

**HB 2660 - H AMD 1401**

By Representative Clibborn

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

3 "Sec. 1. RCW 46.17.100 and 2010 c 161 s 508 are each amended to  
4 read as follows:

5 Before accepting an application for a certificate of title as  
6 required in this title, the department, county auditor or other agent,  
7 or subagent appointed by the director shall require the applicant to  
8 pay a ((five)) fifteen dollar application fee in addition to any other  
9 fees and taxes required by law.

10 (1) Five dollars of the certificate of title application fee must  
11 be distributed under RCW 46.68.020.

12 (2) Ten dollars of the certificate of title application fee must be  
13 credited to the transportation 2003 account (nickel account) created in  
14 RCW 46.68.280.

15 **Sec. 2.** RCW 46.17.140 and 2010 c 161 s 512 are each amended to  
16 read as follows:

17 The penalty for a late transfer under RCW 46.12.650(7) is ((twenty-  
18 five)) fifty dollars assessed on the sixteenth day after the date of  
19 delivery and two dollars for each additional day thereafter, but the  
20 total penalty must not exceed one hundred twenty-five dollars. The  
21 penalty must be distributed under RCW 46.68.020.

22 **Sec. 3.** RCW 46.17.200 and 2011 c 171 s 56 are each amended to read  
23 as follows:

24 (1) In addition to all other fees and taxes required by law, the  
25 department, county auditor or other agent, or subagent appointed by the  
26 director shall charge:

27 (a) The following license plate fees for each license plate, unless  
28 the owner or type of vehicle is exempt from payment:

1	FEE TYPE	FEE	DISTRIBUTION
2	<u>Original issue</u>	<u>\$ 10.00</u>	<u>RCW 46.68.070</u>
3	Reflectivity	\$ 2.00	RCW 46.68.070
4	Replacement	\$ 10.00	RCW 46.68.070
5	<u>Original issue,</u>	<u>\$ 4.00</u>	<u>RCW 46.68.070</u>
6	<u>motorcycle</u>		
7	Replacement,	<del>(\$ 2.00)</del>	RCW 46.68.070
8	motorcycle	<u>\$ 4.00</u>	
9	Original issue, moped	\$ 1.50	RCW 46.68.070

10 (b) A license plate retention fee, as required under RCW  
11 46.16A.200(10)~~((a)(iii))~~ (c), of twenty dollars if the owner wishes  
12 to retain the current license plate number upon license plate  
13 replacement, unless the owner or type of vehicle is exempt from  
14 payment. The twenty dollar fee must be deposited in the multimodal  
15 transportation account created in RCW 47.66.070.

16 (c) A ten dollar license plate transfer fee, as required under RCW  
17 46.16A.200(8)(a), when transferring standard issue license plates from  
18 one vehicle to another, unless the owner or type of vehicle is exempt  
19 from payment. The ten dollar license plate transfer fee must be  
20 deposited in the motor vehicle fund created in RCW 46.68.070.

21 (d) Former prisoner of war license plates, as described in RCW  
22 46.18.235, may be transferred to a replacement vehicle upon payment of  
23 a five dollar license plate fee, in addition to any other fee required  
24 by law.

25 (2) The department may, upon request, provide license plates that  
26 have been used and returned to the department to individuals for  
27 nonvehicular use. The department may charge a fee of up to five  
28 dollars per license plate to cover costs or recovery for postage and  
29 handling. The department may waive the fee for license plates used in  
30 educational projects and may, by rule, provide standards for the fee  
31 waiver and restrictions on the number of license plates provided to any  
32 one person. The fee must be deposited in the motor vehicle fund  
33 created in RCW 46.68.070.

1       **Sec. 4.** RCW 46.20.293 and 2007 c 424 s 1 are each amended to read  
2 as follows:

3       The department is authorized to provide juvenile courts with the  
4 department's record of traffic charges compiled under RCW 46.52.101 and  
5 13.50.200, against any minor upon the request of any state juvenile  
6 court or duly authorized officer of any juvenile court of this state.  
7 Further, the department is authorized to provide any juvenile court  
8 with any requested service which the department can reasonably perform  
9 which is not inconsistent with its legal authority which substantially  
10 aids juvenile courts in handling traffic cases and which promotes  
11 highway safety.

12       The department is authorized to furnish to the parent, parents, or  
13 guardian of any person under eighteen years of age who is not  
14 emancipated from such parent, parents, or guardian, the department  
15 records of traffic charges compiled against the person and shall  
16 collect for the copy a fee of (~~ten~~) thirteen dollars, fifty percent  
17 of which must be deposited in the highway safety fund and fifty percent  
18 of which must be deposited according to RCW 46.68.038.

19       **Sec. 5.** RCW 46.29.050 and 2010 c 8 s 9028 are each amended to read  
20 as follows:

21       (1) The department shall upon request furnish any person or his or  
22 her attorney a certified abstract of his or her driving record, which  
23 abstract shall include enumeration of any motor vehicle accidents in  
24 which such person has been involved. Such abstract shall (a) indicate  
25 the total number of vehicles involved, whether the vehicles were  
26 legally parked or moving, and whether the vehicles were occupied at the  
27 time of the accident; and (b) contain reference to any convictions of  
28 the person for violation of the motor vehicle laws as reported to the  
29 department, reference to any findings that the person has committed a  
30 traffic infraction which have been reported to the department, and a  
31 record of any vehicles registered in the name of the person. The  
32 department shall collect for each abstract the sum of (~~ten~~) thirteen  
33 dollars, fifty percent of which shall be deposited in the highway  
34 safety fund and fifty percent of which must be deposited according to  
35 RCW 46.68.038.

36       (2) The department shall upon request furnish any person who may  
37 have been injured in person or property by any motor vehicle, with an

1 abstract of all information of record in the department pertaining to  
2 the evidence of the ability of any driver or owner of any motor vehicle  
3 to respond in damages. The department shall collect for each abstract  
4 the sum of (~~ten~~) thirteen dollars, fifty percent of which shall be  
5 deposited in the highway safety fund and fifty percent of which must be  
6 deposited according to RCW 46.68.038.

7 **Sec. 6.** RCW 46.52.130 and 2010 c 253 s 1 are each amended to read  
8 as follows:

9 Upon a proper request, the department may furnish an abstract of a  
10 person's driving record as permitted under this section.

11 (1) **Contents of abstract of driving record.** An abstract of a  
12 person's driving record, whenever possible, must include:

13 (a) An enumeration of motor vehicle accidents in which the person  
14 was driving, including:

15 (i) The total number of vehicles involved;

16 (ii) Whether the vehicles were legally parked or moving;

17 (iii) Whether the vehicles were occupied at the time of the  
18 accident; and

19 (iv) Whether the accident resulted in a fatality;

20 (b) Any reported convictions, forfeitures of bail, or findings that  
21 an infraction was committed based upon a violation of any motor vehicle  
22 law;

23 (c) The status of the person's driving privilege in this state; and

24 (d) Any reports of failure to appear in response to a traffic  
25 citation or failure to respond to a notice of infraction served upon  
26 the named individual by an arresting officer.

