
SUBSTITUTE HOUSE BILL 2506

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Fisher, Mitchell and Hurst)

Read first time 02/07/2000. Referred to Committee on .

1 AN ACT Relating to the transfer of appointments by subagents of the
2 director of the department of licensing; and amending RCW 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.

15 (a) Upon authorization of the director, the auditor shall advertise
16 a request for proposals and use the process for soliciting vendors
17 under RCW 39.04.190(2), except that:

18 (i) The provision requiring the contract to be awarded to the
19 lowest responsible bidder shall not apply; and

1 (ii) A subagent may nominate a successor who is either the
2 subagent's sibling, spouse, or child, or a subagency employee. The
3 auditor shall recommend the appointment of the nominated successor
4 unless the auditor finds that the nominee does not meet the established
5 eligibility requirements. The department shall adopt eligibility
6 requirements in cooperation with the title registration advisory
7 committee.

8 (A) If a subagency is held by a partnership or corporate entity the
9 nomination must be submitted on behalf of, and agreed to by, all
10 partners or corporate officers.

11 (B) No subagent may receive any direct or indirect compensation or
12 remuneration from any party or entity in recognition of a successor
13 nomination. A subagent may not receive any financial benefit from the
14 transfer or termination of an appointment.

15 (C) This subsection (2)(a)(ii) is intended to assist in the
16 efficient transfer of appointments in order to minimize public
17 inconvenience. It does not create any proprietary or property interest
18 in the appointment.

19 (b) The auditor shall submit all proposals to the director, and
20 shall recommend the appointment of one or more subagents who have
21 applied through the request for proposal process. The director has
22 final appointment authority.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (d) The fees under (a) and (c) of this subsection, if paid to the
37 county auditor as agent of the director, or if paid to a subagent of
38 the county auditor, shall be paid to the county treasurer in the same
39 manner as other fees collected by the county auditor and credited to

1 the county current expense fund. If the fee is paid to another agent
2 of the director, the fee shall be used by the agent to defray his or
3 her expenses in handling the application.

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

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

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

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

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