

SB 6063 - S COMM AMD

By Committee on Highways & Transportation

ADOPTED 04/15/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 46.55.030 and 1989 c 111 s 3 are each amended to read
4 as follows:

5 (1) Application for licensing as a registered tow truck operator
6 shall be made on forms furnished by the department, shall be
7 accompanied by an inspection certification from the Washington state
8 patrol, shall be signed by the applicant or an agent, and shall include
9 the following information:

10 (a) The name and address of the person, firm, partnership,
11 association, or corporation under whose name the business is to be
12 conducted;

13 (b) The names and addresses of all persons having an interest in
14 the business, or if the owner is a corporation, the names and addresses
15 of the officers of the corporation;

16 (c) The names and addresses of all employees who serve as tow truck
17 drivers;

18 (d) Proof of minimum insurance required by subsection (3) of this
19 section;

20 (e) The vehicle license and vehicle identification numbers of all
21 tow trucks of which the applicant is the registered owner;

22 (f) Any other information the department may require; and

23 (g) A certificate of approval from the Washington state patrol
24 certifying that:

25 (i) The applicant has an established place of business and that
26 mail is received at the address shown on the application;

27 (ii) The address of any storage locations where vehicles may be
28 stored is correctly stated on the application;

29 (iii) The place of business has an office area that is accessible
30 to the public without entering the storage area; and

1 (iv) The place of business has adequate and secure storage
2 facilities, as defined in this chapter and the rules of the department,
3 where vehicles and their contents can be properly stored and protected.

4 (2) Before issuing a registration certificate to an applicant the
5 department shall require the applicant to file with the department a
6 surety bond in the amount of five thousand dollars running to the state
7 and executed by a surety company authorized to do business in this
8 state. The bond shall be approved as to form by the attorney general
9 and conditioned that the operator shall conduct his business in
10 conformity with the provisions of this chapter pertaining to abandoned
11 or unauthorized vehicles, and to compensate any person, company, or the
12 state for failure to comply with this chapter or the rules adopted
13 hereunder, or for fraud, negligence, or misrepresentation in the
14 handling of these vehicles. Any person injured by the tow truck
15 operator's failure to fully perform duties imposed by this chapter and
16 the rules adopted hereunder, or an ordinance or resolution adopted by
17 a city, town, or county is entitled to recover actual damages,
18 including reasonable attorney's fees against the surety and the tow
19 truck operator. Successive recoveries against the bond shall be
20 permitted, but the aggregate liability of the surety to all persons
21 shall not exceed the amount of the bond. As a condition of authority
22 to do business, the operator shall keep the bond in full force and
23 effect. Failure to maintain the penalty value of the bond or
24 cancellation of the bond by the surety automatically cancels the
25 operator's registration.

26 (3) Before the department may issue a registration certificate to
27 an applicant, the applicant shall provide proof of minimum insurance
28 requirements of:

29 (a) One hundred thousand dollars for liability for bodily injury or
30 property damage per occurrence; and

31 (b) Fifty thousand dollars of legal liability per occurrence, to
32 protect against vehicle damage, including but not limited to fire and
33 theft, from the time a vehicle comes into the custody of an operator
34 until it is redeemed or sold.

35 Cancellation of or failure to maintain the insurance required by (a)
36 and (b) of this subsection automatically cancels the operator's
37 registration.

1 (4) The fee for each original registration and annual renewal is
2 one hundred dollars per company, plus (~~(fifty)~~) seventy-five dollars
3 per truck. The department shall forward the registration fee to the
4 state treasurer for deposit in the motor vehicle fund.

5 (5) The applicant must submit an inspection certificate from the
6 state patrol before the department may issue or renew an operator's
7 registration certificate or tow truck permits.

8 (6) Upon approval of the application, the department shall issue a
9 registration certificate to the registered operator to be displayed
10 prominently at the operator's place of business.

11 **Sec. 2.** RCW 46.70.061 and 2002 c 352 s 23 are each amended to read
12 as follows:

13 (1) The annual fees for original licenses issued for twelve
14 consecutive months from the date of issuance under this chapter shall
15 be:

16 (a) Vehicle dealers, principal place of business for each and every
17 license classification: Seven hundred fifty dollars;

18 (b) Vehicle dealers, each subagency, and temporary subagency: One
19 hundred dollars;

20 (c) Vehicle manufacturers: (~~(Five)~~) Seven hundred fifty dollars.

21 (2) The annual fee for renewal of any license issued pursuant to
22 this chapter shall be:

23 (a) Vehicle dealers, principal place of business for each and every
24 license classification: (~~(Two)~~) Five hundred (~~(fifty)~~) dollars;

25 (b) Vehicle dealer, each and every subagency: (~~(Twenty-five)~~)
26 Fifty dollars;

27 (c) Vehicle manufacturers: Two hundred fifty dollars.

