
SUBSTITUTE SENATE BILL 5274

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Transportation (originally sponsored by
Senators Gardner, Haugen and McCaslin)

READ FIRST TIME 03/08/01.

1 AN ACT Relating to motor vehicle licensing subagents; and
2 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
7 licensing shall carry out the provisions of this title relating to
8 the licensing of vehicles and the issuance of vehicle license
9 number plates under the direction and supervision of the director
10 and may with the approval of the director appoint assistants as
11 special deputies and recommend subagents to accept applications
12 and collect fees for vehicle licenses and transfers and to deliver
13 vehicle license number plates.

14 (2) A county auditor appointed by the director may request that
15 the director appoint subagencies within the county. Upon
16 authorization of the director, the auditor shall (~~advertise a~~
17 ~~request for proposals and use the process for soliciting vendors~~
18 ~~under RCW 39.04.190(2), except that the provision requiring the~~

1 ~~contract to be awarded to the lowest responsible bidder shall not~~
2 ~~apply~~) use an open competitive process including, but not limited
3 to, a written business proposal and oral interview to determine
4 the qualifications of all interested applicants. A subagent may
5 recommend a successor who is either the subagent's sibling,
6 spouse, or child, or a subagency employee. The recommended
7 successor must participate in the open, competitive process used
8 to select an applicant. The auditor shall submit all proposals to
9 the director, and shall recommend the appointment of one or more
10 subagents who have applied through the ((~~request for proposal~~))
11 open competitive process. The auditor shall include in his or her
12 recommendation to the director, not only the name of the successor
13 who is a relative or employee, if applicable and if otherwise
14 qualified, but also the name of one other applicant who is
15 qualified and was chosen through the open competitive process. If
16 the only qualified applicant is the successor who is a relative or
17 employee, the auditor need not submit two names for the director's
18 consideration. The director has final appointment authority and,
19 for each subagency vacancy, shall appoint the successor from the
20 two names provided by the auditor.

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

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

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

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

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

1 (iii) Specify the amount of training that will be provided by
2 the 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
8 standardize and prescribe allowable costs that may be assigned to
9 vehicle licensing and vessel registration and title activities
10 performed by county auditors.

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

14 (f) The director may waive any provisions of the contract
15 deemed necessary in order to ensure that readily accessible
16 service is 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
20 vessel upon the public highways or waters of this state, excluding
21 applicants already paying such fee under RCW 46.16.070 or
22 46.16.085, the applicant shall pay to the director, county
23 auditor, or other agent a fee of three dollars for each
24 application in addition to any other fees required by law.

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

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

36 (d) The fees under (a) and (c) of this subsection, if paid to
37 the county auditor as agent of the director, or if paid to a
38 subagent of the county auditor, shall be paid to the county

1 treasurer in the same manner as other fees collected by the county
2 auditor and credited to the county current expense fund. If the fee
3 is paid to another agent of the director, the fee shall be used by
4 the agent to defray his or her expenses in handling the
5 application.

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

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

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

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

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