27 (2) **Release of abstract of driving record.** An abstract of a  
28 person's driving record may be furnished to the following persons or  
29 entities:

30 (a) **Named individuals.** (i) An abstract of the full driving record  
31 maintained by the department may be furnished to the individual named  
32 in the abstract.

33 (ii) Nothing in this section prevents a court from providing a copy  
34 of the driver's abstract to the individual named in the abstract,  
35 provided that the named individual has a pending or open infraction or  
36 criminal case in that court. A pending case includes criminal cases  
37 that have not reached a disposition by plea, stipulation, trial, or

1 amended charge. An open infraction or criminal case includes cases on  
2 probation, payment agreement or subject to, or in collections. Courts  
3 may charge a reasonable fee for the production and copying of the  
4 abstract for the individual.

5 (b) **Employers or prospective employers.** (i) An abstract of the  
6 full driving record maintained by the department may be furnished to an  
7 employer or prospective employer or an agent acting on behalf of an  
8 employer or prospective employer of the named individual for purposes  
9 related to driving by the individual as a condition of employment or  
10 otherwise at the direction of the employer.

11 (ii) Release of an abstract of the driving record of an employee or  
12 prospective employee requires a statement signed by: (A) The employee  
13 or prospective employee that authorizes the release of the record; and  
14 (B) the employer attesting that the information is necessary for  
15 employment purposes related to driving by the individual as a condition  
16 of employment or otherwise at the direction of the employer. If the  
17 employer or prospective employer authorizes an agent to obtain this  
18 information on their behalf, this must be noted in the statement.

19 (iii) Upon request of the person named in the abstract provided  
20 under this subsection, and upon that same person furnishing copies of  
21 court records ruling that the person was not at fault in a motor  
22 vehicle accident, the department must indicate on any abstract provided  
23 under this subsection that the person was not at fault in the motor  
24 vehicle accident.

25 (c) **Volunteer organizations.** (i) An abstract of the full driving  
26 record maintained by the department may be furnished to a volunteer  
27 organization or an agent for a volunteer organization for which the  
28 named individual has submitted an application for a position that would  
29 require driving by the individual at the direction of the volunteer  
30 organization.

31 (ii) Release of an abstract of the driving record of a prospective  
32 volunteer requires a statement signed by: (A) The prospective  
33 volunteer that authorizes the release of the record; and (B) the  
34 volunteer organization attesting that the information is necessary for  
35 purposes related to driving by the individual at the direction of the  
36 volunteer organization. If the volunteer organization authorizes an  
37 agent to obtain this information on their behalf, this must be noted in  
38 the statement.

1 (d) **Transit authorities.** An abstract of the full driving record  
2 maintained by the department may be furnished to an employee or agent  
3 of a transit authority checking prospective volunteer vanpool drivers  
4 for insurance and risk management needs.

5 (e) **Insurance carriers.** (i) An abstract of the driving record  
6 maintained by the department covering the period of not more than the  
7 last three years may be furnished to an insurance company or its agent:

8 (A) That has motor vehicle or life insurance in effect covering the  
9 named individual;

10 (B) To which the named individual has applied; or

11 (C) That has insurance in effect covering the employer or a  
12 prospective employer of the named individual.

13 (ii) The abstract provided to the insurance company must:

14 (A) Not contain any information related to actions committed by law  
15 enforcement officers or firefighters, as both terms are defined in RCW  
16 41.26.030, or by Washington state patrol officers, while driving  
17 official vehicles in the performance of their occupational duty. This  
18 does not apply to any situation where the vehicle was used in the  
19 commission of a misdemeanor or felony;

20 (B) Include convictions under RCW 46.61.5249 and 46.61.525, except  
21 that the abstract must report the convictions only as negligent driving  
22 without reference to whether they are for first or second degree  
23 negligent driving; and

24 (C) Exclude any deferred prosecution under RCW 10.05.060, except  
25 that if a person is removed from a deferred prosecution under RCW  
26 10.05.090, the abstract must show the deferred prosecution as well as  
27 the removal.

28 (iii) Any policy of insurance may not be canceled, nonrenewed,  
29 denied, or have the rate increased on the basis of information  
30 regarding an accident included in the abstract of a driving record,  
31 unless the policyholder was determined to be at fault.

32 (iv) Any insurance company or its agent, for underwriting purposes  
33 relating to the operation of commercial motor vehicles, may not use any  
34 information contained in the abstract relative to any person's  
35 operation of motor vehicles while not engaged in such employment. Any  
36 insurance company or its agent, for underwriting purposes relating to  
37 the operation of noncommercial motor vehicles, may not use any

1 information contained in the abstract relative to any person's  
2 operation of commercial motor vehicles.

3 (v) The director may enter into a contractual agreement with an  
4 insurance company or its agent for the limited purpose of reviewing the  
5 driving records of existing policyholders for changes to the record  
6 during specified periods of time. The department shall establish a fee  
7 for this service, which must be deposited in the highway safety fund.  
8 The fee for this service must be set at a level that will not result in  
9 a net revenue loss to the state. Any information provided under this  
10 subsection must be treated in the same manner and is subject to the  
11 same restrictions as driving record abstracts.

12 (f) **Alcohol/drug assessment or treatment agencies.** An abstract of  
13 the driving record maintained by the department covering the period of  
14 not more than the last five years may be furnished to an alcohol/drug  
15 assessment or treatment agency approved by the department of social and  
16 health services to which the named individual has applied or been  
17 assigned for evaluation or treatment, for purposes of assisting  
18 employees in making a determination as to what level of treatment, if  
19 any, is appropriate, except that the abstract must:

20 (i) Also include records of alcohol-related offenses, as defined in  
21 RCW 46.01.260(2), covering a period of not more than the last ten  
22 years; and

23 (ii) Indicate whether an alcohol-related offense was originally  
24 charged as a violation of either RCW 46.61.502 or 46.61.504.

25 (g) **City attorneys and county prosecuting attorneys.** An abstract  
26 of the full driving record maintained by the department, including  
27 whether a recorded violation is an alcohol-related offense, as defined  
28 in RCW 46.01.260(2), that was originally charged as a violation of  
29 either RCW 46.61.502 or 46.61.504, may be furnished to city attorneys  
30 or county prosecuting attorneys. City attorneys and county prosecuting  
31 attorneys may provide the driving record to alcohol/drug assessment or  
32 treatment agencies approved by the department of social and health  
33 services to which the named individual has applied or been assigned for  
34 evaluation or treatment.

35 (h) **State colleges, universities, or agencies, or units of local**  
36 **government.** An abstract of the full driving record maintained by the  
37 department may be furnished to (i) state colleges, universities, or

1 agencies for employment and risk management purposes or (ii) units of  
2 local government authorized to self-insure under RCW 48.62.031 for  
3 employment and risk management purposes.

