

2 **ESHB 2643** - S COMM AMD
3 By Committee on Transportation

4 ADOPTED 3/4/92

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 46.01.140 and 1991 c 339 s 16 are each amended to
8 read as follows:

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

16 (2) A county auditor appointed by the director may request that the
17 director appoint subagencies within the county. Upon authorization of
18 the director, the auditor shall advertise a request for proposals and
19 use the process for soliciting vendors under RCW 39.04.190(2), except
20 that the provision requiring the contract to be awarded to the lowest
21 responsible bidder shall not apply. The auditor shall submit all
22 proposals to the director, and shall recommend the appointment of one
23 or more subagents who have applied through the request for proposal
24 process. The director has final appointment authority.

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

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

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

7 (i) Describe the responsibilities, and where applicable, the
8 liability, of each party relating to the service expectations and
9 levels, equipment to be supplied by the department, and equipment
10 maintenance;

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

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

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

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

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

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

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

29 (4)(a) At any time any application is made to the director, the
30 county auditor, or other agent pursuant to any law dealing with

1 licenses, registration, or the right to operate any vehicle upon the
2 public highways of this state, excluding applicants already paying such
3 fee under RCW 46.16.070 or 46.16.085, the applicant shall pay to the
4 director, county auditor, or other agent a fee of two dollars for each
5 application in addition to any other fees required by law.

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

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

16 ~~((These))~~ (d) The fees under (a) and (c) of this subsection, if
17 paid to the county auditor as agent of the director, or if paid to a
18 subagent of the county auditor, shall be paid to the county treasurer
19 in the same manner as other fees collected by the county auditor and
20 credited to the county current expense fund. If the fee is paid to
21 another agent of the director, the fee shall be used by the agent to
22 defray his or her expenses in handling the application.

23 ~~((3))~~ (5) A subagent ~~((is entitled to an additional service~~
24 ~~charge of two dollars. However, from July 1, 1991, through June 30,~~
25 ~~1992, subagents))~~ shall collect a service fee of (a) five dollars and
26 fifty cents for changes in a certificate of ownership, with or without
27 registration renewal, or verification of record and preparation of an
28 affidavit of lost title other than at the time of the title application
29 or transfer and (b) two dollars and twenty-five cents for registration

1 renewal only, issuing a transit permit, or any other service under this
2 section.

3 ~~((4))~~ (6) If the fee is collected by the state patrol as agent
4 for the director, the fee so collected shall be certified to the state
5 treasurer and deposited to the credit of the state patrol highway
6 account. If the fee is collected by the department of transportation
7 as agent for the director, the fee shall be certified to the state
8 treasurer and deposited to the credit of the motor vehicle fund. All
9 such fees collected by the director or branches of his office shall be
10 certified to the state treasurer and deposited to the credit of the
11 highway safety fund.

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

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

18 "Sec. 2. RCW 46.01.230 and 1987 c 302 s 2 are each amended to read
19 as follows:

20 (1) The department of licensing is authorized to accept checks and
21 money orders for payment of drivers' licenses, certificates of
22 ownership and registration, motor vehicle excise taxes, gross weight
23 fees, and other fees and taxes collected by the department, in
24 accordance with regulations adopted by the director. The director's
25 regulations shall duly provide for the public's convenience consistent
26 with sound business practice and shall encourage the annual renewal of
27 vehicle registrations by mail to the department, authorizing checks and
28 money orders for payment. Such regulations shall contain provisions
29 for cancellation of any registrations, licenses, or permits paid for by

1 checks or money orders which are not duly paid and for the necessary
2 accounting procedures in such cases: PROVIDED, That any bona fide
3 purchaser for value of a vehicle shall not be liable or responsible
4 for any prior uncollected taxes and fees paid, pursuant to this
5 section, by a check which has subsequently been dishonored: AND
6 PROVIDED FURTHER, That no transfer of ownership of a vehicle may be
7 denied to a bona fide purchaser for value of a vehicle if there are
8 outstanding uncollected fees or taxes for which a predecessor paid,
9 pursuant to this section, by check which has subsequently been
10 dishonored nor shall the new owner be required to pay any fee for
11 replacement vehicle license number plates that may be required pursuant
12 to RCW 46.16.270 as now or hereafter amended.

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

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

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

1 "NEW SECTION. **Sec. 3.** A new section is added to chapter 46.01 RCW
2 to read as follows:

3 The title and registration advisory committee is created within the
4 department. The committee consists of the director or a designee, who
5 shall serve as chair, the assistant director for vehicle services, the
6 administrator of title and registration services, two members from each
7 of the house and senate transportation committees, two county auditors
8 nominated by the Washington association of county officials, and two
9 representatives of subagents nominated by an association of vehicle
10 subagents. The committee shall meet at least twice a year, and may
11 meet as often as is necessary.

12 The committee's purpose is to foster communication between the
13 legislature, the department, county auditors, and subagents. The
14 committee shall make recommendations when requested by the legislative
15 transportation committee, or on its own initiative, about revisions to
16 fee structures, implications of fee revisions on cost sharing, and the
17 development of standard contracts provided for in RCW 46.01.140(3).
18 The committee shall make recommendations about fee revisions to the
19 legislative transportation committee by January 1, 1996."

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

22 (1) Except for vehicles already so taxed in RCW 46.16.070 and
23 46.16.085 or as otherwise specifically provided by law for the
24 licensing of vehicles, there shall be paid and collected annually for
25 each registration year or fractional part thereof and upon each vehicle
26 a license fee of twenty-three dollars, but effective with initial motor
27 vehicle registrations that expire in January, 1989, and thereafter, the
28 license fee shall be twenty-seven dollars and seventy-five cents;
29 however, if the vehicle was previously licensed in this state and has

1 not been registered in another jurisdiction in the intervening period,
2 the renewal license fee shall be nineteen dollars, but effective with
3 vehicle license renewals that expire in January, 1989, and thereafter,
4 the renewal license fee shall be twenty-three dollars and seventy-five
5 cents. On all new and renewal license fees, an additional fifty cents
6 shall be collected and remitted to the department for deposit into the
7 department of licensing services account of the motor vehicle fund.
8 The proceeds of such fees shall be distributed in accordance with RCW
9 46.68.030. The fee for licensing each house-moving dolly which is used
10 exclusively for moving buildings or homes on the highway under special
11 permit as provided for in chapter 46.44 RCW shall be twenty-five
12 dollars, but effective with licenses that expire in January, 1989, and
13 thereafter, the fee shall be twenty-nine dollars and seventy-five
14 cents, and no other fee shall be charged for the load carried thereon.

15 (2) The department of licensing, county auditors, and other
16 authorized agents shall collect for any registration year any increase
17 in the fees authorized by this section for the months of that
18 registration year in which any such increase is effective in the same
19 manner and at the same time as such fees for that registration year
20 would otherwise be collected as provided by law."

21 "NEW SECTION. Sec. 5. A new section is added to chapter 46.68 RCW
22 to read as follows:

23 The department of licensing services account is created in the
24 motor vehicle fund. All receipts from service fees received under RCW
25 46.01.140(4)(b) shall be deposited into the account. Moneys in the
26 account may be spent only after appropriation. Expenditures from the
27 account may be used only for information and service delivery systems
28 for the department, and for reimbursement of county licensing
29 activities."

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4 On page 1, line 1 of the title, after "activities;" strike the
5 remainder of the title and insert "amending RCW 46.01.140, 46.01.230,
6 and 46.16.060; adding a new section to chapter 46.01 RCW; and adding a
7 new section to chapter 46.68 RCW."