
HOUSE BILL 2688

State of Washington 53rd Legislature 1994 Regular Session

By Representatives G. Cole and King; by request of Attorney General

Read first time 01/21/94. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to sellers of travel; amending RCW 19.138.010,
2 19.138.030, 19.138.040, and 19.138.050; adding a new chapter to Title
3 19 RCW; repealing RCW 19.138.020, 19.138.060, 19.138.070, and
4 19.138.080; prescribing penalties; and providing an effective date.

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

6 **Sec. 1.** RCW 19.138.010 and 1986 c 283 s 1 are each amended to read
7 as follows:

8 The legislature finds and declares that advertising, sales, and
9 business practices of certain (~~travel charter or tour operators~~)
10 sellers of travel have worked financial hardship upon the people of
11 this state; that the travel business has a significant impact upon the
12 economy and well-being of this state and its people; that problems have
13 arisen regarding certain (~~segments of the travel charter or tour~~
14 ~~operator business~~) sales of travel; and that the public welfare
15 requires regulation of (~~travel charter or tour operators~~) sellers of
16 travel in order to eliminate unfair advertising, sales and business
17 practices. The legislature further finds it necessary to establish
18 standards that will safeguard the people against financial hardship and
19 to encourage fair dealing and prosperity in the travel business.

1 NEW SECTION. **Sec. 2.** Unless the context clearly requires
2 otherwise, the definitions in this section apply throughout this
3 chapter.

4 (1) "Department" means the department of licensing.

5 (2) "Director" means the director of licensing or the director's
6 designee.

7 (3) "Seller of travel" means a person, firm, or corporation both
8 inside and outside the state of Washington, who transacts business with
9 Washington consumers, including, but not limited to, travel agencies,
10 who sell, provide, furnish contracts for, arrange, or advertise, either
11 directly or indirectly, by any means or method, to arrange or book any
12 travel services including travel reservations or accommodations,
13 tickets for domestic or foreign travel by air, rail, ship, bus, or
14 other medium of transportation or hotel or other lodging accommodation
15 and vouchers or coupons to be redeemed for future travel or
16 accommodations for a fee, commission, or other valuable consideration.

17 (a) "Seller of travel" includes a travel agent and any person who
18 is an independent contractor or outside agent for a travel agency or
19 other seller of travel whose principal duties include consulting with
20 and advising persons concerning travel arrangements or accommodations
21 in the conduct or administration of its business. If a seller of
22 travel is employed by a seller of travel who is registered under this
23 chapter, the employee need not also be registered.

24 (b) "Seller of travel" does not include:

25 (i) An air carrier;

26 (ii) An ocean carrier;

27 (iii) A motor carrier;

28 (iv) A rail carrier;

29 (v) A charter party carrier; or

30 (vi) An auto transportation carrier.

31 (4) "Travel services" includes transportation by air, sea, or rail
32 ground transportation, hotel or any lodging accommodations, or package
33 tours, whether offered or sold on a wholesale or retail basis.

34 (5) "Advertisement" includes, but is not limited to, a written or
35 graphic representation in a card, brochure, newspaper, magazine,
36 directory listing, or display, and oral, written, or graphic
37 representations made by radio, television, or cable transmission that
38 relates to travel services.

1 NEW SECTION. **Sec. 3.** No person, firm, or corporation may act or
2 hold itself out as a seller of travel unless, prior to engaging in the
3 business of selling or advertising to sell travel services, the person,
4 firm, or corporation registers with the director under this chapter and
5 rules adopted under this chapter.

6 (1) The registration number must be conspicuously posted in the
7 place of business and must be included in all advertisements.

8 (2) The director shall issue duplicate registrations upon payment
9 of a nominal duplicate registration fee to valid registration holders
10 operating more than one office.

11 (3) No registration is assignable or transferable.

12 (4) If a registered seller of travel sells his or her business,
13 when the new owner becomes responsible for the business, the new owner
14 must comply with all provisions of this chapter, including
15 registration.

16 NEW SECTION. **Sec. 4.** An application for registration as a seller
17 of travel shall be submitted in the form prescribed by rule by the
18 director, and shall contain but not be limited to the following:

19 (1) The name, address, and telephone number of the seller of
20 travel;

21 (2) Proof that the seller of travel holds a valid business license
22 in the state of its principal state of business;

23 (3) A copy of the bond required by section 7 of this act;

24 (4) A special report prepared and signed by a licensed public
25 accountant or certified public accountant verifying that the seller of
26 travel maintains a trust account at a federally insured institution
27 located in the state of Washington, the location and number of that
28 trust account, and verifying that the account is maintained and used as
29 required by section 8 of this act. The director, by rule, may permit
30 alternatives to the special report that provides for at least the same
31 level of verification.