4 (i) **Superintendent of public instruction.** An abstract of the full  
5 driving record maintained by the department may be furnished to the  
6 superintendent of public instruction for review of public school bus  
7 driver records. The superintendent or superintendent's designee may  
8 discuss information on the driving record with an authorized  
9 representative of the employing school district for employment and risk  
10 management purposes.

11 (3) **Release to third parties prohibited.** Any person or entity  
12 receiving an abstract of a person's driving record under subsection  
13 (2)(b) through (i) of this section shall use the abstract exclusively  
14 for his, her, or its own purposes or as otherwise expressly permitted  
15 under this section, and shall not divulge any information contained in  
16 the abstract to a third party.

17 (4) **Fee.** The director shall collect a (~~ten~~) thirteen dollar fee  
18 for each abstract of a person's driving record furnished by the  
19 department. Fifty percent of the fee must be deposited in the highway  
20 safety fund, and fifty percent of the fee must be deposited according  
21 to RCW 46.68.038.

22 (5) **Violation.** (a) Any negligent violation of this section is a  
23 gross misdemeanor.

24 (b) Any intentional violation of this section is a class C felony.

25 **Sec. 7.** RCW 46.70.061 and 2002 c 352 s 23 are each amended to read  
26 as follows:

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

30 (a) Vehicle dealers, principal place of business for each and every  
31 license classification: (~~Seven~~) Nine hundred (~~fifty~~) seventy-five  
32 dollars;

33 (b) Vehicle dealers, each subagency, and temporary subagency: One  
34 hundred dollars;

35 (c) Vehicle manufacturers: Five hundred dollars.

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



1 (a) Vehicle dealers, principal place of business for each and every  
2 license classification: (~~Two~~) Three hundred (~~fifty~~) twenty-five  
3 dollars;

4 (b) Vehicle dealer, each and every subagency: Twenty-five dollars;

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

6 If any licensee fails or neglects to apply for such renewal within  
7 thirty days after the expiration of the license, or assigned renewal  
8 date under a staggered licensing system, the license shall be declared  
9 canceled by the director, in which case the licensee will be required  
10 to apply for an original license and pay the fee required for the  
11 original license.

12 (3) The fee for the transfer to another location of any license  
13 classification issued pursuant to this chapter shall be twenty-five  
14 dollars.

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

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

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

22 **Sec. 8.** RCW 46.70.180 and 2010 c 161 s 1136 are each amended to  
23 read as follows:

24 Each of the following acts or practices is unlawful:

25 (1) To cause or permit to be advertised, printed, displayed,  
26 published, distributed, broadcasted, televised, or disseminated in any  
27 manner whatsoever, any statement or representation with regard to the  
28 sale, lease, or financing of a vehicle which is false, deceptive, or  
29 misleading, including but not limited to the following:

30 (a) That no down payment is required in connection with the sale of  
31 a vehicle when a down payment is in fact required, or that a vehicle  
32 may be purchased for a smaller down payment than is actually required;

33 (b) That a certain percentage of the sale price of a vehicle may be  
34 financed when such financing is not offered in a single document  
35 evidencing the entire security transaction;

36 (c) That a certain percentage is the amount of the service charge

1 to be charged for financing, without stating whether this percentage  
2 charge is a monthly amount or an amount to be charged per year;

3 (d) That a new vehicle will be sold for a certain amount above or  
4 below cost without computing cost as the exact amount of the factory  
5 invoice on the specific vehicle to be sold;

6 (e) That a vehicle will be sold upon a monthly payment of a certain  
7 amount, without including in the statement the number of payments of  
8 that same amount which are required to liquidate the unpaid purchase  
9 price.

10 (2)(a)(i) To incorporate within the terms of any purchase and sale  
11 or lease agreement any statement or representation with regard to the  
12 sale, lease, or financing of a vehicle which is false, deceptive, or  
13 misleading, including but not limited to terms that include as an added  
14 cost to the selling price or capitalized cost of a vehicle an amount  
15 for licensing or transfer of title of that vehicle which is not  
16 actually due to the state, unless such amount has in fact been paid by  
17 the dealer prior to such sale.

18 (ii) However, an amount not to exceed (~~the applicable amount~~  
19 ~~provided in (iii)(A) and (B) of this subsection (2)(a))~~ one hundred  
20 fifty dollars per vehicle sale or lease may be charged by a dealer to  
21 recover administrative costs for collecting motor vehicle excise taxes,  
22 licensing and registration fees and other agency fees, verifying and  
23 clearing titles, transferring titles, perfecting, releasing, or  
24 satisfying liens or other security interests, and other administrative  
25 and documentary services rendered by a dealer in connection with the  
26 sale or lease of a vehicle and in carrying out the requirements of this  
27 chapter or any other provisions of state law.

28 (~~(iii) A dealer may charge under (a)(ii) of this subsection:~~

29 ~~(A) As of July 26, 2009, through June 30, 2014, an amount not to~~  
30 ~~exceed one hundred fifty dollars; and~~

31 ~~(B) As of July 1, 2014, an amount not to exceed fifty dollars.)~~

32 (b) A dealer may charge the documentary service fee in (a) of this  
33 subsection under the following conditions:

34 (i) The documentary service fee is disclosed in writing to a  
35 prospective purchaser or lessee before the execution of a purchase and  
36 sale or lease agreement;

37 (ii) The dealer discloses to the purchaser or lessee in writing  
38 that the documentary service fee is a negotiable fee. The disclosure

1 must be written in a typeface that is at least as large as the typeface  
2 used in the standard text of the document that contains the disclosure  
3 and that is bold faced, capitalized, underlined, or otherwise set out  
4 from the surrounding material so as to be conspicuous. The dealer  
5 shall not represent to the purchaser or lessee that the fee or charge  
6 is required by the state to be paid by either the dealer or prospective  
7 purchaser or lessee;

8 (iii) The documentary service fee is separately designated from the  
9 selling price or capitalized cost of the vehicle and from any other  
10 taxes, fees, or charges; and

11 (iv) Dealers disclose in any advertisement that a documentary  
12 service fee in an amount (~~provided in (iv)(A) and (B) of this~~  
13 ~~subsection (2)(b))~~ up to one hundred fifty dollars may be added to the  
14 sale price or the capitalized cost(

15 ~~(A) As of July 26, 2009, through June 30, 2014, an amount up to one~~  
16 ~~hundred fifty dollars; and~~

17 ~~(B) As of July 1, 2014, an amount up to fifty dollars)).~~

18 For the purposes of this subsection (2), the term "documentary  
19 service fee" means the optional amount charged by a dealer to provide  
20 the services specified in (a) of this subsection.

21 (3) To set up, promote, or aid in the promotion of a plan by which  
22 vehicles are to be sold or leased to a person for a consideration and  
23 upon further consideration that the purchaser or lessee agrees to  
24 secure one or more persons to participate in the plan by respectively  
25 making a similar purchase and in turn agreeing to secure one or more  
26 persons likewise to join in said plan, each purchaser or lessee being  
27 given the right to secure money, credits, goods, or something of value,  
28 depending upon the number of persons joining the plan.

