

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2643

52nd Legislature
1992 Regular Session

Passed by the House March 7, 1992
Yeas 81 Nays 15

**Speaker of the
House of Representatives**

Passed by the Senate March 4, 1992
Yeas 32 Nays 16

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is ENGROSSED SUBSTITUTE HOUSE BILL 2643 as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2643

AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By House Committee on Transportation (originally sponsored by
Representatives Cooper and R. Fisher)

Read first time 02/11/92.

1 AN ACT Relating to vehicle licensing and registration activities;
2 amending RCW 46.01.140, 46.01.230, and 46.16.060; adding a new section
3 to chapter 46.01 RCW; and adding a new section to chapter 46.68 RCW.

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

5 **Sec. 1.** RCW 46.01.140 and 1991 c 339 s 16 are each amended to read
6 as follows:

7 (1) The county auditor, if appointed by the director of licensing
8 shall carry out the provisions of this title relating to the licensing
9 of vehicles and the issuance of vehicle license number plates under the
10 direction and supervision of the director and may with the approval of
11 the director appoint assistants as special deputies and recommend
12 subagents to accept applications and collect fees for vehicle licenses
13 and transfers and to deliver vehicle license number plates.

1 (2) A county auditor appointed by the director may request that the
2 director appoint subagencies within the county. Upon authorization of
3 the director, the auditor shall advertise a request for proposals and
4 use the process for soliciting vendors under RCW 39.04.190(2), except
5 that the provision requiring the contract to be awarded to the lowest
6 responsible bidder shall not apply. The auditor shall submit all
7 proposals to the director, and shall recommend the appointment of one
8 or more subagents who have applied through the request for proposal
9 process. The director has final appointment authority.

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

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

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

20 (i) Describe the responsibilities, and where applicable, the
21 liability, of each party relating to the service expectations and
22 levels, equipment to be supplied by the department, and equipment
23 maintenance;

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

27 (iii) Specify the amount of training that will be provided by the
28 state, the county auditor, or subagents;

29 (iv) Describe allowable costs that may be charged to motor vehicle
30 licensing activities as provided for in (d) of this subsection;

1 (v) Describe the causes and procedures for termination of the
2 contract, which may include mediation and binding arbitration.

3 (d) The department shall develop procedures that will standardize
4 and prescribe allowable costs that may be assigned to motor vehicle
5 licensing activities performed by county auditors.

6 (e) The contracts may include any provision that the director deems
7 necessary to ensure acceptable service and the full collection of motor
8 vehicle tax revenues.

9 (f) The director may waive any provisions of the contract deemed
10 necessary in order to ensure that readily accessible service is
11 provided to the citizens of the state.

12 (4)(a) At any time any application is made to the director, the
13 county auditor, or other agent pursuant to any law dealing with
14 licenses, registration, or the right to operate any vehicle upon the
15 public highways of this state, excluding applicants already paying such
16 fee under RCW 46.16.070 or 46.16.085, the applicant shall pay to the
17 director, county auditor, or other agent a fee of two dollars for each
18 application in addition to any other fees required by law.

19 (b) Counties that do not cover the expenses of motor vehicle
20 licensing activities may submit to the department a request for cost-
21 coverage moneys. The request must be submitted on a form developed by
22 the department. The department shall develop procedures to verify
23 whether a request is reasonable. Payment shall be made on requests
24 found to be allowable from the licensing services account.

25 (c) Applicants for certificates of ownership, including applicants
26 paying fees under RCW 46.16.070 or 46.16.085, shall pay to the
27 director, county auditor, or other agent a fee of three dollars in
28 addition to any other fees required by law.

29 ((These)) (d) The fees under (a) and (c) of this subsection, if
30 paid to the county auditor as agent of the director, or if paid to a

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

6 ~~((+3))~~ (5) A subagent ~~((is entitled to an additional service~~
7 ~~charge of two dollars. However, from July 1, 1991, through June 30,~~
8 ~~1992, subagents))~~ shall collect a service fee of (a) five dollars and
9 fifty cents for changes in a certificate of ownership, with or without
10 registration renewal, or verification of record and preparation of an
11 affidavit of lost title other than at the time of the title application
12 or transfer and (b) two dollars and twenty-five cents for registration
13 renewal only, issuing a transit permit, or any other service under this
14 section.

15 ~~((+4))~~ (6) If the fee is collected by the state patrol as agent
16 for the director, the fee so collected shall be certified to the state
17 treasurer and deposited to the credit of the state patrol highway
18 account. If the fee is collected by the department of transportation
19 as agent for the director, the fee shall be certified to the state
20 treasurer and deposited to the credit of the motor vehicle fund. All
21 such fees collected by the director or branches of his office shall be
22 certified to the state treasurer and deposited to the credit of the
23 highway safety fund.