32 (5) A registration fee in an amount determined under RCW 43.24.086.

33 (6) The name, address, and social security numbers of all employees
34 covered by the seller of travel's registration. The seller of travel
35 must notify the department of any changes of employment status within
36 forty-five days of the change.

1 NEW SECTION. **Sec. 5.** (1) Each seller of travel shall renew its
2 registration on or before July 1 of every other year or as otherwise
3 determined by the director.

4 (2) Renewal of a registration is subject to the same provisions
5 covering issuance, suspension, and revocation of a registration
6 originally issued.

7 (3) The director may refuse to renew a registration for any of the
8 grounds set out under section 6 of this act, and where the past conduct
9 of the applicant affords reasonable grounds for belief that the
10 applicant will not carry out the applicant's duties in accordance with
11 law and with integrity and honesty. The director shall promptly notify
12 the applicant in writing by certified mail of its intent to refuse to
13 renew the registration. The registrant may, within twenty-one days
14 after receipt of that notice or intent, request a hearing on the
15 refusal. The director may permit the registrant to honor commitments
16 already made to its customers, but no new commitments may be incurred,
17 unless the director is satisfied that all new commitments are
18 completely bonded or secured to insure that the general public is
19 protected from loss of money paid to the registrant. It is the
20 responsibility of the registrant to contest the decision regarding
21 conditions imposed or registration denied through the process
22 established by the administrative procedure act, chapter 34.05 RCW.

23 NEW SECTION. **Sec. 6.** (1) The director may deny, suspend, or
24 revoke the registration of a seller of travel if the director finds
25 that the applicant:

26 (a) Was previously the holder of a registration issued under this
27 chapter, and the registration was revoked for cause and never reissued
28 by the director, or the registration was suspended for cause and the
29 terms of the suspension have not been fulfilled;

30 (b) Has been found guilty of a felony within the past five years
31 involving moral turpitude, or of a misdemeanor concerning fraud or
32 conversion, or suffers a judgment in a civil action involving willful
33 fraud, misrepresentation, or conversion;

34 (c) Has made a false statement of a material fact in an application
35 under this chapter or in data attached to it;

36 (d) Has violated this chapter or failed to comply with a rule
37 adopted by the director under this chapter;

1 (e) Has failed to display the registration as provided in this
2 chapter;

3 (f) Has published or circulated a statement with the intent to
4 deceive, misrepresent, or mislead the public;

5 (g) Has committed a fraud or fraudulent practice in the operation
6 and conduct of a travel agency business, including, but not limited to,
7 intentionally misleading advertising; or

8 (h) Has aided or abetted a person, firm, or corporation that they
9 know has not registered in this state in the business of conducting a
10 travel agency or other sale of travel.

11 (2) If the seller of travel is found in violation of this chapter
12 or in violation of the consumer protection act, chapter 19.86 RCW, by
13 the entry of a judgment or by settlement of a claim, the director may
14 revoke the registration of the seller of travel, and the director may
15 reinstate the registration at the director's discretion.

16 NEW SECTION. **Sec. 7.** Each registrant shall file and maintain a
17 surety bond, in an amount of not greater than thirty thousand dollars
18 nor less than ten thousand dollars that the director deems adequate to
19 protect the public interest, executed by the applicant as obligor and
20 by a surety company authorize to do business in this state.

21 (1) The director may establish by rule a schedule establishing a
22 range of bond amounts that shall vary according to the proven financial
23 stability of the seller of travel, the volume of business of the seller
24 of travel, and other factors deemed relevant by the director.

25 (2) The bond shall run to the state of Washington as obligee, and
26 shall run to the benefit of the state and a person or persons who
27 suffer loss by reason of the seller of travel's violation of this
28 chapter or rules adopted under this chapter.

29 (3) The bond shall be conditioned that the seller of travel will
30 faithfully conform to and abide by this chapter and all rules adopted
31 under this chapter, and shall reimburse all persons who suffer loss by
32 reason of a violation of this chapter or rules adopted under this
33 chapter.