29 (4) To commit, allow, or ratify any act of "bushing" which is  
30 defined as follows: Entering into a written contract, written purchase  
31 order or agreement, retail installment sales agreement, note and  
32 security agreement, or written lease agreement, hereinafter  
33 collectively referred to as contract or lease, signed by the  
34 prospective buyer or lessee of a vehicle, which:

35 (a) Is subject to any conditions or the dealer's or his or her  
36 authorized representative's future acceptance, and the dealer fails or  
37 refuses within four calendar days, exclusive of Saturday, Sunday, or  
38 legal holiday, and prior to any further negotiations with said buyer or

1 lessee to inform the buyer or lessee either: (i) That the dealer  
2 unconditionally accepts the contract or lease, having satisfied,  
3 removed, or waived all conditions to acceptance or performance,  
4 including, but not limited to, financing, assignment, or lease  
5 approval; or (ii) that the dealer rejects the contract or lease,  
6 thereby automatically voiding the contract or lease, as long as such  
7 voiding does not negate commercially reasonable contract or lease  
8 provisions pertaining to the return of the subject vehicle and any  
9 physical damage, excessive mileage after the demand for return of the  
10 vehicle, and attorneys' fees authorized by law, and tenders the refund  
11 of any initial payment or security made or given by the buyer or  
12 lessee, including, but not limited to, any down payment, and tenders  
13 return of the trade-in vehicle, key, other trade-in, or certificate of  
14 title to a trade-in. Tender may be conditioned on return of the  
15 subject vehicle if previously delivered to the buyer or lessee.

16 The provisions of this subsection (4)(a) do not impair, prejudice,  
17 or abrogate the rights of a dealer to assert a claim against the buyer  
18 or lessee for misrepresentation or breach of contract and to exercise  
19 all remedies available at law or in equity, including those under  
20 chapter 62A.9A RCW, if the dealer, bank, or other lender or leasing  
21 company discovers that approval of the contract or financing or  
22 approval of the lease was based upon material misrepresentations made  
23 by the buyer or lessee, including, but not limited to,  
24 misrepresentations regarding income, employment, or debt of the buyer  
25 or lessee, as long as the dealer, or his or her staff, has not, with  
26 knowledge of the material misrepresentation, aided, assisted,  
27 encouraged, or participated, directly or indirectly, in the  
28 misrepresentation. A dealer shall not be in violation of this  
29 subsection (4)(a) if the buyer or lessee made a material  
30 misrepresentation to the dealer, as long as the dealer, or his or her  
31 staff, has not, with knowledge of the material misrepresentation,  
32 aided, assisted, encouraged, or participated, directly or indirectly,  
33 in the misrepresentation.

34 When a dealer informs a buyer or lessee under this subsection  
35 (4)(a) regarding the unconditional acceptance or rejection of the  
36 contract, lease, or financing by an electronic mail message, the dealer  
37 must also transmit the communication by any additional means;

1 (b) Permits the dealer to renegotiate a dollar amount specified as  
2 trade-in allowance on a vehicle delivered or to be delivered by the  
3 buyer or lessee as part of the purchase price or lease, for any reason  
4 except:

5 (i) Failure to disclose that the vehicle's certificate of title has  
6 been branded for any reason, including, but not limited to, status as  
7 a rebuilt vehicle as provided in RCW 46.12.540 and 46.12.560; or

8 (ii) Substantial physical damage or latent mechanical defect  
9 occurring before the dealer took possession of the vehicle and which  
10 could not have been reasonably discoverable at the time of the taking  
11 of the order, offer, or contract; or

12 (iii) Excessive additional miles or a discrepancy in the mileage.  
13 "Excessive additional miles" means the addition of five hundred miles  
14 or more, as reflected on the vehicle's odometer, between the time the  
15 vehicle was first valued by the dealer for purposes of determining its  
16 trade-in value and the time of actual delivery of the vehicle to the  
17 dealer. "A discrepancy in the mileage" means (A) a discrepancy between  
18 the mileage reflected on the vehicle's odometer and the stated mileage  
19 on the signed odometer statement; or (B) a discrepancy between the  
20 mileage stated on the signed odometer statement and the actual mileage  
21 on the vehicle; or

22 (c) Fails to comply with the obligation of any written warranty or  
23 guarantee given by the dealer requiring the furnishing of services or  
24 repairs within a reasonable time.

25 (5) To commit any offense relating to odometers, as such offenses  
26 are defined in RCW 46.37.540, 46.37.550, 46.37.560, and 46.37.570. A  
27 violation of this subsection is a class C felony punishable under  
28 chapter 9A.20 RCW.

29 (6) For any vehicle dealer or vehicle salesperson to refuse to  
30 furnish, upon request of a prospective purchaser or lessee, for  
31 vehicles previously registered to a business or governmental entity,  
32 the name and address of the business or governmental entity.

33 (7) To commit any other offense under RCW 46.37.423, 46.37.424, or  
34 46.37.425.

35 (8) To commit any offense relating to a dealer's temporary license  
36 permit, including but not limited to failure to properly complete each  
37 such permit, or the issuance of more than one such permit on any one

1 vehicle. However, a dealer may issue a second temporary permit on a  
2 vehicle if the following conditions are met:

3 (a) The lienholder fails to deliver the vehicle title to the dealer  
4 within the required time period;

5 (b) The dealer has satisfied the lien; and

6 (c) The dealer has proof that payment of the lien was made within  
7 two calendar days, exclusive of Saturday, Sunday, or a legal holiday,  
8 after the sales contract has been executed by all parties and all  
9 conditions and contingencies in the sales contract have been met or  
10 otherwise satisfied.

11 (9) For a dealer, salesperson, or mobile home manufacturer, having  
12 taken an instrument or cash "on deposit" from a purchaser or lessee  
13 prior to the delivery of the bargained-for vehicle, to commingle the  
14 "on deposit" funds with assets of the dealer, salesperson, or mobile  
15 home manufacturer instead of holding the "on deposit" funds as trustee  
16 in a separate trust account until the purchaser or lessee has taken  
17 delivery of the bargained-for vehicle. Delivery of a manufactured home  
18 shall be deemed to occur in accordance with RCW 46.70.135(5). Failure,  
19 immediately upon receipt, to endorse "on deposit" instruments to such  
20 a trust account, or to set aside "on deposit" cash for deposit in such  
21 trust account, and failure to deposit such instruments or cash in such  
22 trust account by the close of banking hours on the day following  
23 receipt thereof, shall be evidence of intent to commit this unlawful  
24 practice: PROVIDED, HOWEVER, That a motor vehicle dealer may keep a  
25 separate trust account which equals his or her customary total customer  
26 deposits for vehicles for future delivery. For purposes of this  
27 section, "on deposit" funds received from a purchaser of a manufactured  
28 home means those funds that a seller requires a purchaser to advance  
29 before ordering the manufactured home, but does not include any loan  
30 proceeds or moneys that might have been paid on an installment  
31 contract.

