
SUBSTITUTE SENATE BILL 6814

State of Washington 57th Legislature

2002 Regular Session

By Senate Committee on Transportation (originally sponsored by Senator Haugen)

READ FIRST TIME 02/12/2002.

1 AN ACT Relating to transportation fees; amending RCW 46.09.070,
2 46.10.040, 46.12.040, 46.12.080, 46.12.181, 46.16.0621, 46.16.160,
3 46.16.630, 46.20.055, 46.20.117, 46.20.200, 46.20.293, 46.29.050,
4 46.52.130, and 46.68.020; reenacting and amending RCW 46.12.170;
5 creating new sections; and providing an effective date.

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

7 **Sec. 1.** RCW 46.09.070 and 1997 c 241 s 1 are each amended to read
8 as follows:

9 (1) Application for annual or temporary ORV use permits shall be
10 made to the department or its authorized agent in such manner and upon
11 such forms as the department shall prescribe and shall state the name
12 and address of each owner of the off-road vehicle.

13 (2) An application for an annual permit shall be signed by at least
14 one owner, and shall be accompanied by a fee of five dollars. Upon
15 receipt of the annual permit application and the application fee, the
16 off-road vehicle shall be assigned a use permit number tag or decal,
17 which shall be affixed to the off-road vehicle in a manner prescribed
18 by the department. The annual permit is valid for a period of one year
19 and is renewable each year in such manner as the department may

1 prescribe for an additional period of one year upon payment of a
2 renewal fee of five dollars.

3 Any person acquiring an off-road vehicle for which an annual permit
4 has been issued who desires to continue to use the permit must, within
5 fifteen days of the acquisition of the off-road vehicle, make
6 application to the department or its authorized agent for transfer of
7 the permit, and the application shall be accompanied by a transfer fee
8 of (~~one dollar and twenty five cents~~) five dollars.

9 (3) A temporary use permit is valid for sixty days. Application
10 for a temporary permit shall be accompanied by a fee of two dollars.
11 The permit shall be carried on the vehicle at all times during its
12 operation in the state.

13 (4) Except as provided in RCW 46.09.050, any out-of-state operator
14 of an off-road vehicle shall, when operating in this state, comply with
15 this chapter, and if an ORV use permit is required under this chapter,
16 the operator shall obtain an annual or temporary permit and tag.

17 **Sec. 2.** RCW 46.10.040 and 2001 2nd sp.s. c 7 s 918 are each
18 amended to read as follows:

19 Application for registration shall be made to the department in the
20 manner and upon forms the department prescribes, and shall state the
21 name and address of each owner of the snowmobile to be registered, and
22 shall be signed by at least one such owner, and shall be accompanied by
23 an annual registration fee to be established by the commission, after
24 consultation with the committee and any statewide snowmobile user
25 groups. The commission shall increase the current fee of twenty
26 dollars by five dollars effective September 30, 2001, and the
27 commission shall increase the fee by another five dollars effective
28 September 30, 2002. After the fee increase effective September 30,
29 2002, the commission shall not increase the fee. Upon receipt of the
30 application and the application fee, the snowmobile shall be registered
31 and a registration number assigned, which shall be affixed to the
32 snowmobile in a manner provided in RCW 46.10.070.

33 The registration provided in this section shall be valid for a
34 period of one year. At the end of the period of registration, every
35 owner of a snowmobile in this state shall renew his or her registration
36 in the manner the department prescribes, for an additional period of
37 one year, upon payment of the annual registration fee as determined by
38 the commission.

1 Any person acquiring a snowmobile already validly registered under
2 the provisions of this chapter must, within ten days of the acquisition
3 or purchase of the snowmobile, make application to the department for
4 transfer of the registration, and the application shall be accompanied
5 by a transfer fee of (~~one dollar and twenty-five cents~~) five dollars.

6 A snowmobile owned by a resident of another state or Canadian
7 province where registration is not required by law may be issued a
8 nonresident registration permit valid for not more than sixty days.
9 Application for the permit shall state the name and address of each
10 owner of the snowmobile to be registered and shall be signed by at
11 least one owner and shall be accompanied by a registration fee of five
12 dollars. The registration permit shall be carried on the vehicle at
13 all times during its operation in this state.