34 (4) The bond shall be continuous and may be canceled by the surety
35 upon the surety giving written notice to the director of its intent to
36 cancel the bond. The cancellation shall be effective thirty days after
37 the notice is received by the director.

1 (5) The applicant may obtain the bond directly from the surety or
2 through a group bonding arrangement involving a professional
3 organization comprised of sellers of travel if the arrangement provides
4 at least as much coverage as is required under this section.

5 (6) In lieu of a surety bond, the applicant may, upon approval by
6 the director, file with the director a certificate of deposit, an
7 irrevocable letter of credit, or other instrument as approved by the
8 director by rule, drawn in favor of the director for an amount equal to
9 the required bond.

10 (7) A person injured by a violation of this chapter may bring an
11 action against the surety bond or approved alternative of the seller of
12 travel who committed the violation or who employed the seller of travel
13 who committed the violation.

14 NEW SECTION. **Sec. 8.** (1) Within three business days of receipt,
15 a seller of travel shall deposit all sums received from a person or
16 entity, for travel services offered by the seller of travel, in a trust
17 account maintained in a federally insured financial institution located
18 in Washington state. Exempted are airline sales made by a seller of
19 travel, when payments for the airline tickets are made through the
20 airline reporting corporation either by cash or credit card sale.

21 (2) The trust account required by this section shall be established
22 and maintained for the benefit of any person or entity paying money to
23 the seller of travel. The seller of travel shall not in any manner
24 encumber the amounts in trust and shall not withdraw money from the
25 account except the following amounts may be withdrawn at any time:

26 (a) Partial or full payment for travel services to the entity
27 directly providing the travel service;

28 (b) Refunds as required by this chapter;

29 (c) The amount of the sales commission;

30 (d) Interest earned and credited to the trust account; or

31 (e) Remaining funds of a purchaser once all travel services have
32 been provided or once tickets or other similar documentation binding
33 upon the ultimate provider of the travel services have been provided.

34 (3) At the time of registration, the seller of travel shall file
35 with the department the account number and the name of the financial
36 institution at which the trust account is held as set forth in section
37 4 of this act. The seller of travel shall notify the department of any

1 change in the account number or location within one business day of the
2 change.

3 (4) The director, by rule, may allow for the use of other types of
4 funds or accounts; provided that the protection for consumers is no
5 less than that provided by this section.

6 (5) The seller of travel need not comply with the requirements of
7 this section if all of the following apply, except as exempted in
8 section 8(1) of this act:

9 (a) The payment is made by credit card;

10 (b) The seller of travel does not deposit, negotiate, or factor the
11 credit card charge or otherwise seek to obtain payment of the credit
12 card charge to any account over which the seller of travel has any
13 control; and

14 (c) If the charge includes transportation, the carrier that is to
15 provide the transportation processes the credit card charge, or if the
16 charge is only for services, the provider of services processes the
17 credit card charges.

18 (6) If the seller of travel maintains its principal place of
19 business in another state and maintains a trust account in that state
20 consistent with the requirement of this section, and if that seller of
21 travel has transacted business within the state of Washington in an
22 amount exceeding five million dollars for the preceding year, the out-
23 of-state trust account may be substituted for the in-state account
24 required under this section.

25 NEW SECTION. **Sec. 9.** A seller of travel shall perform its duties
26 reasonably and with ordinary care in providing travel services.

27 **Sec. 10.** RCW 19.138.030 and 1986 c 283 s 3 are each amended to
28 read as follows:

29 A (~~((travel charter or tour operator))~~) seller of travel shall not
30 advertise that air, sea, or land transportation either separately or in
31 conjunction with other services is or may be available unless he or she
32 has, prior to (~~((such))~~) the advertisement, (~~((received written~~
33 ~~confirmation with a carrier for the transportation advertised))~~)
34 determined that the product advertised was available at the time the
35 advertising was placed. This determination can be made by the seller
36 of travel either by use of an airline computer reservation system, or
37 by written confirmation from the vendor whose program is being advertised.

1 It is the responsibility of the seller of travel to keep written or
2 printed documentation of the steps taken to verify that the advertised
3 offer was available at the time the advertising was placed. These
4 records are to be maintained for at least two years after the placement
5 of the advertisement.

