

HOUSE BILL REPORT

HB 1379

As Amended by the Senate

Title: An act relating to motor vehicles.

Brief Description: Making housekeeping changes in various service programs of the department of licensing.

Sponsors: Representatives R. Fisher, Schmidt, Jones, Brumsickle, Horn, Quall, Brown, Brough, Orr and Wood; by request of Department of Licensing.

Brief History:

Reported by House Committee on:
Transportation, February 11, 1993, DP;
Passed House, March 8, 1993, 97-0;
Amended by Senate.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 26 members:
Representatives R. Fisher, Chair; Brown, Vice Chair; Jones, Vice Chair; Schmidt, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Brough; Brumsickle; Cothorn; Eide; Finkbeiner; Forner; Fuhrman; Hansen; Heavey; Horn; Johanson; J. Kohl; R. Meyers; H. Myers; Orr; Patterson; Quall; Sheldon; Shin; Wood; and Zellinsky.

Staff: Brad Lovaas (786-7307).

Background: The Department of Licensing (DOL) Vehicle Services Division is comprised of Title and Registration Services, Dealer Services and Fuel Tax Services. This legislation proposes changes in several of the programs administered by Vehicle Services. The programs affected by the proposed changes are passenger vehicle titling and registration, vehicle dealer licensing, and the licensing of commercial motor vehicles.

Summary of Bill: Motor vehicle certificates of ownership are currently issued in paper form. This legislation would authorize certificates of title to be transmitted in electronic form when appropriate.

Current law provides that a person may make a claim for a refund for overpayment of the vehicle license fee or motor vehicle excise tax. This legislation would extend the

period of time in which a claim for refund may be made from 13 months to 36 months. This would bring the refund period for a license fee into conformance with the current refund period for the excise tax.

DEALER SERVICES. This legislation would extend the period of time in which the Department of Licensing (DOL) must inspect a vehicle dealer at least once from 32 to 36 months.

Language is deleted that required DOL to license vehicle salespersons. The licensing of vehicle salespersons was discontinued in 1986.

Language is updated to bring the gross misdemeanor penalty for unlicensed dealer activity into conformance with other gross misdemeanor penalties in statute.

Two sections of statute are recodified from the titling statutes to the vehicle dealer statutes.

FUEL TAX SERVICES. This legislation would authorize the staggering of renewal periods for licensing of Washington-based motor vehicles and commercial trucks registered under the International Registration Plan.

The interest rate on delinquent taxes is changed from 12 percent per annum to 1 percent per month to bring this section of law into conformance with other tax laws.

A section dealing with dealer penalties is repealed. A section addressing quarterly payment of proportional registration licensing fees is also repealed.

EFFECT OF SENATE AMENDMENT(S): The bill's original provisions remain intact, and provisions related to the Department of Licensing (DOL) administration of vessel dealer laws are amended.

The current vessel dealer laws are repealed and then restructured and moved to a separate chapter from the private vessel registration laws. A section setting forth exemptions from vessel dealer laws is recodified. The current vessel dealer statutes are clarified and new statutory authority is added for DOL.

Vessel dealer place of business requirements are clarified. The director of DOL may grant exemptions to these statutory requirements in unique circumstances.

DOL is authorized to subpoena records, issue cease and desist orders, and provides authority to enforce subpoenas and orders through Superior Court.

DOL is authorized to investigate unlicensed vessel dealer activity.

Vessel dealers are required to notify the department if they file for bankruptcy.

The amount of the surety bond is set in statute at \$5,000.

An exemption from dealer registration is provided for manufacturers who produce documented commercial vessels.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The department no longer requires a repair facility if a vehicle dealer sells used cars.

Testimony Against: None.

Witnesses: Heather Hamilton, Department of Licensing; and Lisa Thatcher, Washington State Auto Dealers.

VOTE ON FINAL PASSAGE:

Yeas 97; Excused 1

Excused: Representative Miller