14 The registration fees provided in this section shall be in lieu of
15 any personal property or excise tax heretofore imposed on snowmobiles
16 by this state or any political subdivision thereof, and no city,
17 county, or other municipality, and no state agency shall hereafter
18 impose any other registration or license fee on any snowmobile in this
19 state.

20 The department shall make available a pair of uniform decals
21 consistent with the provisions of RCW 46.10.070. In addition to the
22 registration fee provided in this section the department shall charge
23 each applicant for registration the actual cost of the decal. The
24 department shall make available replacement decals for a fee equivalent
25 to the actual cost of the decals.

26 **Sec. 3.** RCW 46.12.040 and 2001 c 125 s 2 are each amended to read
27 as follows:

28 The application accompanied by a draft, money order, certified bank
29 check, or cash for (~~one dollar and twenty-five cents~~) five dollars,
30 together with the last preceding certificates or other satisfactory
31 evidence of ownership, shall be forwarded to the director.

32 The fee shall be in addition to any other fee for the license
33 registration of the vehicle. The certificate of ownership shall not be
34 required to be renewed annually, or at any other time, except as by law
35 provided.

36 In addition to the application fee and any other fee for the
37 license registration of a vehicle, the department shall collect from
38 the applicant a fee of fifteen dollars for vehicles previously

1 registered in any other state or country. The proceeds from the fee
2 shall be deposited in the motor vehicle fund. For vehicles requiring
3 a physical examination, the inspection fee shall be fifty dollars and
4 shall be deposited in the motor vehicle fund.

5 **Sec. 4.** RCW 46.12.080 and 1997 c 241 s 4 are each amended to read
6 as follows:

7 Any person holding the certificate of ownership for a motorcycle or
8 any vehicle registered by its motor number in which there has been
9 installed a new or different motor than that with which it was issued
10 certificates of ownership and license registration shall forthwith and
11 within five days after such installation forward and surrender such
12 certificates to the department, together with an application for issue
13 of corrected certificates of ownership and license registration and a
14 fee of (~~one dollar and twenty five cents~~) five dollars, and a
15 statement of the disposition of the former motor. The possession by
16 any person of any such certificates for such vehicle in which a new or
17 different motor has been installed, after five days following such
18 installation, shall be prima facie evidence of a violation of the
19 provisions of this chapter and shall constitute a misdemeanor.

20 **Sec. 5.** RCW 46.12.170 and 1997 c 432 s 5 and 1997 c 241 s 5 are
21 each reenacted and amended to read as follows:

22 If, after a certificate of ownership is issued, a security interest
23 is granted on the vehicle described therein, the registered owner or
24 secured party shall, within ten days thereafter, present an application
25 to the department, to which shall be attached the certificate of
26 ownership last issued covering the vehicle, or such other documentation
27 as may be required by the department, which application shall be upon
28 a form approved by the department and shall be accompanied by a fee of
29 (~~one dollar and twenty five cents~~) five dollars in addition to all
30 other fees. The department, if satisfied that there should be a
31 reissue of the certificate, shall note such change upon the vehicle
32 records and issue to the secured party a new certificate of ownership.

33 Whenever there is no outstanding secured obligation and no
34 commitment to make advances and incur obligations or otherwise give
35 value, the secured party must assign the certificate of ownership to
36 the debtor or the debtor's assignee or transferee, and transmit the
37 certificate to the department with an accompanying fee of (~~one dollar~~

1 ~~and twenty five cents))~~ five dollars in addition to all other fees.
2 The department shall then issue a new certificate of ownership and
3 transmit it to the owner. If the affected secured party fails to
4 either assign the certificate of ownership to the debtor or the
5 debtor's assignee or transferee or transmit the certificate of
6 ownership to the department within ten days after proper demand, that
7 secured party shall be liable to the debtor or the debtor's assignee or
8 transferee for one hundred dollars, and in addition for any loss caused
9 to the debtor or the debtor's assignee or transferee by such failure.