6 **Sec. 11.** RCW 19.138.040 and 1986 c 283 s 4 are each amended to
7 read as follows:

8 At or prior to the time of full or partial payment for air, sea, or
9 land transportation or any other services offered by the seller of
10 travel (~~((charter or tour operator))~~) in conjunction with (~~((such))~~) the
11 transportation, the seller of travel (~~((charter or tour operator))~~) shall
12 furnish to the person making the payment a written statement
13 conspicuously setting forth the following information:

14 (1) The name and business address and telephone number of the
15 (~~((travel charter or tour operator))~~) seller of travel.

16 (2) The amount paid, the date of such payment, the purpose of the
17 payment made, and an itemized statement of the balance due, if any.

18 (3) The (~~((location and))~~) registration number of the (~~((trust account~~
19 ~~or bond))~~) seller of travel required by this chapter.

20 (4) The name of the (~~((carrier))~~) vendor with whom the (~~((travel~~
21 ~~charter or tour operator))~~) seller of travel has contracted to provide
22 (~~((the transportation, the type of equipment contracted, and the date,~~
23 ~~time, and place of each departure:— PROVIDED, That the information~~
24 ~~required in this subsection may be provided at the time of final~~
25 ~~payment))~~) travel arrangements for a consumer and all pertinent
26 information relating to the travel as known by the seller of travel at
27 the time of booking. The seller of travel will make known further
28 details as soon as received from the vendor. All information will be
29 provided with final documentation.

30 (5) The conditions, if any, upon which the contract between the
31 (~~((travel charter or tour operator))~~) seller of travel and the passenger
32 may be canceled, and the rights and obligations of all parties in the
33 event of (~~((such))~~) cancellation.

34 (6) A statement in eight-point boldface type in substantially the
35 following form:

36 "If transportation or other services are canceled by the (~~((travel~~
37 ~~charter or tour operator))~~) seller of travel, all sums paid to the
38 (~~((travel charter or tour operator))~~) seller of travel for services not

1 performed in accordance with the contract between the (~~travel charter~~
2 ~~or tour operator~~) seller of travel and the (~~passenger~~) purchaser
3 will be refunded within (~~fourteen~~) thirty days (~~after the~~
4 ~~cancellation by the travel charter or tour operator to the passenger or~~
5 ~~the party who contracted for the passenger unless mutually acceptable~~
6 ~~alternative travel arrangements are provided~~) of receiving the funds
7 from the vendor with whom the services were arranged, or if the funds
8 were not sent to the vendor, the funds shall be returned within
9 fourteen days after cancellation by the seller of travel to the
10 purchaser unless the purchaser requests the seller of travel to apply
11 the money to another travel product and/or date."

12 **Sec. 12.** RCW 19.138.050 and 1986 c 283 s 5 are each amended to
13 read as follows:

14 (1) If the transportation or other services contracted for are
15 canceled (~~the travel charter or tour operator~~), or if the money is to
16 be refunded for any reason, the seller of travel shall (~~return~~)
17 refund to the (~~passenger within fourteen days after the cancellation~~
18 all moneys paid for services not performed in accordance with the
19 contract unless mutually acceptable alternative travel arrangements are
20 provided) person with whom it contracts for travel services, the money
21 due the person within thirty days of receiving the funds from the
22 vendor with whom the services were arranged. If the funds were not
23 sent to the vendor and remain in the possession of the seller of
24 travel, the funds shall be refunded within fourteen days.

25 (2) Any material misrepresentation with regard to the
26 transportation and other services offered shall be deemed to be a
27 cancellation necessitating the refund required by this section.

28 (3) When travel services are paid to a vendor and charged to a
29 consumer's credit card by the seller of travel, and the arrangements
30 are subsequently canceled by the consumer, the vendor, or the seller of
31 travel, any refunds to the consumer's credit card must be applied for
32 within ten days from the date of cancellation.

33 **NEW SECTION. Sec. 13.** The director has the following powers and
34 duties:

35 (1) To adopt, amend, and repeal rules to carry out the purposes of
36 this chapter;

1 (2) To issue and renew registrations under this chapter and to deny
2 or refuse to renew for failure to comply with this chapter;

3 (3) To suspend or revoke a registration for a violation of this
4 chapter;

5 (4) To establish fees;

6 (5) To inspect and audit the books and records of a seller of
7 travel as they pertain to the deposits to and withdrawals from the
8 trust account and representations concerning bond amount
9 determinations. The seller of travel shall immediately make available
10 to the director those books and records as may be requested at the
11 seller of travel's place of business or at a location designated by the
12 director. For that purpose, the director shall have full and free
13 access to the office and places of business of the seller of travel
14 during regular business hours; and

15 (6) To do all things necessary to carry out the functions, powers,
16 and duties set forth in this chapter.

