
24 collect ((such)) the additional amount as will constitute full payment
25 of the tax and fees.

26 Any person who makes a false statement under which he or she
27 obtains a refund to which he or she is not entitled under this section
28 is guilty of a gross misdemeanor.

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