32 (10) For a dealer or manufacturer to fail to comply with the  
33 obligations of any written warranty or guarantee given by the dealer or  
34 manufacturer requiring the furnishing of goods and services or repairs  
35 within a reasonable period of time, or to fail to furnish to a  
36 purchaser or lessee, all parts which attach to the manufactured unit  
37 including but not limited to the undercarriage, and all items specified

1 in the terms of a sales or lease agreement signed by the seller and  
2 buyer or lessee.

3 (11) For a vehicle dealer to pay to or receive from any person,  
4 firm, partnership, association, or corporation acting, either directly  
5 or through a subsidiary, as a buyer's agent for consumers, any  
6 compensation, fee, purchase moneys or funds that have been deposited  
7 into or withdrawn out of any account controlled or used by any buyer's  
8 agent, gratuity, or reward in connection with the purchase, sale, or  
9 lease of a new motor vehicle.

10 (12) For a buyer's agent, acting directly or through a subsidiary,  
11 to pay to or to receive from any motor vehicle dealer any compensation,  
12 fee, gratuity, or reward in connection with the purchase, sale, or  
13 lease of a new motor vehicle. In addition, it is unlawful for any  
14 buyer's agent to engage in any of the following acts on behalf of or in  
15 the name of the consumer:

16 (a) Receiving or paying any purchase moneys or funds into or out of  
17 any account controlled or used by any buyer's agent;

18 (b) Signing any vehicle purchase orders, sales contracts, leases,  
19 odometer statements, or title documents, or having the name of the  
20 buyer's agent appear on the vehicle purchase order, sales contract,  
21 lease, or title; or

22 (c) Signing any other documentation relating to the purchase, sale,  
23 lease, or transfer of any new motor vehicle.

24 It is unlawful for a buyer's agent to use a power of attorney  
25 obtained from the consumer to accomplish or effect the purchase, sale,  
26 lease, or transfer of ownership documents of any new motor vehicle by  
27 any means which would otherwise be prohibited under (a) through (c) of  
28 this subsection. However, the buyer's agent may use a power of  
29 attorney for physical delivery of motor vehicle license plates to the  
30 consumer.

31 Further, it is unlawful for a buyer's agent to engage in any false,  
32 deceptive, or misleading advertising, disseminated in any manner  
33 whatsoever, including but not limited to making any claim or statement  
34 that the buyer's agent offers, obtains, or guarantees the lowest price  
35 on any motor vehicle or words to similar effect.

36 (13) For a buyer's agent to arrange for or to negotiate the  
37 purchase, or both, of a new motor vehicle through an out-of-state  
38 dealer without disclosing in writing to the customer that the new

1 vehicle would not be subject to chapter 19.118 RCW. This subsection  
2 also applies to leased vehicles. In addition, it is unlawful for any  
3 buyer's agent to fail to have a written agreement with the customer  
4 that: (a) Sets forth the terms of the parties' agreement; (b)  
5 discloses to the customer the total amount of any fees or other  
6 compensation being paid by the customer to the buyer's agent for the  
7 agent's services; and (c) further discloses whether the fee or any  
8 portion of the fee is refundable.

9 (14) Being a manufacturer, other than a motorcycle manufacturer  
10 governed by chapter 46.93 RCW, to:

11 (a) Coerce or attempt to coerce any vehicle dealer to order or  
12 accept delivery of any vehicle or vehicles, parts or accessories, or  
13 any other commodities which have not been voluntarily ordered by the  
14 vehicle dealer: PROVIDED, That recommendation, endorsement,  
15 exposition, persuasion, urging, or argument are not deemed to  
16 constitute coercion;

17 (b) Cancel or fail to renew the franchise or selling agreement of  
18 any vehicle dealer doing business in this state without fairly  
19 compensating the dealer at a fair going business value for his or her  
20 capital investment which shall include but not be limited to tools,  
21 equipment, and parts inventory possessed by the dealer on the day he or  
22 she is notified of such cancellation or termination and which are still  
23 within the dealer's possession on the day the cancellation or  
24 termination is effective, if: (i) The capital investment has been  
25 entered into with reasonable and prudent business judgment for the  
26 purpose of fulfilling the franchise; and (ii) the cancellation or  
27 nonrenewal was not done in good faith. Good faith is defined as the  
28 duty of each party to any franchise to act in a fair and equitable  
29 manner towards each other, so as to guarantee one party freedom from  
30 coercion, intimidation, or threats of coercion or intimidation from the  
31 other party: PROVIDED, That recommendation, endorsement, exposition,  
32 persuasion, urging, or argument are not deemed to constitute a lack of  
33 good faith;

34 (c) Encourage, aid, abet, or teach a vehicle dealer to sell or  
35 lease vehicles through any false, deceptive, or misleading sales or  
36 financing practices including but not limited to those practices  
37 declared unlawful in this section;



1 (d) Coerce or attempt to coerce a vehicle dealer to engage in any  
2 practice forbidden in this section by either threats of actual  
3 cancellation or failure to renew the dealer's franchise agreement;

4 (e) Refuse to deliver any vehicle publicly advertised for immediate  
5 delivery to any duly licensed vehicle dealer having a franchise or  
6 contractual agreement for the retail sale or lease of new and unused  
7 vehicles sold or distributed by such manufacturer within sixty days  
8 after such dealer's order has been received in writing unless caused by  
9 inability to deliver because of shortage or curtailment of material,  
10 labor, transportation, or utility services, or by any labor or  
11 production difficulty, or by any cause beyond the reasonable control of  
12 the manufacturer;

13 (f) To provide under the terms of any warranty that a purchaser or  
14 lessee of any new or unused vehicle that has been sold or leased,  
15 distributed for sale or lease, or transferred into this state for  
16 resale or lease by the vehicle manufacturer may only make any warranty  
17 claim on any item included as an integral part of the vehicle against  
18 the manufacturer of that item.

19 Nothing in this section may be construed to impair the obligations  
20 of a contract or to prevent a manufacturer, distributor,  
21 representative, or any other person, whether or not licensed under this  
22 chapter, from requiring performance of a written contract entered into  
23 with any licensee hereunder, nor does the requirement of such  
24 performance constitute a violation of any of the provisions of this  
25 section if any such contract or the terms thereof requiring  
26 performance, have been freely entered into and executed between the  
27 contracting parties. This paragraph and subsection (14)(b) of this  
28 section do not apply to new motor vehicle manufacturers governed by  
29 chapter 46.96 RCW.

30 (15) Unlawful transfer of an ownership interest in a motor vehicle  
31 as defined in RCW 19.116.050.

32 (16) To knowingly and intentionally engage in collusion with a  
33 registered owner of a vehicle to repossess and return or resell the  
34 vehicle to the registered owner in an attempt to avoid a suspended  
35 license impound under chapter 46.55 RCW. However, compliance with  
36 chapter 62A.9A RCW in repossessing, selling, leasing, or otherwise  
37 disposing of the vehicle, including providing redemption rights to the  
38 debtor, is not a violation of this section.