17 NEW SECTION. **Sec. 14.** (1) A nonresident seller of travel
18 soliciting business or selling travel in the state of Washington, by
19 mail, telephone, or otherwise, either directly or indirectly, is deemed
20 to have appointed the director to be the seller of travel's true and
21 lawful attorney upon whom may be served any legal process against that
22 nonresident arising or growing out of a transaction involving travel
23 services. That solicitation signifies the nonresident's agreement that
24 process against the nonresident that is served as provided in this
25 chapter is of the same legal force and validity as if served personally
26 on the nonresident seller of travel.

27 (2) Service of process upon a nonresident seller of travel shall be
28 made by leaving a copy of the process with the director. The fee for
29 the service of process shall be determined by the director by rule.
30 That service is sufficient service upon the nonresident if the
31 plaintiff or plaintiff's attorney of record sends notice of the service
32 and a copy of the process by certified mail before service or
33 immediately after service to the defendant at the address given by the
34 nonresident in a solicitation furnished by the nonresident, and the
35 sender's post office receipt of sending and the plaintiff's or
36 plaintiff's attorney's affidavit of compliance with this section are
37 returned with the process in accordance with Washington superior court
38 civil rules. Notwithstanding the foregoing requirements, however, once

1 service has been made on the director as provided in this section, in
2 the event of failure to comply with the requirement of notice to the
3 nonresident, the court may order that notice be given that will be
4 sufficient to apprise the nonresident.

5 NEW SECTION. **Sec. 15.** The director, in the director's discretion,
6 may:

7 (1) Annually, or more frequently, make public or private
8 investigations within or without this state as the director deems
9 necessary to determine whether a registration should be granted,
10 denied, revoked, or suspended, or whether a person has violated or is
11 about to violate this chapter or a rule adopted or order issued under
12 this chapter, or to aid in the enforcement of this chapter or in the
13 prescribing of rules and forms of this chapter;

14 (2) Publish information concerning a violation of this chapter or
15 a rule adopted or order issued under this chapter; and

16 (3) Investigate complaints concerning practices by sellers of
17 travel for which registration is required by this chapter.

18 NEW SECTION. **Sec. 16.** For the purpose of an investigation or
19 proceeding under this chapter, the director or any officer designated
20 by the director may administer oaths and affirmations, subpoena
21 witnesses, compel their attendance, take evidence, and require the
22 production of any books, papers, correspondence, memoranda, agreements,
23 or other documents or records which the director deems relevant or
24 material to the inquiry.

25 NEW SECTION. **Sec. 17.** If it appears to the director that a person
26 has engaged in or is about to engage in an act or practice constituting
27 a violation of this chapter or a rule adopted or order issued under
28 this chapter, the director may, in the director's discretion, issue an
29 order directing the person to cease and desist from continuing the act
30 or practice. Reasonable notice of an opportunity for a hearing shall
31 be given. The director may issue a temporary order pending the
32 hearing, which shall remain in effect until ten days after the hearing
33 is held and which shall become final if the person to whom the notice
34 is addressed does not request a hearing within fifteen days after the
35 receipt of the notice.

1 NEW SECTION. **Sec. 18.** The attorney general, a county prosecuting
2 attorney, the director, or any person may, in accordance with the law
3 of this state governing injunctions, maintain an action in the name of
4 this state to enjoin a person or entity selling travel services for
5 which registration is required by this chapter without registration
6 from engaging in the practice until the required registration is
7 secured. However, the injunction shall not relieve the person or
8 entity selling travel services without registration from criminal
9 prosecution therefor, but the remedy by injunction shall be in addition
10 to any criminal liability.

11 NEW SECTION. **Sec. 19.** A person or business that violates an
12 injunction issued under this chapter shall pay a civil penalty, as
13 determined by the court, of not more than twenty-five thousand dollars,
14 that shall be paid to the department. For the purpose of this section,
15 the superior court issuing an injunction shall retain jurisdiction and
16 the cause shall be continued, and in such cases the attorney general
17 acting in the name of the state may petition for the recovery of civil
18 penalties.

19 NEW SECTION. **Sec. 20.** The director or individuals acting on the
20 director's behalf are immune from suit in any action, civil or
21 criminal, based on disciplinary proceedings or other official acts
22 performed in the course of their duties in the administration and
23 enforcement of this chapter.