10 **Sec. 6.** RCW 46.12.181 and 1997 c 241 s 7 are each amended to read
11 as follows:

12 If a certificate of ownership is lost, stolen, mutilated, or
13 destroyed or becomes illegible, the first priority secured party or, if
14 none, the owner or legal representative of the owner named in the
15 certificate, as shown by the records of the department, shall promptly
16 make application for and may obtain a duplicate upon tender of (~~one~~
17 ~~dollar and twenty five cents))~~ five dollars in addition to all other
18 fees and upon furnishing information satisfactory to the department.
19 The duplicate certificate of ownership shall contain the legend,
20 "duplicate." It shall be provided to the first priority secured party
21 named in it or, if none, to the owner.

22 A person recovering an original certificate of ownership for which
23 a duplicate has been issued shall promptly surrender the original
24 certificate to the department.

25 **Sec. 7.** RCW 46.16.0621 and 2000 1st sp.s. c 1 s 1 are each amended
26 to read as follows:

27 (1) License tab fees shall be thirty dollars per year for (~~motor~~)
28 ~~vehicles(, regardless of year, value, make, or model, beginning~~
29 ~~January 1, 2000)).~~

30 (2) For the purposes of this section, "license tab fees" are
31 defined as the general fees paid annually for licensing motor vehicles,
32 (~~including cars, sport utility vehicles, motorcycles, and motor~~
33 ~~homes)) and nonmotorized vehicles, including trailers as defined in RCW
34 46.04.620 and 46.04.623. Trailers licensed under RCW 46.16.065,
35 46.16.068, or 46.16.085 or campers licensed under RCW 46.16.505 are not
36 required to pay license tab fees under this section.~~

1 **Sec. 8.** RCW 46.16.160 and 1999 c 270 s 1 are each amended to read
2 as follows:

3 (1) The owner of a vehicle which under reciprocal relations with
4 another jurisdiction would be required to obtain a license registration
5 in this state or an unlicensed vehicle which would be required to
6 obtain a license registration for operation on public highways of this
7 state may, as an alternative to such license registration, secure and
8 operate such vehicle under authority of a trip permit issued by this
9 state in lieu of a Washington certificate of license registration, and
10 licensed gross weight if applicable. The licensed gross weight may not
11 exceed eighty thousand pounds for a combination of vehicles nor forty
12 thousand pounds for a single unit vehicle with three or more axles.
13 Trip permits may also be issued for movement of mobile homes pursuant
14 to RCW 46.44.170. For the purpose of this section, a vehicle is
15 considered unlicensed if the licensed gross weight currently in effect
16 for the vehicle or combination of vehicles is not adequate for the load
17 being carried. Vehicles registered under RCW 46.16.135 shall not be
18 operated under authority of trip permits in lieu of further
19 registration within the same registration year.

20 (2) Each trip permit shall authorize the operation of a single
21 vehicle at the maximum legal weight limit for such vehicle for a period
22 of three consecutive days commencing with the day of first use. No
23 more than three such permits may be used for any one vehicle in any
24 period of thirty consecutive days, except that in the case of a
25 recreational vehicle as defined in RCW 43.22.335, no more than two trip
26 permits may be used for any one vehicle in a one-year period. Every
27 permit shall identify, as the department may require, the vehicle for
28 which it is issued and shall be completed in its entirety and signed by
29 the operator before operation of the vehicle on the public highways of
30 this state. Correction of data on the permit such as dates, license
31 number, or vehicle identification number invalidates the permit. The
32 trip permit shall be displayed on the vehicle to which it is issued as
33 prescribed by the department.

34 (3) Vehicles operating under authority of trip permits are subject
35 to all laws, rules, and regulations affecting the operation of like
36 vehicles in this state.

37 (4) Prorate operators operating commercial vehicles on trip permits
38 in Washington shall retain the customer copy of such permit for four
39 years.