1 (17)(a) For a dealer to enter into a new motor vehicle sales  
2 contract without disclosing in writing to a buyer of the new motor  
3 vehicle, or to a dealer in the case of an unregistered motor vehicle,  
4 any known damage and repair to the new motor vehicle if the damage  
5 exceeds five percent of the manufacturer's suggested retail price as  
6 calculated at the dealer's authorized warranty rate for labor and  
7 parts, or one thousand dollars, whichever amount is greater. A  
8 manufacturer or new motor vehicle dealer is not required to disclose to  
9 a dealer or buyer that glass, tires, bumpers, or cosmetic parts of a  
10 new motor vehicle were damaged at any time if the damaged item has been  
11 replaced with original or comparable equipment. A replaced part is not  
12 part of the cumulative damage required to be disclosed under this  
13 subsection.

14 (b) A manufacturer is required to provide the same disclosure to a  
15 dealer of any known damage or repair as required in (a) of this  
16 subsection.

17 (c) If disclosure of any known damage or repair is not required  
18 under this section, a buyer may not revoke or rescind a sales contract  
19 due to the fact that the new motor vehicle was damaged and repaired  
20 before completion of the sale.

21 (d) As used in this section:

22 (i) "Cosmetic parts" means parts that are attached by and can be  
23 replaced in total through the use of screws, bolts, or other fasteners  
24 without the use of welding or thermal cutting, and includes  
25 windshields, bumpers, hoods, or trim panels.

26 (ii) "Manufacturer's suggested retail price" means the retail price  
27 of the new motor vehicle suggested by the manufacturer, and includes  
28 the retail delivered price suggested by the manufacturer for each  
29 accessory or item of optional equipment physically attached to the new  
30 motor vehicle at the time of delivery to the new motor vehicle dealer  
31 that is not included within the retail price suggested by the  
32 manufacturer for the new motor vehicle.

33 NEW SECTION. **Sec. 9.** A new section is added to chapter 46.68 RCW  
34 to read as follows:

35 The public transportation grant program account is created in the  
36 state treasury. Moneys in the account may be spent only after

1 appropriation. Expenditures from the account may be used only for  
2 grants to aid transit authorities with operations.

3 NEW SECTION. **Sec. 10.** A new section is added to chapter 46.17 RCW  
4 to read as follows:

5 (1) Before accepting an application for an annual vehicle  
6 registration renewal for an electric vehicle that uses propulsion units  
7 powered solely by electricity, the department, county auditor or other  
8 agent, or subagent appointed by the director must require the applicant  
9 to pay a one hundred dollar fee in addition to any other fees and taxes  
10 required by law. The one hundred dollar fee is due only at the time of  
11 annual registration renewal.

12 (2) This section only applies to:

13 (a) A vehicle that is designed to have the capability to drive at  
14 a speed of more than thirty-five miles per hour; and

15 (b) An annual vehicle registration renewal that is due on or after  
16 February 1, 2013.

17 (3)(a) The fee under this section is imposed to provide funds to  
18 mitigate the impact of vehicles on state roads and highways and for the  
19 purpose of evaluating the feasibility of transitioning from a revenue  
20 collection system based on fuel taxes to a road user assessment system,  
21 and is separate and distinct from other vehicle license fees. Proceeds  
22 from the fee must be used for highway purposes, and must be deposited  
23 in the motor vehicle fund created in RCW 46.68.070, subject to (b) of  
24 this subsection.

25 (b) If in any year the amount of proceeds from the fee collected  
26 under this section exceeds one million dollars, the excess amount over  
27 one million dollars must be deposited as follows:

28 (i) Seventy percent to the motor vehicle fund created in RCW  
29 46.68.070;

30 (ii) Fifteen percent to the transportation improvement account  
31 created in RCW 47.26.084; and

32 (iii) Fifteen percent to the rural arterial trust account created  
33 in RCW 36.79.020.

34 NEW SECTION. **Sec. 11.** Section 10 of this act expires on the  
35 effective date of legislation enacted by the legislature that imposes  
36 a vehicle miles traveled fee or tax.

1        NEW SECTION.    **Sec. 12.**    The department of licensing must provide  
2 written notice of the expiration date of section 10 of this act to  
3 affected parties, the chief clerk of the house of representatives, the  
4 secretary of the senate, the office of the code reviser, and others as  
5 deemed appropriate by the department.

6        **Sec. 13.**    RCW 46.10.420 and 2010 c 161 s 231 are each amended to  
7 read as follows:

8        (1) Each dealer of snowmobiles in this state shall obtain a  
9 snowmobile dealer license from the department in a manner prescribed by  
10 the department. Upon receipt of an application for a snowmobile  
11 dealer's license and the fee provided in subsection (2) of this  
12 section, the dealer is licensed and a snowmobile dealer license number  
13 must be assigned.

14        (2) The annual license fee for a snowmobile dealer is twenty-five  
15 dollars, which covers all of the snowmobiles offered by a dealer for  
16 sale and not rented on a regular, commercial basis. Snowmobiles rented  
17 on a regular commercial basis by a snowmobile dealer must be registered  
18 separately under RCW 46.10.310, 46.10.400, 46.10.430, and 46.10.440.

19        (3) Upon the issuance of a snowmobile dealer license, a snowmobile  
20 dealer may purchase, at a cost to be determined by the department,  
21 snowmobile dealer license plates of a size and color to be determined  
22 by the department. The snowmobile dealer license plates must contain  
23 the snowmobile license number assigned to the dealer. Each snowmobile  
24 operated by a dealer, dealer representative, or prospective customer  
25 for the purposes of demonstration or testing shall display snowmobile  
26 dealer license plates in a clearly visible manner.

27        (4) Only a dealer, dealer representative, or prospective customer  
28 may display a snowmobile dealer plate, and only a dealer, dealer  
29 representative, or prospective customer may use a snowmobile dealer's  
30 license plate for the purposes described in subsection (3) of this  
31 section.

32        (5) Snowmobile dealer licenses are nontransferable.

33        (6) It is unlawful for any snowmobile dealer to sell a snowmobile  
34 at wholesale or retail, or to test or demonstrate any snowmobile,  
35 within the state, unless the dealer has a snowmobile dealer license as  
36 required under this section.

37        (7) When a snowmobile is sold by a snowmobile dealer, the dealer:

1 (a) Shall apply for licensing in the purchaser's name (~~within~~  
2 ~~fifteen days following the sale~~) as provided by rules adopted by the  
3 department; and

4 (b) May issue a temporary license as provided by rules adopted by  
5 the department.

6 **Sec. 14.** RCW 46.12.675 and 2010 c 161 s 316 are each amended to  
7 read as follows:

8 (1) A security interest in a vehicle other than one held as  
9 inventory by a manufacturer or a dealer and for which a certificate of  
10 title is required is perfected only by:

11 (a) Complying with the requirements of RCW 46.12.660 or this  
12 section;

13 (b) Receipt by the department, county auditor or other agent, or  
14 subagent appointed by the director of:

15 (i) The existing certificate of title, if any;

16 (ii) An application for a certificate of title containing the name  
17 and address of the secured party; and

18 (iii) Payment of the required fees.

