
SENATE BILL 5721

State of Washington 59th Legislature 2005 Regular Session

By Senators Keiser, Kohl-Welles and Regala

Read first time 02/03/2005. Referred to Committee on Labor,
Commerce, Research & Development.

1 AN ACT Relating to publishing advertisements for sellers of travel;
2 and amending RCW 19.138.100.

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

4 **Sec. 1.** RCW 19.138.100 and 2001 c 44 s 4 are each amended to read
5 as follows:

6 No person, firm, or corporation may act or hold itself out as a
7 seller of travel unless, prior to engaging in the business of selling
8 or advertising to sell travel services or travel-related benefits, the
9 person, firm, or corporation registers with the director under this
10 chapter and rules adopted under this chapter.

11 (1) The registration number must be conspicuously posted in the
12 place of business and must be included in all advertisements. Sellers
13 of travel are not required to include registration numbers on
14 institutional advertising. For the purposes of this subsection,
15 "institutional advertising" is advertising that does not include prices
16 or dates for travel services.

17 (2) No person or entity may publish, in this state, any
18 advertisement which offers travel services or travel-related benefits

1 unless the person submitting the advertisement for publication is
2 registered under this chapter.

3 (3) Any publisher who publishes, in good faith and without
4 knowledge that the person submitting the advertisement is not
5 registered under this chapter, an advertisement which offers travel
6 services or travel-related benefits is not liable for any damages as a
7 result of the advertisement's publication.

8 For purposes of this section, "publisher" means any person or
9 entity that prints or distributes any newspaper, magazine, billboard,
10 or other advertising medium.

11 (4) The director shall issue duplicate registrations upon payment
12 of a duplicate registration fee to valid registration holders operating
13 more than one office. The duplicate registration fee for each office
14 shall be an amount equal to the original registration fee.

15 ~~((+3))~~ (5) No registration is assignable or transferable.

16 ~~((+4))~~ (6) If a registered seller of travel sells his or her
17 business, when the new owner becomes responsible for the business, the
18 new owner must comply with all provisions of this chapter, including
19 registration.

20 ~~((+5))~~ (7) If a seller of travel is employed by or under contract
21 as an independent contractor or an outside agent of a seller of travel
22 who is registered under this chapter, the employee, independent
23 contractor, or outside agent need not also be registered if:

24 (a) The employee, independent contractor, or outside agent is
25 conducting business as a seller of travel in the name of and under the
26 registration of the registered seller of travel; and

27 (b) All money received for travel services by the employee,
28 independent contractor, or outside agent is collected in the name of
29 the registered seller of travel and processed by the registered seller
30 of travel as required under this chapter.

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