1 (5) Trip permits may be obtained from field offices of the
2 department of transportation, Washington state patrol, department of
3 licensing, or other agents appointed by the department. The fee for
4 each trip permit shall be fifteen dollars. For each permit issued,
5 ~~((there shall be collected))~~ the fee shall include a filing fee as
6 provided by RCW 46.01.140~~((, an administrative fee of eight dollars,))~~
7 and an excise tax of one dollar. ~~((If the filing fee amount of one~~
8 ~~dollar prescribed by RCW 46.01.140 is increased or decreased after~~
9 ~~January 1, 1981, the administrative fee shall be adjusted to compensate~~
10 ~~for such change to insure that the total amount collected for the~~
11 ~~filing fee, administrative fee, and excise tax remain at ten dollars.))~~
12 The remaining portion of the trip permit fee shall be deposited to the
13 credit of the motor vehicle fund as an administrative fee. If the
14 filing fee amount of three dollars as prescribed in RCW 46.01.140 is
15 increased or decreased after July 1, 2002, the administrative fee shall
16 be increased or decreased by the same amount so that the total trip
17 permit fee would be adjusted equally to compensate. These fees and
18 taxes are in lieu of all other vehicle license fees and taxes. No
19 exchange, credits, or refunds may be given for trip permits after they
20 have been purchased.

21 (6) The department may appoint county auditors or businesses as
22 agents for the purpose of selling trip permits to the public. County
23 auditors or businesses so appointed may retain the filing fee collected
24 for each trip permit to defray expenses incurred in handling and
25 selling the permits.

26 (7) A violation of or a failure to comply with any provision of
27 this section is a gross misdemeanor.

28 (8) The department of licensing may adopt rules as it deems
29 necessary to administer this section.

30 (9) A surcharge of five dollars is imposed on the issuance of trip
31 permits. The portion of the surcharge paid by motor carriers must be
32 deposited in the motor vehicle fund for the purpose of supporting
33 vehicle weigh stations, weigh-in-motion programs, and the commercial
34 vehicle information systems and networks program. The remaining
35 portion of the surcharge must be deposited in the motor vehicle fund
36 for the purpose of supporting congestion relief programs. All other
37 administrative fees and excise taxes collected under the provisions of
38 this chapter shall be forwarded by the department with proper
39 identifying detailed report to the state treasurer who shall deposit

1 the administrative fees to the credit of the motor vehicle fund and the
2 excise taxes to the credit of the general fund. Filing fees will be
3 forwarded and reported to the state treasurer by the department as
4 prescribed in RCW 46.01.140.

5 **Sec. 9.** RCW 46.16.630 and 1997 c 241 s 11 are each amended to read
6 as follows:

7 Application for registration of a moped shall be made to the
8 department of licensing in such manner and upon such forms as the
9 department shall prescribe, and shall state the name and address of
10 each owner of the moped to be registered, the vehicle identification
11 number, and such other information as the department may require, and
12 shall be accompanied by a registration fee of three dollars. Upon
13 receipt of the application and the application fee, the moped shall be
14 registered and a registration number assigned, which shall be affixed
15 to the moped in the manner as provided by rules adopted by the
16 department. The registration provided in this section shall be valid
17 for a period of twelve months.

18 Every owner of a moped in this state shall renew the registration,
19 in such manner as the department shall prescribe, for an additional
20 period of twelve months, upon payment of a renewal fee of three
21 dollars.

22 Any person acquiring a moped already validly registered must,
23 within fifteen days of the acquisition or purchase of the moped, make
24 application to the department for transfer of the registration, and the
25 application shall be accompanied by a transfer fee of (~~one dollar and~~
26 ~~twenty-five cents~~) five dollars.

27 The registration fees provided in this section shall be in lieu of
28 any personal property tax or the vehicle excise tax imposed by chapter
29 82.44 RCW.

30 The department shall, at the time the registration number is
31 assigned, make available a decal or other identifying device to be
32 displayed on the moped. A fee of one dollar and fifty cents shall be
33 charged for the decal or other identifying device.

34 The provisions of RCW 46.01.130 and 46.01.140 shall apply to
35 applications for the issuance of registration numbers or renewals or
36 transfers thereof for mopeds as they do to the issuance of vehicle
37 licenses, the appointment of agents, and the collection of application
38 fees. Except for the fee collected pursuant to RCW 46.01.140, all fees

1 collected under this section shall be deposited in the motor vehicle
2 fund.

