

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1036

Chapter 369, Laws of 2003

58th Legislature
2003 Regular Session

DEPARTMENT OF LICENSING--SUBAGENTS

EFFECTIVE DATE: 10/1/03

Passed by the House April 21, 2003
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 15, 2003
Yeas 36 Nays 12

BRAD OWEN

President of the Senate

Approved May 20, 2003.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1036** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

Chief Clerk

FILED

May 20, 2003 - 2:42 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1036

AS AMENDED BY THE SENATE

Passed Legislature - 2003 Regular Session

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; providing contingent effect; and
3 providing an effective date.

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

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

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

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

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

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

26 (4) In those counties where the county auditor has been appointed
27 an agent of the director under RCW 46.01.140, the auditor shall
28 continue to process mail-in registration renewals until directed
29 otherwise by legislative authority. Subagents appointed by the
30 director under RCW 46.01.140 have the same authority to mail out
31 registrations and replacement plates to Internet payment option
32 customers as the agents until directed otherwise by legislative
33 authority. The department shall provide separate statements giving
34 notice to Internet payment option customers that: (a) A subagent
35 service fee, as provided in RCW 46.01.140(5)(b), will be collected by
36 a subagent office for providing mail and pick-up services; and (b) a
37 filing fee will be collected on all transactions listed under RCW
38 46.01.140(4)(a). The statement must include the amount of the fee and

1 be published on the department's Internet web site on the page that
2 lists each department, county auditor, and subagent office, eligible to
3 provide mail or pick-up services for registration renewals and
4 replacement plates. The statements must be published below each office
5 listed.

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

7 NEW SECTION. Sec. 3. If specific funding for the purposes of this
8 act, referencing this act by bill or chapter number, is not provided by
9 June 30, 2003, in the omnibus transportation appropriations act, this
10 act is null and void.

Passed by the House April 21, 2003.

Passed by the Senate April 15, 2003.

Approved by the Governor May 20, 2003.

Filed in Office of Secretary of State May 20, 2003.