

SENATE BILL REPORT

HB 1379

AS REPORTED BY COMMITTEE ON TRANSPORTATION, MARCH 29, 1993

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

HOUSE COMMITTEE ON TRANSPORTATION

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Vognild, Chairman; Loveland, Vice Chairman; Skratek, Vice Chairman; Barr, Drew, Haugen, Nelson, Prentice, Prince, M. Rasmussen, Sheldon, von Reichbauer, and Winsley.

Staff: Brad Lovaas (786-7307)

Hearing Dates: March 25, 1993; March 29, 1993

BACKGROUND:

Currently, the vessel dealer and the vessel registration laws are contained in the same chapter. This has caused problems in distinguishing between vessel dealer duties and private vessel registration requirements.

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:

Motor vehicle certificates of ownership are currently issued in paper form. Certificates of title are authorized 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. The period of time in which a claim for refund may be made is extended 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.

The period of time in which the Department of Licensing (DOL) must inspect a vehicle dealer at least once is extended 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.

The staggering of renewal periods for licensing of Washington-based motor vehicles and commercial trucks registered under the International Registration Plan is authorized.

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.

SUMMARY OF PROPOSED SENATE AMENDMENT:

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.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

Makes necessary changes to clarify and update vehicle dealer, vehicle titling and registration, vessel dealer and fuel tax administration laws.

TESTIMONY AGAINST: None

TESTIFIED: PRO: Heather Hamilton, Nancy Kelly, Merle Steffson,
DOL: Bill Fritz (concerns)