3 **Sec. 10.** RCW 46.20.055 and 1999 c 274 s 13 are each amended to
4 read as follows:

5 (1) **Driver's instruction permit.** The department may issue a
6 driver's instruction permit with or without a photograph to an
7 applicant who has successfully passed all parts of the examination
8 other than the driving test, provided the information required by RCW
9 46.20.091, paid a (~~five-dollar~~) fifteen-dollar fee, and meets the
10 following requirements:

11 (a) Is at least fifteen and one-half years of age; or

12 (b) Is at least fifteen years of age and:

13 (i) Has submitted a proper application; and

14 (ii) Is enrolled in a traffic safety education program approved and
15 accredited by the superintendent of public instruction that includes
16 practice driving.

17 (2) (~~Nonphoto permit fee.~~ An applicant who meets the requirements
18 of subsection (1) of this section other than payment of the five dollar
19 fee may obtain a driver's instruction permit without a photograph by
20 paying a fee of four dollars.

21 (~~3~~)) **Waiver of written examination for instruction permit.** The
22 department may waive the written examination, if, at the time of
23 application, an applicant is enrolled in:

24 (a) A traffic safety education course as defined by RCW
25 28A.220.020(2); or

26 (b) A course of instruction offered by a licensed driver training
27 school as defined by RCW 46.82.280(1).

28 The department may require proof of registration in such a course
29 as it deems necessary.

30 (~~4~~)) **(3) Effect of instruction permit.** A person holding a
31 driver's instruction permit may drive a motor vehicle, other than a
32 motorcycle, upon the public highways if:

33 (a) The person has immediate possession of the permit; and

34 (b) An approved instructor, or a licensed driver with at least five
35 years of driving experience, occupies the seat beside the driver.

36 (~~5~~)) **(4) Term of instruction permit.** A driver's instruction
37 permit is valid for one year from the date of issue.

38 (a) The department may issue one additional one-year permit.

1 (b) The department may issue a third driver's permit if it finds
2 after an investigation that the permittee is diligently seeking to
3 improve driving proficiency.

4 **Sec. 11.** RCW 46.20.117 and 1999 c 274 s 15 are each amended to
5 read as follows:

6 (1) **Issuance.** The department shall issue an identicard, containing
7 a picture, if the applicant:

8 (a) Does not hold a valid Washington driver's license;

9 (b) Proves his or her identity as required by RCW 46.20.035; and

10 (c) Pays the required fee. The fee is (~~four~~) fifteen dollars
11 unless an applicant is a recipient of continuing public assistance
12 grants under Title 74 RCW, who is referred in writing by the secretary
13 of social and health services. For those persons the fee must be the
14 actual cost of production of the identicard.

15 (2) **Design and term.** The identicard must:

16 (a) Be distinctly designed so that it will not be confused with the
17 official driver's license; and

18 (b) Expire on the fifth anniversary of the applicant's birthdate
19 after issuance.

20 (3) **Cancellation.** The department may cancel an identicard if the
21 holder of the identicard used the card or allowed others to use the
22 card in violation of RCW 46.20.0921.

23 **Sec. 12.** RCW 46.20.200 and 1985 ex.s. c 1 s 5 are each amended to
24 read as follows:

25 (1) If an instruction permit, identicard, or a driver's license is
26 lost or destroyed, the person to whom it was issued may obtain a
27 duplicate of it upon furnishing proof of such fact satisfactory to the
28 department and payment of a fee of (~~five~~) fifteen dollars to the
29 department.

30 (2) A replacement permit, identicard, or driver's license may be
31 obtained to change or correct material information upon payment of a
32 fee of (~~two~~) five dollars and surrender of the permit, identicard, or
33 driver's license being replaced.

34 **Sec. 13.** RCW 46.20.293 and 1999 c 86 s 3 are each amended to read
35 as follows:

1 The department is authorized to provide juvenile courts with the
2 department's record of traffic charges compiled under RCW 46.52.101 and
3 13.50.200, against any minor upon the request of any state juvenile
4 court or duly authorized officer of any juvenile court of this state.
5 Further, the department is authorized to provide any juvenile court
6 with any requested service which the department can reasonably perform
7 which is not inconsistent with its legal authority which substantially
8 aids juvenile courts in handling traffic cases and which promotes
9 highway safety.

