

SENATE BILL REPORT

SB 6304

AS OF FEBRUARY 3, 1994

Brief Description: Providing for more effective prosecution of licensing and registration crimes.

SPONSORS: Senators Fraser, Winsley and Vognild

SENATE COMMITTEE ON TRANSPORTATION

Staff: Brad Lovaas (786-7307)

Hearing Dates: February 3, 1994

BACKGROUND:

Current statute provides that the Washington State Attorney General shall have concurrent authority with the prosecuting attorneys to investigate crimes and initiate and conduct investigations when requested by or with the concurrence of the: 1) the county prosecuting attorney of the jurisdiction in which the offense has occurred; 2) the Governor; 3) or a majority of the committee charged with the oversight of the organized crime intelligence unit.

Vehicles without proper license registration may secure a trip permit from the Department of Licensing for operation of a vehicle for a period of three consecutive days. No more than three trip permits may be used for any one vehicle in any period of 30 consecutive days. Blank trip permits may be obtained from field offices of the Department of Transportation, Washington State Patrol, Department of Licensing, or vehicle subagents appointed by the Department of Licensing.

The licensing of a vehicle, vessel or aircraft in another state by a resident of this state is a gross misdemeanor, punishable by up to one year in the county jail and a fine equal to twice the amount of delinquent taxes and fees, no part of which may be suspended or deferred. Any subsequent offense is punishable by up to one year in the county jail and a fine equal to three times the amount of delinquent taxes and fees, no part of which may be suspended or deferred. A person who obtains a vessel dealer registration for the purposes of evading taxes on vessels is subject to the same penalties listed above.

Information supplied to Department of Revenue agents is confidential and may not be disclosed unless such disclosure is authorized by statute. Unauthorized disclosure of tax information is punishable by a fine of up to \$1,000.

SUMMARY:

The Attorney General is authorized to have concurrent authority to investigate, initiate, conduct and prosecute the cases if the case has been referred to the county prosecutor by law enforcement and no action has been taken by the prosecutor within 90 days of the referral date. The new concurrent authority applies to violations of the following statutes: 1) registering a motor vehicle, camper or travel trailer, aircraft or vessel in another state to avoid excise taxes; 2) making false statements on the application for certificates of title; and 3) misrepresentation of value of a vehicle in an application for title of a motor vehicle.

The second and subsequent offenses for licensing a vehicle, vessel or aircraft in another state evading taxes due in this state is changed from a gross misdemeanor to a class C felony.

Trip permit usage is restricted to three permits in any one year, and the permit must be signed by the operator at the time of issuance.

The Department of Revenue is authorized to disclose any tax information to a peace officer or county prosecuting attorney for official purposes. The penalty for unauthorized disclosure of tax information is changed to a misdemeanor.

Appropriation: none

Revenue: none

Fiscal Note: requested