19 (2) A security interest is perfected when it is created if the  
20 secured party's name and address appear on the most recently issued  
21 certificate of title or, if not, it is created when the department,  
22 county auditor or other agent, or subagent appointed by the director  
23 receives the certificate of title or an application for a certificate  
24 of title and the fees required in subsection (1) of this section.

25 (3) If a vehicle is subject to a security interest when brought  
26 into this state, perfection of the security interest is determined by  
27 the law of the jurisdiction where the vehicle was when the security  
28 interest was attached, subject to the following:

29 (a) The security interest continues perfected in this state if the  
30 name of the secured party is shown on the existing certificate of title  
31 issued by that jurisdiction. The name of the secured party must be  
32 shown on the certificate of title issued for the vehicle by this state.  
33 The security interest continues perfected in this state when the  
34 department issues the certificate of title.

35 (b) If the security interest was not perfected under the law of the  
36 jurisdiction where the vehicle was when the security interest was

1 attached, it may be perfected in this state. Perfection begins when  
2 the department receives the information and fees required in subsection  
3 (1) of this section.

4 (4)(a) After a certificate of title has been issued, the registered  
5 owner or secured party must apply to the department, county auditor or  
6 other agent, or subagent appointed by the director for a new  
7 certificate of title when a security interest is granted on a vehicle.  
8 Within ten days after creating a security agreement, the registered  
9 owner or secured party must submit:

10 (i) An application for a certificate of title;

11 (ii) The certificate of title last issued for the vehicle, or other  
12 documentation required by the department; and

13 (iii) The fee required in RCW 46.17.100.

14 (b) If satisfied that a certificate of title should be reissued,  
15 the department shall change the vehicle record and issue a new  
16 certificate of title to the secured party.

17 (5) A secured party shall release the security interest when the  
18 conditions within the security agreement have been met and there is no  
19 further secured obligation. The secured party must either:

20 (a) Assign the certificate of title to the registered owner or the  
21 registered owner's designee and send the certificate of title to the  
22 department, county auditor or other agent, or subagent appointed by the  
23 director with the fee required in RCW 46.17.100; or

24 (b) Assign the certificate of title to the person acquiring the  
25 vehicle from the registered owner with the registered owner's release  
26 of interest.

27 (6) The department shall issue a new certificate of title to the  
28 registered owner when the department receives the release of interest  
29 and required fees as provided in subsection (5)(a) of this section.

30 (7) A secured party is liable for one hundred dollars payable to  
31 the registered owner or person acquiring the vehicle from the  
32 registered owner when:

33 (a) The secured party fails to either assign the certificate of  
34 title to the registered owner or to the person acquiring the vehicle  
35 from the registered owner or apply for a new certificate of title  
36 within ten days after proper demand; and

37 (b) The failure of the secured party to act as described in (a) of

1 this subsection results in a loss to the registered owner or person  
2 acquiring the vehicle from the registered owner.

3 **Sec. 15.** RCW 46.16A.320 and 2010 c 161 s 425 are each amended to  
4 read as follows:

5 (1)(a) A vehicle owner may operate an unregistered vehicle on  
6 public highways under the authority of a trip permit issued by this  
7 state. For purposes of trip permits, a vehicle is considered  
8 unregistered if:

9 (i) Under reciprocal relations with another jurisdiction, the owner  
10 would be required to register the vehicle in this state;

11 (ii) Not registered when registration is required under this  
12 chapter;

13 (iii) The license tabs have expired; or

14 ~~((+iii+))~~ (iv) The current gross weight license is insufficient for  
15 the load being carried. The licensed gross weight may not exceed  
16 eighty thousand pounds for a combination of vehicles or forty thousand  
17 pounds for a single unit vehicle with three or more axles.

18 (b) Trip permits are required to move mobile homes or park model  
19 trailers and may only be issued if property taxes are paid in full.

20 (2) Trip permits may not be:

21 (a) Issued to vehicles registered under RCW 46.16A.455(5) in lieu  
22 of further registration within the same registration year; or

23 (b) Used for commercial motor vehicles owned by a motor carrier  
24 subject to RCW 46.32.080 if the motor carrier's department of  
25 transportation number has been placed out of service by the Washington  
26 state patrol. A violation of or a failure to comply with this  
27 subsection is a gross misdemeanor, subject to a minimum monetary  
28 penalty of two thousand five hundred dollars for the first violation  
29 and five thousand dollars for each subsequent violation.

30 (3)(a) Each trip permit authorizes the operation of a single  
31 vehicle at the maximum legal weight limit for the vehicle for a period  
32 of three consecutive days beginning with the day of first use. No more  
33 than three trip permits may be used for any one vehicle in any thirty  
34 consecutive day period. No more than two trip permits may be used for  
35 any one recreational vehicle, as defined in RCW 43.22.335, in a one-  
36 year period. Every trip permit must:

37 (i) Identify the vehicle for which it is issued;

1 (ii) Be completed in its entirety;  
 2 (iii) Be signed by the operator before operation of the vehicle on  
 3 the public highways of this state;  
 4 (iv) Not be altered or corrected. Altering or correcting data on  
 5 the trip permit invalidates the trip permit; and  
 6 (v) Be displayed on the vehicle for which it is issued as required  
 7 by the department.  
 8 (b) Vehicles operating under the authority of trip permits are  
 9 subject to all laws, rules, and regulations affecting the operation of  
 10 similar vehicles in this state.  
 11 (4) Prorate operators operating commercial vehicles on trip permits  
 12 in Washington shall retain the customer copy of each permit for four  
 13 years.  
 14 (5) Trip permits may be obtained from field offices of the  
 15 department of transportation, department of licensing, county auditors  
 16 or other agents, and subagents appointed by the department for the fee  
 17 provided in RCW 46.17.400(1)(h). Exchanges, credits, or refunds may  
 18 not be given for trip permits after they have been purchased.  
 19 (6) Except as provided in subsection (2)(b) of this section, a  
 20 violation of or a failure to comply with this section is a gross  
 21 misdemeanor.  
 22 (7) The department may adopt rules necessary to administer this  
 23 section.