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

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

1 **Sec. 2.** RCW 46.01.230 and 1987 c 302 s 2 are each amended to read
2 as follows:

3 (1) The department of licensing is authorized to accept checks and
4 money orders for payment of drivers' licenses, certificates of
5 ownership and registration, motor vehicle excise taxes, gross weight
6 fees, and other fees and taxes collected by the department, in
7 accordance with regulations adopted by the director. The director's
8 regulations shall duly provide for the public's convenience consistent
9 with sound business practice and shall encourage the annual renewal of
10 vehicle registrations by mail to the department, authorizing checks and
11 money orders for payment. Such regulations shall contain provisions
12 for cancellation of any registrations, licenses, or permits paid for by
13 checks or money orders which are not duly paid and for the necessary
14 accounting procedures in such cases: PROVIDED, That any bona fide
15 purchaser for value of a vehicle shall not be liable or responsible
16 for any prior uncollected taxes and fees paid, pursuant to this
17 section, by a check which has subsequently been dishonored: AND
18 PROVIDED FURTHER, That no transfer of ownership of a vehicle may be
19 denied to a bona fide purchaser for value of a vehicle if there are
20 outstanding uncollected fees or taxes for which a predecessor paid,
21 pursuant to this section, by check which has subsequently been
22 dishonored nor shall the new owner be required to pay any fee for
23 replacement vehicle license number plates that may be required pursuant
24 to RCW 46.16.270 as now or hereafter amended.

25 (2) It is a traffic infraction to fail to surrender within ten days
26 to the department or any authorized agent of the department any
27 certificate, license, or permit after being notified by certified mail
28 that such certificate, license, or permit has been canceled pursuant to
29 this section.

1 (3) Whenever registrations, licenses, or permits have been paid for
2 by checks that have been dishonored by nonacceptance or nonpayment, a
3 reasonable handling fee may be assessed for each such instrument.
4 Notwithstanding provisions of any other laws, county auditors, agents,
5 and subagents, appointed or approved by the director pursuant to RCW
6 46.01.140, may collect restitution, and where they have collected
7 restitution may retain the reasonable handling fee. The amount of the
8 reasonable handling fee may be set by rule by the director.

9 (4) In those counties where the county auditor has been appointed
10 an agent of the director under RCW 46.01.140, the auditor shall
11 continue to process mail-in registration renewals until directed
12 otherwise by legislative authority.

13 NEW SECTION. Sec. 3. A new section is added to chapter 46.01 RCW
14 to read as follows:

15 The title and registration advisory committee is created within the
16 department. The committee consists of the director or a designee, who
17 shall serve as chair, the assistant director for vehicle services, the
18 administrator of title and registration services, two members from each
19 of the house and senate transportation committees, two county auditors
20 nominated by the Washington association of county officials, and two
21 representatives of subagents nominated by an association of vehicle
22 subagents. The committee shall meet at least twice a year, and may
23 meet as often as is necessary.

24 The committee's purpose is to foster communication between the
25 legislature, the department, county auditors, and subagents. The
26 committee shall make recommendations when requested by the legislative
27 transportation committee, or on its own initiative, about revisions to
28 fee structures, implications of fee revisions on cost sharing, and the
29 development of standard contracts provided for in RCW 46.01.140(3).

1 The committee shall make recommendations about fee revisions to the
2 legislative transportation committee by January 1, 1996.

3 **Sec. 4.** RCW 46.16.060 and 1987 1st ex.s. c 9 s 3 are each amended
4 to read as follows:

5 (1) Except for vehicles already so taxed in RCW 46.16.070 and
6 46.16.085 or as otherwise specifically provided by law for the
7 licensing of vehicles, there shall be paid and collected annually for
8 each registration year or fractional part thereof and upon each vehicle
9 a license fee of twenty-three dollars, but effective with initial motor
10 vehicle registrations that expire in January, 1989, and thereafter, the
11 license fee shall be twenty-seven dollars and seventy-five cents;
12 however, if the vehicle was previously licensed in this state and has
13 not been registered in another jurisdiction in the intervening period,
14 the renewal license fee shall be nineteen dollars, but effective with
15 vehicle license renewals that expire in January, 1989, and thereafter,
16 the renewal license fee shall be twenty-three dollars and seventy-five
17 cents. On all new and renewal license fees, an additional fifty cents
18 shall be collected and remitted to the department for deposit into the
19 department of licensing services account of the motor vehicle fund.
20 The proceeds of such fees shall be distributed in accordance with RCW
21 46.68.030. The fee for licensing each house-moving dolly which is used
22 exclusively for moving buildings or homes on the highway under special
23 permit as provided for in chapter 46.44 RCW shall be twenty-five
24 dollars, but effective with licenses that expire in January, 1989, and
25 thereafter, the fee shall be twenty-nine dollars and seventy-five
26 cents, and no other fee shall be charged for the load carried thereon.

27 (2) The department of licensing, county auditors, and other
28 authorized agents shall collect for any registration year any increase
29 in the fees authorized by this section for the months of that

1 registration year in which any such increase is effective in the same
2 manner and at the same time as such fees for that registration year
3 would otherwise be collected as provided by law.

4 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.68 RCW
5 to read as follows:

6 The department of licensing services account is created in the
7 motor vehicle fund. All receipts from service fees received under RCW
8 46.01.140(4)(b) shall be deposited into the account. Moneys in the
9 account may be spent only after appropriation. Expenditures from the
10 account may be used only for information and service delivery systems
11 for the department, and for reimbursement of county licensing
12 activities.