

WAC 220-220-140 License sales—Dishonored check and credit card transaction penalties. All license sales by the department, and by department contract vendors in the case of nonsalmon delivery licenses, are subject to the following provisions.

(1) Definitions. The following definitions apply to this section:

(a) "Collection procedures" means sending a payment on demand notice thirty, sixty, and ninety days after the notice of dishonored instrument has been sent, during which period the person who issued the check or used the credit card will accrue a one percent per month interest fee in addition to the dishonored instrument fee. If the accrued fees have not been paid within thirty days after the mailing of the ninety-day notice, the account will be turned over for collection.

(b) "Dishonored instrument" means a check issued to the department for purchase of a license that has been returned for any reason, including, but not limited to, insufficient funds or closed account, or a credit card transaction with the department for purchase of a license that is not approved by the entity that issued the credit card.

(c) "Dishonored instrument fee" means the additional fee required to be paid for a license that was paid for with a dishonored instrument. The dishonored instrument fee is thirty dollars.

(d) "Notice of dishonored instrument" means the notice sent to a person who attempted purchase of a license with a dishonored instrument. This notice will be mailed to the person at the address given at the time of the license transaction.

(2) Commercial license sales:

(a) All commercial license sales will be made through the Olympia licensing office, except for nonsalmon delivery licenses, which will also be sold through department-approved contract vendors at selected ports.

(b) Commercial licensees who tender a dishonored instrument to the department will not be issued another commercial license of any kind until the license fee, dishonored instrument fee, and, if applicable, interest and collection fees, have been paid.

(c) Commercial licensees who have tendered a dishonored instrument may only replace the dishonored instrument and pay the dishonored instrument fee, and any future license purchases, by cash, certified check or money order for the subsequent two licensing years after the licensing year in which the dishonored instrument was issued.

(d) Except for commercial fishing licenses which require annual renewal in order to purchase subsequent year licenses, commercial licensees who have tendered a dishonored instrument have fifteen days from the mailing date of the notice of dishonored instrument to pay the license and dishonored instrument fee, during which period the license will remain valid if the payment is received by the department by 5:00 p.m. on the fifteenth day, or by 5:00 p.m. on the next working day if the fifteenth day falls on a weekend or holiday. If the fees are not presented within fifteen days, the license will be voided as of the date of issuance, and any deliveries that have been made under the license will be treated as deliveries without a valid license.

(e) Commercial fishing licensees who are renewing a license which requires annual renewal in order to be renewed in a subsequent year, and who tender a dishonored instrument, must pay the license fee and the dishonored instrument fee by December 31st in order to have a valid license for purposes of subsequent renewal.

(f) Commercial licensees who do not replace a dishonored instrument within fifteen days from the mailing date of the notice of dishonored instrument are subject to collection procedures.

(g) Fishers who deliver shellfish or food fish other than salmon on a nonsalmon delivery license, which license has been paid for with a dishonored check from the contract vendor, are not subject to the penalties of this section.

(3) Recreational license sales:

(a) Recreational licensees who have tendered a dishonored instrument have fifteen days from the mailing date of the notice of dishonored instrument to pay the license and dishonored instrument fee, during which period the license will remain valid if the payment is received by the department by 5:00 p.m. on the fifteenth day, or by 5:00 p.m. on the next working day if the fifteenth day falls on a weekend or holiday. If the fees are not presented within fifteen days, the license will be voided as of the date of issuance, and any recreational activities that occurred within the fifteen days will be treated as having occurred without having a valid license, tag or permit.

(b) Recreational licensees who have tendered a dishonored instrument may only replace the dishonored instrument and pay the dishonored instrument fee, and, if applicable, interest, by cash, certified check or money order.

(c) Recreational licensees who do not replace a dishonored instrument within fifteen days from the mailing date of the notice of dishonored instrument are subject to collection procedures.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-220-140, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 02-05-046 (Order 02-32), § 220-20-075, filed 2/14/02, effective 3/17/02.]