

ESSB 6455 - H AMD 1257

By Representative Clibborn

WITHDRAWN 03/03/2012

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. The certificate of title application
10 fee must be distributed under RCW 46.68.020.

11 Sec. 2. RCW 46.17.140 and 2010 c 161 s 512 are each amended to
12 read as follows:

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

18 Sec. 3. RCW 46.17.200 and 2011 c 171 s 56 are each amended to read
19 as follows:

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

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

25	FEE TYPE	FEE	DISTRIBUTION
26	<u>Original issue</u>	<u>\$10.00</u>	<u>RCW 46.68.070</u>

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

8 (b) A license plate retention fee, as required under RCW
9 46.16A.200(10)((~~a~~)(~~iii~~)) (c), of twenty dollars if the owner wishes
10 to retain the current license plate number upon license plate
11 replacement, unless the owner or type of vehicle is exempt from
12 payment. The twenty dollar fee must be deposited in the multimodal
13 transportation account created in RCW 47.66.070.

14 (c) A ten dollar license plate transfer fee, as required under RCW
15 46.16A.200(8)(a), when transferring standard issue license plates from
16 one vehicle to another, unless the owner or type of vehicle is exempt
17 from payment. The ten dollar license plate transfer fee must be
18 deposited in the motor vehicle fund created in RCW 46.68.070.

19 (d) Former prisoner of war license plates, as described in RCW
20 46.18.235, may be transferred to a replacement vehicle upon payment of
21 a five dollar license plate fee, in addition to any other fee required
22 by law.

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

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

34 The department is authorized to provide juvenile courts with the
35 department's record of traffic charges compiled under RCW 46.52.101 and
36 13.50.200, against any minor upon the request of any state juvenile

1 court or duly authorized officer of any juvenile court of this state.
2 Further, the department is authorized to provide any juvenile court
3 with any requested service which the department can reasonably perform
4 which is not inconsistent with its legal authority which substantially
5 aids juvenile courts in handling traffic cases and which promotes
6 highway safety.

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

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

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

31 (2) The department shall upon request furnish any person who may
32 have been injured in person or property by any motor vehicle, with an
33 abstract of all information of record in the department pertaining to
34 the evidence of the ability of any driver or owner of any motor vehicle
35 to respond in damages. The department shall collect for each abstract
36 the sum of (~~ten~~) thirteen dollars, fifty percent of which shall be

1 deposited in the highway safety fund and fifty percent of which must be
2 deposited according to RCW 46.68.038.

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

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

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

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

11 (i) The total number of vehicles involved;

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

13 (iii) Whether the vehicles were occupied at the time of the
14 accident; and

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

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

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

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

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

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

29 (ii) Nothing in this section prevents a court from providing a copy
30 of the driver's abstract to the individual named in the abstract,
31 provided that the named individual has a pending or open infraction or
32 criminal case in that court. A pending case includes criminal cases
33 that have not reached a disposition by plea, stipulation, trial, or
34 amended charge. An open infraction or criminal case includes cases on
35 probation, payment agreement or subject to, or in collections. Courts
36 may charge a reasonable fee for the production and copying of the
37 abstract for the individual.

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

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

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

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

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

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

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

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

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

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

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

10 (A) Not contain any information related to actions committed by law
11 enforcement officers or firefighters, as both terms are defined in RCW
12 41.26.030, or by Washington state patrol officers, while driving
13 official vehicles in the performance of their occupational duty. This
14 does not apply to any situation where the vehicle was used in the
15 commission of a misdemeanor or felony;

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

20 (C) Exclude any deferred prosecution under RCW 10.05.060, except
21 that if a person is removed from a deferred prosecution under RCW
22 10.05.090, the abstract must show the deferred prosecution as well as
23 the removal.

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

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

36 (v) The director may enter into a contractual agreement with an
37 insurance company or its agent for the limited purpose of reviewing the
38 driving records of existing policyholders for changes to the record

1 during specified periods of time. The department shall establish a fee
2 for this service, which must be deposited in the highway safety fund.
3 The fee for this service must be set at a level that will not result in
4 a net revenue loss to the state. Any information provided under this
5 subsection must be treated in the same manner and is subject to the
6 same restrictions as driving record abstracts.

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

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

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

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

30 (h) **State colleges, universities, or agencies, or units of local
31 government.** An abstract of the full driving record maintained by the
32 department may be furnished to (i) state colleges, universities, or
33 agencies for employment and risk management purposes or (ii) units of
34 local government authorized to self-insure under RCW 48.62.031 for
35 employment and risk management purposes.

36 (i) **Superintendent of public instruction.** An abstract of the full
37 driving record maintained by the department may be furnished to the
38 superintendent of public instruction for review of public school bus

1 driver records. The superintendent or superintendent's designee may
2 discuss information on the driving record with an authorized
3 representative of the employing school district for employment and risk
4 management purposes.

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

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

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

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

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

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

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

27 (b) Vehicle dealers, each subagency, and temporary subagency: One
28 hundred dollars;

29 (c) Vehicle manufacturers: Five hundred dollars.