24 **Sec. 16.** RCW 88.02.640 and 2011 c 326 s 5, 2011 c 171 s 134, and  
 25 2011 c 169 s 1 are each reenacted and amended to read as follows:

26 (1) In addition to any other fees and taxes required by law, the  
 27 department, county auditor or other agent, or subagent appointed by the  
 28 director shall charge the following vessel fees and surcharge:

29 FEE	AMOUNT	AUTHORITY	DISTRIBUTION
30 (a) Dealer temporary permit	\$5.00	RCW 88.02.800(2)	General fund
31 (b) Derelict vessel and 32 invasive species removal	Subsection (3) of this section	Subsection (3) of this section	Subsection (3) of this section
33 (c) Derelict vessel removal 34 surcharge	\$1.00	Subsection (4) of this section	Subsection (4) of this section



1	(d) <u>Duplicate certificate of</u>	\$1.25	<u>RCW 88.02.530(1)(c)</u>	<u>General fund</u>
2	<u>title</u>			
3	(e) Duplicate registration	\$1.25	RCW 88.02.590(1)(c)	General fund
4	<del>((e))</del> (f) Filing	RCW 46.17.005	RCW <del>((46.17.005))</del>	RCW 46.68.400
5			<u>88.02.560(2)</u>	
6	<del>((f))</del> (g) License plate	RCW 46.17.015	RCW <del>((46.17.015))</del>	RCW 46.68.370
7	technology		<u>88.02.560(2)</u>	
8	<del>((g))</del> (h) License service	RCW 46.17.025	RCW <del>((46.17.025))</del>	RCW 46.68.220
9			<u>88.02.560(2)</u>	
10	<del>((h))</del> (i) Nonresident	\$25.00	RCW 88.02.620(3)	Subsection (5) of this
11	vessel permit			section
12	<del>((i))</del> (j) Quick title service	\$50.00	RCW 88.02.540(3)	Subsection (7) of this
13				section
14	<del>((j))</del> (k) Registration	\$10.50	RCW 88.02.560(2)	RCW 88.02.650
15	<del>((k))</del> (l) Replacement	\$1.25	RCW 88.02.595(1)(c)	General fund
16	decal			
17	<del>((l))</del> (m) Title application	\$5.00	RCW 88.02.515	General fund
18	<del>((m))</del> (n) Transfer	\$1.00	RCW 88.02.560(7)	General fund
19	<del>((n))</del> (o) Vessel visitor	\$30.00	RCW 88.02.610(3)	Subsection (6) of this
20	permit			section

21 (2) The five dollar dealer temporary permit fee required in  
22 subsection (1) of this section must be credited to the payment of  
23 registration fees at the time application for registration is made.

24 (3)(a) The derelict vessel and invasive species removal fee  
25 required in subsection (1) of this section is five dollars and must be  
26 distributed as follows:

27 (i) One dollar and fifty cents must be deposited in the aquatic  
28 invasive species prevention account created in RCW 77.12.879;

29 (ii) One dollar must be deposited into the aquatic algae control  
30 account created in RCW 43.21A.667;

31 (iii) Fifty cents must be deposited into the aquatic invasive  
32 species enforcement account created in RCW 43.43.400; and

33 (iv) Two dollars must be deposited in the derelict vessel removal  
34 account created in RCW 79.100.100.

35 (b) If the department of natural resources indicates that the  
36 balance of the derelict vessel removal account, not including any  
37 transfer or appropriation of funds into the account or funds deposited

1 into the account collected under subsection (5) of this section reaches  
2 one million dollars as of March 1st of any year, the collection of the  
3 two dollars of the derelict vessel and invasive species removal fee  
4 that is deposited into the derelict vessel removal account as  
5 authorized in (a)(iv) of this subsection must be suspended for the  
6 following fiscal year.

7 (4) Until January 1, 2014, an annual derelict vessel removal  
8 surcharge of one dollar must be charged with each vessel registration.  
9 The surcharge:

10 (a) Is to address the significant backlog of derelict vessels  
11 accumulated in Washington state waters that pose a threat to the health  
12 and safety of the people and to the environment;

13 (b) Is to be used only for the removal of vessels that are less  
14 than seventy-five feet in length; and

15 (c) Must be deposited into the derelict vessel removal account  
16 created in RCW 79.100.100.

17 (5) The twenty-five dollar nonresident vessel permit fee must be  
18 paid by the vessel owner to the department for the cost of providing  
19 the identification document by the department. Any moneys remaining  
20 from the fee after the payment of costs must be allocated to counties  
21 by the state treasurer for approved boating safety programs under RCW  
22 88.02.650.

23 (6) The thirty dollar vessel visitor permit fee must be distributed  
24 as follows:

25 (a) Five dollars must be deposited in the derelict vessel removal  
26 account created in RCW 79.100.100;

27 (b) The department may keep an amount to cover costs for providing  
28 the vessel visitor permit;

29 (c) Any moneys remaining must be allocated to counties by the state  
30 treasurer for approved boating safety programs under RCW 88.02.650; and

31 (d) Any fees required for licensing agents under RCW 46.17.005 are  
32 in addition to any other fee or tax due for the titling and  
33 registration of vessels.

34 (7)(a) The fifty dollar quick title service fee must be distributed  
35 as follows:

36 (i) If the fee is paid to the director, the fee must be deposited  
37 to the general fund.

1 (ii) If the fee is paid to the participating county auditor or  
2 other agent or subagent appointed by the director, twenty-five dollars  
3 must be deposited to the general fund. The remainder must be retained  
4 by the county treasurer in the same manner as other fees collected by  
5 the county auditor.

6 (b) For the purposes of this subsection, "quick title" has the same  
7 meaning as in RCW 88.02.540.

8 NEW SECTION. **Sec. 17.** Sections 1 through 12 of this act take  
9 effect October 1, 2012.

10 NEW SECTION. **Sec. 18.** Section 9 of this act expires July 1,  
11 2015."

12 Correct the title.

EFFECT: (1) Changes the fee for a certificate of title from  
\$12.50 to \$15.00, and requires the \$10.00 increase in the fee to be  
deposited to the transportation 2003 account.

(2) Increases the penalty for a late transfer of vehicle ownership  
from \$25 to \$50 to be assessed on the sixteenth day after the date of  
delivery and two dollars for each additional day thereafter, but the  
maximum total penalty is increased from \$100 to \$125.

(3) Establishes an original issue license plate fee of \$10.00,  
establishes an original issue motorcycle plate fee of \$4.00, and  
increases the motorcycle replacement plate fee to \$4.00.

(4) Changes the abstract of records fee to thirteen dollars instead  
of fifteen dollars.

(5) Increases the vehicle dealer original license fee to \$975.00  
and the vehicle dealer license renewal fee to \$325.00.

(6) Removes the expiration date on the \$100.00 increase in the fee  
a dealer may charge for administrative costs associated with the  
purchase or lease of a vehicle.

(7) Implements a \$100 annual renewal fee for electric vehicles  
capable of traveling over 35 miles per hour, and requires that the fee  
expire if the legislature imposes a vehicle miles traveled fee or tax.

(8) Creates the public transportation grant program account in the  
state treasury and requires that expenditures from the account be used  
only for grants to aid transit authorities with operations.

(9) Makes technical corrections to RCW 46.10.420, 46.12.675,  
46.16A.320, and 88.02.640. These changes are technical changes to the  
2010 and 2011 vehicle registration statutes recodification.

(10) Establishes an effective date of October 1, 2012, for the act,  
with the exception of the technical corrections.

--- END ---