10 The department is authorized to furnish to the parent, parents, or
11 guardian of any person under eighteen years of age who is not
12 emancipated from such parent, parents, or guardian, the department
13 records of traffic charges compiled against the person and shall
14 collect for the copy a fee of (~~four~~) five dollars (~~and fifty cents~~)
15 to be deposited in the highway safety fund.

16 **Sec. 14.** RCW 46.29.050 and 1987 1st ex.s. c 9 s 1 are each amended
17 to read as follows:

18 (1) The department shall upon request furnish any person or his
19 attorney a certified abstract of his driving record, which abstract
20 shall include enumeration of any motor vehicle accidents in which such
21 person has been involved. Such abstract shall (a) indicate the total
22 number of vehicles involved, whether the vehicles were legally parked
23 or moving, and whether the vehicles were occupied at the time of the
24 accident; and (b) contain reference to any convictions of the person
25 for violation of the motor vehicle laws as reported to the department,
26 reference to any findings that the person has committed a traffic
27 infraction which have been reported to the department, and a record of
28 any vehicles registered in the name of the person. The department
29 shall collect for each abstract the sum of (~~four~~) five dollars (~~and~~
30 ~~fifty cents~~) which shall be deposited in the highway safety fund.

31 (2) The department shall upon request furnish any person who may
32 have been injured in person or property by any motor vehicle, with an
33 abstract of all information of record in the department pertaining to
34 the evidence of the ability of any driver or owner of any motor vehicle
35 to respond in damages. The department shall collect for each abstract
36 the sum of (~~four~~) five dollars (~~and fifty cents~~) which shall be
37 deposited in the highway safety fund.

1 **Sec. 15.** RCW 46.52.130 and 2001 c 309 s 1 are each amended to read
2 as follows:

3 A certified abstract of the driving record shall be furnished only
4 to the individual named in the abstract, an employer or prospective
5 employer or an agent acting on behalf of an employer or prospective
6 employer, the insurance carrier that has insurance in effect covering
7 the employer or a prospective employer, the insurance carrier that has
8 insurance in effect covering the named individual, the insurance
9 carrier to which the named individual has applied, an alcohol/drug
10 assessment or treatment agency approved by the department of social and
11 health services, to which the named individual has applied or been
12 assigned for evaluation or treatment, or city and county prosecuting
13 attorneys. City attorneys and county prosecuting attorneys may provide
14 the driving record to alcohol/drug assessment or treatment agencies
15 approved by the department of social and health services to which the
16 named individual has applied or been assigned for evaluation or
17 treatment. The director, upon proper request, shall furnish a
18 certified abstract covering the period of not more than the last three
19 years to insurance companies. Upon proper request, the director shall
20 furnish a certified abstract covering a period of not more than the
21 last five years to state approved alcohol/drug assessment or treatment
22 agencies, except that the certified abstract shall also include records
23 of alcohol-related offenses as defined in RCW 46.01.260(2) covering a
24 period of not more than the last ten years. Upon proper request, a
25 certified abstract of the full driving record maintained by the
26 department shall be furnished to a city or county prosecuting attorney,
27 to the individual named in the abstract or to an employer or
28 prospective employer or an agent acting on behalf of an employer or
29 prospective employer of the named individual. The abstract, whenever
30 possible, shall include an enumeration of motor vehicle accidents in
31 which the person was driving; the total number of vehicles involved;
32 whether the vehicles were legally parked or moving; whether the
33 vehicles were occupied at the time of the accident; whether the
34 accident resulted in any fatality; any reported convictions,
35 forfeitures of bail, or findings that an infraction was committed based
36 upon a violation of any motor vehicle law; and the status of the
37 person's driving privilege in this state. The enumeration shall
38 include any reports of failure to appear in response to a traffic
39 citation or failure to respond to a notice of infraction served upon

1 the named individual by an arresting officer. Certified abstracts
2 furnished to prosecutors and alcohol/drug assessment or treatment
3 agencies shall also indicate whether a recorded violation is an
4 alcohol-related offense as defined in RCW 46.01.260(2) that was
5 originally charged as one of the alcohol-related offenses designated in
6 RCW 46.01.260(2)(b)(i).