28 If any licensee fails or neglects to apply for such renewal within
29 thirty days after the expiration of the license, or assigned renewal
30 date under a staggered licensing system, the license shall be declared
31 canceled by the director, in which case the licensee will be required
32 to apply for an original license and pay the fee required for the
33 original license.

34 (3)(a) The fee for the transfer to another location of any license
35 classification issued pursuant to this chapter (~~(shall be twenty-five)~~)
36 is one hundred dollars.

1 (b) The fee for changing a vehicle dealer's name is one hundred
2 dollars.

3 (4) The fee for vehicle dealer license plates and manufacturer
4 license plates shall be the amount required by law for vehicle license
5 plates exclusive of excise tax and gross weight and tonnage fees.

6 (5) All fees collected under this chapter shall be deposited in the
7 state treasury and credited to the motor vehicle fund.

8 (6) The fees prescribed in this section are in addition to any
9 excise taxes imposed by chapter 82.44 RCW.

10 **Sec. 3.** RCW 46.76.040 and 1990 c 250 s 68 are each amended to read
11 as follows:

12 The fee for an original transporter's license is (~~twenty-five~~)
13 one hundred dollars. Transporter license number plates bearing an
14 appropriate symbol and serial number shall be attached to all vehicles
15 being delivered in the conduct of the business licensed under this
16 chapter. The plates may be obtained for a fee of two dollars for each
17 set.

18 **Sec. 4.** RCW 46.76.050 and 1985 c 109 s 3 are each amended to read
19 as follows:

20 A transporter's license expires on the date assigned by the
21 director, and may be renewed by filing a proper application and paying
22 an annual fee of (~~fifteen~~) fifty dollars.

23 **Sec. 5.** RCW 46.79.040 and 1971 ex.s. c 110 s 4 are each amended to
24 read as follows:

25 Application for a hulk hauler's license, together with a fee of
26 (~~ten~~) fifty dollars, or application for a scrap processor's license,
27 together with a fee of twenty-five dollars, shall be forwarded to the
28 director. Upon receipt of the application the director shall, if the
29 application be in order, issue the license applied for authorizing him
30 to do business as such and forward the fee, together with an itemized
31 and detailed report, to the state treasurer, to be deposited in the
32 motor vehicle fund. Upon receiving the certificate the owner shall
33 cause it to be prominently displayed at the address shown in his

1 application, where it may be inspected by an investigating officer at
2 any time.

3 **Sec. 6.** RCW 46.79.050 and 1985 c 109 s 5 are each amended to read
4 as follows:

5 A license issued pursuant to this chapter expires on the date
6 assigned by the director, and may be renewed by filing a proper
7 application and payment of a fee of (~~ten~~) twenty-five dollars.

8 Whenever a hulk hauler or scrap processor ceases to do business or
9 the license has been suspended or revoked, the license shall
10 immediately be surrendered to the director.

11 **Sec. 7.** RCW 46.80.040 and 1995 c 256 s 6 are each amended to read
12 as follows:

13 The application, together with a fee of (~~twenty-five~~) one hundred
14 dollars, and a surety bond as provided in RCW 46.80.070, shall be
15 forwarded to the department. Upon receipt of the application the
16 department shall, if the application is in order, issue a vehicle
17 wrecker's license authorizing the wrecker to do business as such and
18 forward the fee to the state treasurer, to be deposited in the motor
19 vehicle fund. Upon receiving the certificate the owner shall cause it
20 to be prominently displayed in the place of business, where it may be
21 inspected by an investigating officer at any time.

22 **Sec. 8.** RCW 46.80.050 and 1995 c 256 s 7 are each amended to read
23 as follows:

24 A license issued on this application remains in force until
25 suspended or revoked and may be renewed annually upon reapplication
26 according to RCW 46.80.030 and upon payment of a fee of (~~ten~~) fifty
27 dollars. A vehicle wrecker who fails or neglects to renew the license
28 before the assigned expiration date shall pay the fee for an original
29 vehicle wrecker license as provided in this chapter.

30 Whenever a vehicle wrecker ceases to do business as such or the
31 license has been suspended or revoked, the wrecker shall immediately
32 surrender the license to the department."

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1 In line 1 of the title, after "businesses;" strike the remainder of
2 the title and insert "and amending RCW 46.55.030, 46.70.061, 46.76.040,
3 46.76.050, 46.79.040, 46.79.050, 46.80.040, and 46.80.050."

EFFECT: Increases the annual per truck fee for RTTOs from \$50 to \$75 and removes the increase to the original and renewal license fee.

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