

SENATE BILL REPORT

SHB 1704

AS REPORTED BY COMMITTEE ON TRANSPORTATION, MARCH 27, 1991

Brief Description: Changing provisions relating to motor vehicles.

SPONSORS: House Committee on Transportation (originally sponsored by Representatives Cooper, Betrozoff and R. Johnson; by request of Department of Licensing).

HOUSE COMMITTEE ON TRANSPORTATION

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Patterson, Chairman; Nelson, Vice Chairman; von Reichbauer, Vice Chairman; Hansen, McMullen, Oke, Snyder, and Thorsness.

Minority Report: Do not pass as amended.

Signed by Senator Skratek.

Staff: Brad Lovaas (786-7307)

Hearing Dates: March 27, 1991

BACKGROUND:

The laws governing vehicle proportional licensing and fuel tax administration need corrections.

SUMMARY:

The Department of Licensing (DOL) has authority to assess motor vehicle fuel tax reports, mitigate penalties and interest for reasonable cause, and give distributors certain due process rights relative to their petitions for reassessment.

Persons who have property of the debtor-distributor in their possession are required not only to withhold the distributor's property, but to deliver that property upon demand of DOL. If the person does not respond to the notice from DOL, the department is authorized to go to court to obtain a default judgment.

The department is allowed to file a warrant, or judgment, in the superior court for the amount of the delinquent assessment. DOL can thus execute on this assessment in the same manner as a judgment creditor can execute on an unsatisfied judgment.

The definition of "motor vehicle" is amended to conform to the definition of motor vehicle used in other taxing statutes.

The department is allowed to consider mitigation of penalties and assessments in the special fuel area and the aircraft fuel area.

The veteran's emblem program is expanded to include active military personnel.

Provisions to implement the local option county fuel tax collection process are added.

Appropriation: none

Revenue: none

Fiscal Note: available

SUMMARY OF PROPOSED SENATE AMENDMENTS:

UTC regulatory authority over a farmer hauling horses, incidental to the rehabilitation of horses, is clarified.

A vehicle driver who fails or is not able to take a breathalyzer for nonalcoholic, medical related reasons will have DOL administrative actions to rescind the driver's license revocation.

Garbage trucks may stop alongside a roadway for collection purposes.

Confidential secretaries at the Department of Licensing are reclassified.

TESTIMONY FOR: None

TESTIMONY AGAINST: None

TESTIFIED: No one