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SENATE BILL 6435

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State of Washington

55th Legislature

1998 Regular Session

By Senators Wood, Prentice and Winsley

Read first time 01/19/98. Referred to Committee on Transportation.

1 AN ACT Relating to vehicle dealer license requirements; and  
2 reenacting and amending RCW 46.70.041.

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

4 **Sec. 1.** RCW 46.70.041 and 1993 c 307 s 6 and 1993 c 175 s 2 are  
5 each reenacted and amended to read as follows:

6 (1) Every application for a vehicle dealer license shall contain  
7 the following information to the extent it applies to the applicant:

8 (a) Proof as the department may require concerning the applicant's  
9 identity, including but not limited to his fingerprints, the honesty,  
10 truthfulness, and good reputation of the applicant for the license, or  
11 of the officers of a corporation making the application;

12 (b) The applicant's form and place of organization including if the  
13 applicant is a corporation, proof that the corporation is licensed to  
14 do business in this state;

15 (c) The qualification and business history of the applicant and any  
16 partner, officer, or director;

17 (d) The applicant's financial condition or history including a bank  
18 reference and whether the applicant or any partner, officer, or

1 director has ever been adjudged bankrupt or has any unsatisfied  
2 judgment in any federal or state court;

3 (e) Whether the applicant has been adjudged guilty of a crime which  
4 directly relates to the business for which the license is sought and  
5 the time elapsed since the conviction is less than ten years, or has  
6 suffered any judgment within the preceding five years in any civil  
7 action involving fraud, misrepresentation, or conversion and in the  
8 case of a corporation or partnership, all directors, officers, or  
9 partners;

10 (f) A business telephone with a listing in the local directory;

11 (g) The name or names of new vehicles the vehicle dealer wishes to  
12 sell;

13 (h) The names and addresses of each manufacturer from whom the  
14 applicant has received a franchise;

15 (i) A certificate by a representative of the department, that the  
16 applicant's principal place of business and each subagency business  
17 location in the state of Washington meets the location requirements as  
18 required by this chapter. The certificate shall include proof of the  
19 applicant's ownership or lease of the real property where the  
20 applicant's principal place of business is established;

21 (j) A copy of a current service agreement with a manufacturer, or  
22 distributor for a foreign manufacturer, requiring the applicant, upon  
23 demand of any customer receiving a new vehicle warranty to perform or  
24 arrange for, within a reasonable distance of his established place of  
25 business, the service repair and replacement work required of the  
26 manufacturer or distributor by such vehicle warranty. This requirement  
27 (~~applies only~~) does not apply to applicants seeking to (~~sell, to~~  
28 ~~exchange, to~~) offer, (~~to auction,~~) to solicit, (~~to advertise,~~) or  
29 to broker new or current-model vehicles (~~with factory or distributor~~  
30 ~~warranties~~) that are sold by a franchised dealer having a valid  
31 written service agreement as required by this chapter;

32 (k) The class of vehicles the vehicle dealer will be buying,  
33 selling, listing, exchanging, offering, brokering, leasing with an  
34 option to purchase, auctioning, soliciting, or advertising, and which  
35 classification or classifications the dealer wishes to be designated  
36 as;

37 (l) Any other information the department may reasonably require.

1 (2) If the applicant is a manufacturer the application shall  
2 contain the following information to the extent it is applicable to the  
3 applicant:

4 (a) The name and address of the principal place of business of the  
5 applicant and, if different, the name and address of the Washington  
6 state representative of the applicant;

7 (b) The name or names under which the applicant will do business in  
8 the state of Washington;

9 (c) Evidence that the applicant is authorized to do business in the  
10 state of Washington;

11 (d) The name or names of the vehicles that the licensee  
12 manufactures;

13 (e) The name or names and address or addresses of each and every  
14 distributor, factory branch, and factory representative;

15 (f) The name or names and address or addresses of resident  
16 employees or agents to provide service or repairs to vehicles located  
17 in the state of Washington only under the terms of any warranty  
18 attached to new or unused vehicles manufactured, unless such  
19 manufacturer requires warranty service to be performed by all of its  
20 dealers pursuant to a current service agreement on file with the  
21 department;

22 (g) Any other information the department may reasonably require.

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