
SECOND ENGROSSED SUBSTITUTE SENATE BILL 5610

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Prentice, Finkbeiner, T. Sheldon and Costa)

Read first time 03/08/99.

1 AN ACT Relating to civil penalties levied by the department of
2 licensing for unlawful sale of used motor vehicles by unlicensed
3 parties; amending RCW 46.70.115; and prescribing penalties.

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

5 **Sec. 1.** RCW 46.70.115 and 1986 c 241 s 15 are each amended to read
6 as follows:

7 (1) If it appears to the director that a person has engaged or is
8 about to engage in an act or practice constituting a violation of this
9 chapter, or a rule adopted or an order issued under this chapter, the
10 director may issue an order directing the person to cease and desist
11 from continuing the act or practice. Reasonable notice of and
12 opportunity for a hearing shall be given. The director may issue a
13 temporary order pending a hearing. The temporary order shall remain in
14 effect until ten days after the hearing is held and shall become final
15 if the person to whom the notice is addressed does not request a
16 hearing within fifteen days after receipt of the notice.

17 (2) The director may levy and collect a civil penalty, in an amount
18 not to exceed one thousand dollars for each violation, against a person
19 found by the director to be curbstoning, as that term is defined in

1 subsection (3) of this section. A person against whom a civil penalty
2 has been imposed must receive reasonable notice and an opportunity for
3 a hearing on the issue. The civil penalty is due ten days after
4 issuance of a final order.

5 (3) For the purposes of subsection (2) of this section,
6 "curbstoning" means a person or firm engaged in buying and offering for
7 sale, or buying and selling, five or more vehicles that are each less
8 than thirty years old in a twelve-month period without holding a
9 vehicle dealer license. For the purpose of subsections (1) and (2) of
10 this section, "curbstoning" does not include the sale of equipment or
11 vehicles used in farming as defined in RCW 46.04.183 and sold by a
12 farmer as defined in RCW 46.04.182.

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