7 The abstract provided to the insurance company shall exclude any
8 information, except that related to the commission of misdemeanors or
9 felonies by the individual, pertaining to law enforcement officers or
10 fire fighters as defined in RCW 41.26.030, or any officer of the
11 Washington state patrol, while driving official vehicles in the
12 performance of occupational duty. The abstract provided to the
13 insurance company shall include convictions for RCW 46.61.5249 and
14 46.61.525 except that the abstract shall report them only as negligent
15 driving without reference to whether they are for first or second
16 degree negligent driving. The abstract provided to the insurance
17 company shall exclude any deferred prosecution under RCW 10.05.060,
18 except that if a person is removed from a deferred prosecution under
19 RCW 10.05.090, the abstract shall show the deferred prosecution as well
20 as the removal.

21 The director shall collect for each abstract the sum of ((four))
22 five dollars ((and fifty cents)) which shall be deposited in the
23 highway safety fund.

24 Any insurance company or its agent receiving the certified abstract
25 shall use it exclusively for its own underwriting purposes and shall
26 not divulge any of the information contained in it to a third party.
27 No policy of insurance may be canceled, nonrenewed, denied, or have the
28 rate increased on the basis of such information unless the policyholder
29 was determined to be at fault. No insurance company or its agent for
30 underwriting purposes relating to the operation of commercial motor
31 vehicles may use any information contained in the abstract relative to
32 any person's operation of motor vehicles while not engaged in such
33 employment, nor may any insurance company or its agent for underwriting
34 purposes relating to the operation of noncommercial motor vehicles use
35 any information contained in the abstract relative to any person's
36 operation of commercial motor vehicles.

37 Any employer or prospective employer or an agent acting on behalf
38 of an employer or prospective employer receiving the certified abstract
39 shall use it exclusively for his or her own purpose to determine

1 whether the licensee should be permitted to operate a commercial
2 vehicle or school bus upon the public highways of this state and shall
3 not divulge any information contained in it to a third party.

4 Any alcohol/drug assessment or treatment agency approved by the
5 department of social and health services receiving the certified
6 abstract shall use it exclusively for the purpose of assisting its
7 employees in making a determination as to what level of treatment, if
8 any, is appropriate. The agency, or any of its employees, shall not
9 divulge any information contained in the abstract to a third party.

10 Release of a certified abstract of the driving record of an
11 employee or prospective employee requires a statement signed by: (1)
12 The employee or prospective employee that authorizes the release of the
13 record, and (2) the employer attesting that the information is
14 necessary to determine whether the licensee should be employed to
15 operate a commercial vehicle or school bus upon the public highways of
16 this state. If the employer or prospective employer authorizes an
17 agent to obtain this information on their behalf, this must be noted in
18 the statement.

19 Any negligent violation of this section is a gross misdemeanor.

20 Any intentional violation of this section is a class C felony.

21 **Sec. 16.** RCW 46.68.020 and 1961 c 12 s 46.68.020 are each amended
22 to read as follows:

23 The director shall forward all fees for certificates of ownership
24 or other moneys accruing under the provisions of chapter 46.12 RCW to
25 the state treasurer, together with a proper identifying detailed
26 report. The state treasurer shall credit such moneys to the ((~~motor~~
27 ~~vehicle fund~~)) multimodal transportation account in RCW 47.66.070 and
28 all expenses incurred in carrying out the provisions of that chapter
29 shall be paid from such ((~~fund~~)) account as authorized by legislative
30 appropriation.

31 NEW SECTION. **Sec. 17.** Any fee increases provided in this act do
32 not constitute new transportation revenue for the purposes of chapter
33 5, Laws of 2002.

34 NEW SECTION. **Sec. 18.** Section 7 of this act applies to
35 registrations due or to become due on July 1, 2002.

1 NEW SECTION. **Sec. 19.** This act takes effect July 1, 2002.

--- **END** ---