
SUBSTITUTE HOUSE BILL 1036

State of Washington

58th Legislature

2003 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Hatfield, Woods, Simpson, Cooper, Rockefeller and Mielke)

READ FIRST TIME 02/18/03.

1 AN ACT Relating to department of licensing agent and subagent
2 provisions; amending RCW 46.01.230; and providing an effective date.

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

4 **Sec. 1.** RCW 46.01.230 and 1994 c 262 s 1 are each amended to read
5 as follows:

6 (1) The department of licensing is authorized to accept checks and
7 money orders for payment of drivers' licenses, certificates of
8 ownership and registration, motor vehicle excise taxes, gross weight
9 fees, and other fees and taxes collected by the department, in
10 accordance with regulations adopted by the director. The director's
11 regulations shall duly provide for the public's convenience consistent
12 with sound business practice and shall encourage the annual renewal of
13 vehicle registrations by mail to the department, authorizing checks and
14 money orders for payment. Such regulations shall contain provisions
15 for cancellation of any registrations, licenses, or permits paid for by
16 checks or money orders which are not duly paid and for the necessary
17 accounting procedures in such cases: PROVIDED, That any bona fide
18 purchaser for value of a vehicle shall not be liable or responsible for
19 any prior uncollected taxes and fees paid, pursuant to this section, by

1 a check which has subsequently been dishonored: AND PROVIDED FURTHER,
2 That no transfer of ownership of a vehicle may be denied to a bona fide
3 purchaser for value of a vehicle if there are outstanding uncollected
4 fees or taxes for which a predecessor paid, pursuant to this section,
5 by check which has subsequently been dishonored nor shall the new owner
6 be required to pay any fee for replacement vehicle license number
7 plates that may be required pursuant to RCW 46.16.270 as now or
8 hereafter amended.

9 (2) It is a traffic infraction to fail to surrender within ten days
10 to the department or any authorized agent of the department any
11 certificate, license, or permit after being notified that such
12 certificate, license, or permit has been canceled pursuant to this
13 section. Notice of cancellation may be accomplished by sending a
14 notice by first class mail using the last known address in department
15 records for the holder of the certificate, license, or permit, and
16 recording the transmittal on an affidavit of first class mail.

17 (3) Whenever registrations, licenses, or permits have been paid for
18 by checks that have been dishonored by nonacceptance or nonpayment, a
19 reasonable handling fee may be assessed for each such instrument.
20 Notwithstanding provisions of any other laws, county auditors, agents,
21 and subagents, appointed or approved by the director pursuant to RCW
22 46.01.140, may collect restitution, and where they have collected
23 restitution may retain the reasonable handling fee. The amount of the
24 reasonable handling fee may be set by rule by the director.

25 (4) In those counties where the county auditor has been appointed
26 an agent of the director under RCW 46.01.140, the auditor shall
27 continue to process mail-in registration renewals until directed
28 otherwise by legislative authority. Subagents appointed by the
29 director under RCW 46.01.140 have the same authority to mail out
30 registrations and replacement plates to internet payment option
31 customers as the agents until directed otherwise by legislative
32 authority.

33 NEW SECTION. **Sec. 2.** This act takes effect October 1, 2003.

--- END ---