

2 **SHB 2224 - H AMD 1037 ADOPTED 2-14-94**

3 By Representative R. Fisher

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5 On page 1, after line 8, insert the following:

6 "Sec. 1. RCW 46.01.230 and 1992 c 216 s 2 are each amended to read
7 as follows:

8 (1) The department of licensing is authorized to accept checks and
9 money orders for payment of drivers' licenses, certificates of
10 ownership and registration, motor vehicle excise taxes, gross weight
11 fees, and other fees and taxes collected by the department, in
12 accordance with regulations adopted by the director. The director's
13 regulations shall duly provide for the public's convenience consistent
14 with sound business practice and shall encourage the annual renewal of
15 vehicle registrations by mail to the department, authorizing checks and
16 money orders for payment. Such regulations shall contain provisions
17 for cancellation of any registrations, licenses, or permits paid for by
18 checks or money orders which are not duly paid and for the necessary
19 accounting procedures in such cases: PROVIDED, That any bona fide
20 purchaser for value of a vehicle shall not be liable or responsible
21 for any prior uncollected taxes and fees paid, pursuant to this
22 section, by a check which has subsequently been dishonored: AND
23 PROVIDED FURTHER, That no transfer of ownership of a vehicle may be
24 denied to a bona fide purchaser for value of a vehicle if there are
25 outstanding uncollected fees or taxes for which a predecessor paid,
26 pursuant to this section, by check which has subsequently been
27 dishonored nor shall the new owner be required to pay any fee for
28 replacement vehicle license number plates that may be required pursuant
29 to RCW 46.16.270 as now or hereafter amended.

30 (2) It is a traffic infraction to fail to surrender within ten days
31 to the department or any authorized agent of the department any
32 certificate, license, or permit after being notified ((by certified
33 mail)) that such certificate, license, or permit has been canceled
34 pursuant to this section. Notice of cancellation may be accomplished
35 by sending a notice by first class mail using the last known address in
36 department records for the holder of the certificate, license, or

1 permit, and recording the transmittal on an affidavit of first class
2 mail.

3 (3) Whenever registrations, licenses, or permits have been paid for
4 by checks that have been dishonored by nonacceptance or nonpayment, a
5 reasonable handling fee may be assessed for each such instrument.
6 Notwithstanding provisions of any other laws, county auditors, agents,
7 and subagents, appointed or approved by the director pursuant to RCW
8 46.01.140, may collect restitution, and where they have collected
9 restitution may retain the reasonable handling fee. The amount of the
10 reasonable handling fee may be set by rule by the director.

11 (4) In those counties where the county auditor has been appointed
12 an agent of the director under RCW 46.01.140, the auditor shall
13 continue to process mail-in registration renewals until directed
14 otherwise by legislative authority."

15 Renumber the sections following consecutively, and correct internal
16 references accordingly.

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18 By Representative

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20 On page 2, after line 24, insert the following:

21 **"Sec. 4.** RCW 46.12.160 and 1975 c 25 s 12 are each amended to read
22 as follows:

23 If the ((director)) department determines at any time that an
24 applicant for certificate of ownership or for a certificate of license
25 registration for a vehicle is not entitled thereto, ((he)) the
26 department may refuse to issue such certificate or to license the
27 vehicle and ((he)) may, for like reason, after notice, and in the
28 exercise of discretion, cancel license registration already acquired or
29 any outstanding certificate of ownership. ((The notice shall be served
30 personally or sent by certified mail return receipt requested.)) Notice
31 of cancellation may be accomplished by sending a notice by first class
32 mail using the last known address in department records for the
33 registered or legal vehicle owner or owners, and recording the
34 transmittal on an affidavit of first class mail. It shall then be
35 unlawful for any person to remove, drive, or operate the vehicle until

1 a proper certificate of ownership or license registration has been
2 issued, and any person removing, driving, or operating such vehicle
3 after the refusal of the ((director)) department to issue certificates
4 or the revocation thereof shall be guilty of a gross misdemeanor."

5 Renumber the sections following consecutively, and correct internal
6 references accordingly.

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