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**SUBSTITUTE SENATE BILL 5246**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** Senate Committee on Highways & Transportation (originally sponsored by Senators Esser, Mulliken, Horn, Swecker, Prentice and Oke)

READ FIRST TIME 02/05/03.

1 AN ACT Relating to department of licensing agent and subagent  
2 provisions; amending RCW 46.01.230; and providing an effective date.

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

4 **Sec. 1.** RCW 46.01.230 and 1994 c 262 s 1 are each amended to read  
5 as follows:

6 (1) The department of licensing is authorized to accept checks and  
7 money orders for payment of drivers' licenses, certificates of  
8 ownership and registration, motor vehicle excise taxes, gross weight  
9 fees, and other fees and taxes collected by the department, in  
10 accordance with regulations adopted by the director. The director's  
11 regulations shall duly provide for the public's convenience consistent  
12 with sound business practice and shall encourage the annual renewal of  
13 vehicle registrations by mail to the department, authorizing checks and  
14 money orders for payment. Such regulations shall contain provisions  
15 for cancellation of any registrations, licenses, or permits paid for by  
16 checks or money orders which are not duly paid and for the necessary  
17 accounting procedures in such cases: PROVIDED, That any bona fide  
18 purchaser for value of a vehicle shall not be liable or responsible for  
19 any prior uncollected taxes and fees paid, pursuant to this section, by

1 a check which has subsequently been dishonored: AND PROVIDED FURTHER,  
2 That no transfer of ownership of a vehicle may be denied to a bona fide  
3 purchaser for value of a vehicle if there are outstanding uncollected  
4 fees or taxes for which a predecessor paid, pursuant to this section,  
5 by check which has subsequently been dishonored nor shall the new owner  
6 be required to pay any fee for replacement vehicle license number  
7 plates that may be required pursuant to RCW 46.16.270 as now or  
8 hereafter amended.

9 (2) It is a traffic infraction to fail to surrender within ten days  
10 to the department or any authorized agent of the department any  
11 certificate, license, or permit after being notified that such  
12 certificate, license, or permit has been canceled pursuant to this  
13 section. Notice of cancellation may be accomplished by sending a  
14 notice by first class mail using the last known address in department  
15 records for the holder of the certificate, license, or permit, and  
16 recording the transmittal on an affidavit of first class mail.

17 (3) Whenever registrations, licenses, or permits have been paid for  
18 by checks that have been dishonored by nonacceptance or nonpayment, a  
19 reasonable handling fee may be assessed for each such instrument.  
20 Notwithstanding provisions of any other laws, county auditors, agents,  
21 and subagents, appointed or approved by the director pursuant to RCW  
22 46.01.140, may collect restitution, and where they have collected  
23 restitution may retain the reasonable handling fee. The amount of the  
24 reasonable handling fee may be set by rule by the director.

25 (4) In those counties where the county auditor has been appointed  
26 an agent of the director under RCW 46.01.140, the auditor shall  
27 continue to process mail-in registration renewals until directed  
28 otherwise by legislative authority. Subagents appointed by the  
29 director under RCW 46.01.140 have the same authority to mail out  
30 registrations and replacement plates to Internet payment option  
31 customers as the agents until directed otherwise by legislative  
32 authority. The department must provide notice to Internet payment  
33 option customers that there is a three dollar and fifty cent fee for  
34 selecting a subagent to mail out registrations and replacement plates.

35 NEW SECTION. Sec. 2. This act takes effect October 1, 2003.

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