

1458

Sponsor(s): Representatives Zellinsky, Fisher and Robertson; by request of Department of Licensing

Brief Title: Regulating vehicle and vessel licensing.

HB 1458 - DIGEST

(DIGEST AS ENACTED)

Removes requirements for maintaining a display area for wholesale dealers and display dealers.

Allows the director to deny a license under this chapter when the application is a subterfuge that conceals the real person in interest whose license has been denied, suspended, or revoked for cause under this chapter and the terms have not been fulfilled or a civil penalty has not been paid, or the director finds that the application was not filed in good faith.

Provides that DOL is authorized to make certain vehicle data available to a third party vendor, who in turn will provide excise tax information to car dealers.

Dealers are allowed to obtain vehicle titles directly from lienholders when the lien has been paid off. If the bank does not remit the title within the prescribed time period, the dealers may seek a monetary penalty plus actual damages and fees.

VETO MESSAGE ON HB 1458

May 20, 1997

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to section 7, House Bill No. 1458 entitled:

"AN ACT Relating to licensing;"

House Bill No. 1458 makes numerous changes in the laws relating vehicle and vessel licensing taxes. However, section 7 of the bill requires the Regional Transit Authority (RTA) to provide excise tax information in a machine readable ASCII text file to a private contractor at no cost. This information would allow the contractor to determine who is subject to the RTA's special excise and use taxes and how much taxes should be paid.

I understand that the intent of section 7 is to ensure that vehicle dealers receive accurate information regarding these taxes at any time, and that they should not be obligated to collect the taxes unless they have accurate and up-to-date information. While I agree with the intent, this section is flawed, overly prescriptive, and unnecessary. By using the word "remittance" the language implies that if accurate information were not supplied by the RTA, taxes already collected by dealers would not have to be forwarded to the state. Further, the RTA does not need the very prescriptive and limiting contracting language contained in section 7 to provide accurate tax information for these purposes.

For these reasons, I have vetoed section 7 of House Bill No.

1458.
With the exception of section 7, House Bill No. 1458 is
approved.

Respectfully submitted,
Gary Locke
Governor