
SENATE BILL 6601

State of Washington 56th Legislature 2000 Regular Session

By Senators T. Sheldon, Sellar, Swecker, Goings and Rasmussen

Read first time 01/20/2000. Referred to Committee on Transportation.

1 AN ACT Relating to the transfer of appointments by subagents of the
2 director of the department of licensing; and amending RCW 46.01.140.

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

4 **Sec. 1.** RCW 46.01.140 and 1996 c 315 s 1 are each amended to read
5 as follows:

6 (1) The county auditor, if appointed by the director of licensing
7 shall carry out the provisions of this title relating to the licensing
8 of vehicles and the issuance of vehicle license number plates under the
9 direction and supervision of the director and may with the approval of
10 the director appoint assistants as special deputies and recommend
11 subagents to accept applications and collect fees for vehicle licenses
12 and transfers and to deliver vehicle license number plates.

13 (2) A county auditor appointed by the director may request that the
14 director appoint subagencies within the county. Upon authorization of
15 the director, the auditor shall advertise a request for proposals and
16 use the process for soliciting vendors under RCW 39.04.190(2), except
17 that the provision requiring the contract to be awarded to the lowest
18 responsible bidder shall not apply. The auditor shall submit all
19 proposals to the director, and shall recommend the appointment of one

1 or more subagents who have applied through the request for proposal
2 process. The director has final appointment authority.

3 (3)(a) A county auditor who is appointed as an agent by the
4 department shall enter into a standard contract provided by the
5 director, developed with the advice of the title and registration
6 advisory committee.

7 (b) A subagent appointed under subsection (2) of this section shall
8 enter into a standard contract with the county auditor, developed with
9 the advice of the title and registration advisory committee. The
10 director shall provide the standard contract to county auditors.

11 (c) The contracts provided for in (a) and (b) of this subsection
12 must contain at a minimum provisions that:

13 (i) Describe the responsibilities, and where applicable, the
14 liability, of each party relating to the service expectations and
15 levels, equipment to be supplied by the department, and equipment
16 maintenance;

17 (ii) Require the specific type of insurance or bonds so that the
18 state is protected against any loss of collected motor vehicle tax
19 revenues or loss of equipment;

20 (iii) Specify the amount of training that will be provided by the
21 state, the county auditor, or subagents;

22 (iv) Describe allowable costs that may be charged to vehicle
23 licensing activities as provided for in (d) of this subsection;

24 (v) Describe the causes and procedures for termination of the
25 contract, which may include mediation and binding arbitration.

26 (d) The department shall develop procedures that will standardize
27 and prescribe allowable costs that may be assigned to vehicle licensing
28 and vessel registration and title activities performed by county
29 auditors.

30 (e) The contracts may include any provision that the director deems
31 necessary to ensure acceptable service and the full collection of
32 vehicle and vessel tax revenues.

33 (f) The director may waive any provisions of the contract deemed
34 necessary in order to ensure that readily accessible service is
35 provided to the citizens of the state.

36 (4)(a) At any time any application is made to the director, the
37 county auditor, or other agent pursuant to any law dealing with
38 licenses, registration, or the right to operate any vehicle or vessel
39 upon the public highways or waters of this state, excluding applicants

1 already paying such fee under RCW 46.16.070 or 46.16.085, the applicant
2 shall pay to the director, county auditor, or other agent a fee of
3 three dollars for each application in addition to any other fees
4 required by law.

5 (b) Counties that do not cover the expenses of vehicle licensing
6 and vessel registration and title activities may submit to the
7 department a request for cost-coverage moneys. The request must be
8 submitted on a form developed by the department. The department shall
9 develop procedures to verify whether a request is reasonable. Payment
10 shall be made on requests found to be allowable from the licensing
11 services account.

12 (c) Applicants for certificates of ownership, including applicants
13 paying fees under RCW 46.16.070 or 46.16.085, shall pay to the
14 director, county auditor, or other agent a fee of four dollars in
15 addition to any other fees required by law.

16 (d) The fees under (a) and (c) of this subsection, if paid to the
17 county auditor as agent of the director, or if paid to a subagent of
18 the county auditor, shall be paid to the county treasurer in the same
19 manner as other fees collected by the county auditor and credited to
20 the county current expense fund. If the fee is paid to another agent
21 of the director, the fee shall be used by the agent to defray his or
22 her expenses in handling the application.

23 (5) A subagent shall collect a service fee of (a) seven dollars and
24 fifty cents for changes in a certificate of ownership, with or without
25 registration renewal, or verification of record and preparation of an
26 affidavit of lost title other than at the time of the title application
27 or transfer and (b) three dollars for registration renewal only,
28 issuing a transit permit, or any other service under this section.

29 (6) Any subagent may transfer in any manner, to include a transfer
30 as part of the sale of a subagent's subagency, a subagency appointment
31 to any qualified person or qualified entity subject to the approval of
32 the director who may not unreasonably withhold the approval of the
33 transfer.

34 (7) If the fee is collected by the state patrol as agent for the
35 director, the fee so collected shall be certified to the state
36 treasurer and deposited to the credit of the state patrol highway
37 account. If the fee is collected by the department of transportation
38 as agent for the director, the fee shall be certified to the state
39 treasurer and deposited to the credit of the motor vehicle fund. All

1 such fees collected by the director or branches of his office shall be
2 certified to the state treasurer and deposited to the credit of the
3 highway safety fund.

4 ~~((+7))~~ (8) Any county revenues that exceed the cost of providing
5 vehicle licensing and vessel registration and title activities in a
6 county, calculated in accordance with the procedures in subsection
7 (3)(d) of this section, shall be expended as determined by the county
8 legislative authority during the process established by law for
9 adoption of county budgets.

10 ~~((+8))~~ (9) The director may adopt rules to implement this section.
11 However, the director shall adopt rules to establish standards to
12 include qualifications of any qualified person or qualified entity for
13 approval of the transfer of a subagency under subsection (6) of this
14 section.

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