24 NEW SECTION. **Sec. 21.** (1) The director may assess against a
25 person or organization that violates this chapter, or a rule adopted
26 under this chapter, a civil penalty of not more than one thousand
27 dollars for each violation.

28 (2) The person or organization shall be afforded the opportunity
29 for a hearing, upon request made to the director within thirty days
30 after the date of issuance of the notice of assessment. The hearing
31 shall be conducted in accordance with chapter 34.05 RCW.

32 (3) A civil penalty shall be imposed by the court for each
33 violation of this chapter in an amount not less than five hundred
34 dollars nor more than two thousand dollars per violation.

35 (4) If a person fails to pay an assessment after it has become a
36 final and unappealable order, or after the court has entered final

1 judgment in favor of the state, the director may recover the amount
2 assessed by action in the appropriate superior court. In the action,
3 the validity and appropriateness of the final order imposing the
4 penalty shall not be subject to review.

5 NEW SECTION. **Sec. 22.** The director may assess against a person or
6 organization that violates this chapter, or a rule adopted under this
7 chapter, the full amount of restitution as may be necessary to restore
8 to a person an interest in money or property, real or personal, that
9 may have been acquired by means of an act prohibited by or in violation
10 of this chapter.

11 NEW SECTION. **Sec. 23.** In order to maintain or defend a lawsuit,
12 a seller of travel must be registered with the department as required
13 by this chapter and rules adopted under this chapter.

14 NEW SECTION. **Sec. 24.** (1) Each person who knowingly violates this
15 chapter or who knowingly gives false or incorrect information to the
16 director, attorney general, or county prosecuting attorney in filing
17 statements required by this chapter, whether or not the statement or
18 report is verified, is guilty of a gross misdemeanor punishable under
19 chapter 9A.20 RCW.

20 (2) A person who violates this chapter or who gives false or
21 incorrect information to the director, attorney general, or county
22 prosecuting attorney in filing statements required by this chapter,
23 whether or not the statement or report is verified, is guilty of a
24 misdemeanor punishable under chapter 9A.20 RCW.

25 NEW SECTION. **Sec. 25.** The administrative procedure act, chapter
26 34.05 RCW, shall, wherever applicable, govern the rights, remedies, and
27 procedures respecting the administration of this chapter.

28 NEW SECTION. **Sec. 26.** All information, documents, and reports
29 filed with the director under this chapter are matters of public record
30 and shall be open to public inspection, subject to reasonable
31 regulation. The director may make public, on a periodic or other
32 basis, the information as may be necessary or appropriate in the public
33 interest concerning the registration, reports, and information filed

1 with the director or any other matters to the administration and
2 enforcement of this chapter.

3 NEW SECTION. **Sec. 27.** The legislature finds that the practices
4 governed by this chapter are matters vitally affecting the public
5 interest for the purpose of applying the consumer protection act,
6 chapter 19.86 RCW. Any violation of this chapter is not reasonable in
7 relation to the development and preservation of business and is an
8 unfair and deceptive act or practice and unfair method of competition
9 in the conduct of trade or commerce in violation of RCW 19.86.020.
10 Remedies provided by chapter 19.86 RCW are cumulative and not
11 exclusive.

12 NEW SECTION. **Sec. 28.** In addition to any other penalties or
13 remedies under chapter 19.86 RCW, a person who is injured by a
14 violation of this chapter may bring an action for recovery of actual
15 damages, including court costs and attorneys' fees. No provision in
16 this chapter shall be construed to limit any right or remedy provided
17 under chapter 19.86 RCW.

18 NEW SECTION. **Sec. 29.** The following acts or parts of acts are
19 each repealed:

- 20 (1) RCW 19.138.020 and 1986 c 283 s 2;
- 21 (2) RCW 19.138.060 and 1986 c 283 s 6;
- 22 (3) RCW 19.138.070 and 1986 c 283 s 7; and
- 23 (4) RCW 19.138.080 and 1986 c 283 s 8.

24 NEW SECTION. **Sec. 30.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons or circumstances is not affected.

28 NEW SECTION. **Sec. 31.** This act shall take effect July 1, 1995.

29 NEW SECTION. **Sec. 32.** Sections 2 through 9 and 13 through 28 of
30 this act shall constitute a new chapter in Title 19 RCW.

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