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

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

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

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

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

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

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

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

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

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

19 Each of the following acts or practices is unlawful:

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

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

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

31 (c) That a certain percentage is the amount of the service charge
32 to be charged for financing, without stating whether this percentage
33 charge is a monthly amount or an amount to be charged per year;

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

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

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

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

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

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

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

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

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

32 (ii) The dealer discloses to the purchaser or lessee in writing
33 that the documentary service fee is a negotiable fee. The disclosure
34 must be written in a typeface that is at least as large as the typeface
35 used in the standard text of the document that contains the disclosure
36 and that is bold faced, capitalized, underlined, or otherwise set out
37 from the surrounding material so as to be conspicuous. The dealer

1 shall not represent to the purchaser or lessee that the fee or charge
2 is required by the state to be paid by either the dealer or prospective
3 purchaser or lessee;

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

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

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

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

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

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

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

31 (a) Is subject to any conditions or the dealer's or his or her
32 authorized representative's future acceptance, and the dealer fails or
33 refuses within four calendar days, exclusive of Saturday, Sunday, or
34 legal holiday, and prior to any further negotiations with said buyer or
35 lessee to inform the buyer or lessee either: (i) That the dealer
36 unconditionally accepts the contract or lease, having satisfied,
37 removed, or waived all conditions to acceptance or performance,
38 including, but not limited to, financing, assignment, or lease

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

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

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

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

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

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

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

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

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

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

29 (7) To commit any other offense under RCW 46.37.423, 46.37.424, or
30 46.37.425.

31 (8) To commit any offense relating to a dealer's temporary license
32 permit, including but not limited to failure to properly complete each
33 such permit, or the issuance of more than one such permit on any one
34 vehicle. However, a dealer may issue a second temporary permit on a
35 vehicle if the following conditions are met:

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

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

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

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

27 (10) For a dealer or manufacturer to fail to comply with the
28 obligations of any written warranty or guarantee given by the dealer or
29 manufacturer requiring the furnishing of goods and services or repairs
30 within a reasonable period of time, or to fail to furnish to a
31 purchaser or lessee, all parts which attach to the manufactured unit
32 including but not limited to the undercarriage, and all items specified
33 in the terms of a sales or lease agreement signed by the seller and
34 buyer or lessee.

35 (11) For a vehicle dealer to pay to or receive from any person,
36 firm, partnership, association, or corporation acting, either directly
37 or through a subsidiary, as a buyer's agent for consumers, any
38 compensation, fee, purchase moneys or funds that have been deposited

1 into or withdrawn out of any account controlled or used by any buyer's
2 agent, gratuity, or reward in connection with the purchase, sale, or
3 lease of a new motor vehicle.

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

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

12 (b) Signing any vehicle purchase orders, sales contracts, leases,
13 odometer statements, or title documents, or having the name of the
14 buyer's agent appear on the vehicle purchase order, sales contract,
15 lease, or title; or

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

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

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

30 (13) For a buyer's agent to arrange for or to negotiate the
31 purchase, or both, of a new motor vehicle through an out-of-state
32 dealer without disclosing in writing to the customer that the new
33 vehicle would not be subject to chapter 19.118 RCW. This subsection
34 also applies to leased vehicles. In addition, it is unlawful for any
35 buyer's agent to fail to have a written agreement with the customer
36 that: (a) Sets forth the terms of the parties' agreement; (b)
37 discloses to the customer the total amount of any fees or other

1 compensation being paid by the customer to the buyer's agent for the
2 agent's services; and (c) further discloses whether the fee or any
3 portion of the fee is refundable.

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

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

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

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

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

36 (e) Refuse to deliver any vehicle publicly advertised for immediate
37 delivery to any duly licensed vehicle dealer having a franchise or
38 contractual agreement for the retail sale or lease of new and unused

1 vehicles sold or distributed by such manufacturer within sixty days
2 after such dealer's order has been received in writing unless caused by
3 inability to deliver because of shortage or curtailment of material,
4 labor, transportation, or utility services, or by any labor or
5 production difficulty, or by any cause beyond the reasonable control of
6 the manufacturer;

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

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

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

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

33 (17)(a) For a dealer to enter into a new motor vehicle sales
34 contract without disclosing in writing to a buyer of the new motor
35 vehicle, or to a dealer in the case of an unregistered motor vehicle,
36 any known damage and repair to the new motor vehicle if the damage
37 exceeds five percent of the manufacturer's suggested retail price as
38 calculated at the dealer's authorized warranty rate for labor and

1 parts, or one thousand dollars, whichever amount is greater. A
2 manufacturer or new motor vehicle dealer is not required to disclose to
3 a dealer or buyer that glass, tires, bumpers, or cosmetic parts of a
4 new motor vehicle were damaged at any time if the damaged item has been
5 replaced with original or comparable equipment. A replaced part is not
6 part of the cumulative damage required to be disclosed under this
7 subsection.

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

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

15 (d) As used in this section:

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

20 (ii) "Manufacturer's suggested retail price" means the retail price
21 of the new motor vehicle suggested by the manufacturer, and includes
22 the retail delivered price suggested by the manufacturer for each
23 accessory or item of optional equipment physically attached to the new
24 motor vehicle at the time of delivery to the new motor vehicle dealer
25 that is not included within the retail price suggested by the
26 manufacturer for the new motor vehicle.

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

29 (1) The public transportation grant program account is created in
30 the state treasury. Moneys in the account may be spent only after
31 appropriation. Expenditures from the account may be used only for the
32 grants provided under section 10 of this act.

33 (2) Beginning October 2012, and by the last day of December 2012,
34 March 2013, and June 2013, the state treasurer shall transfer from the
35 multimodal transportation account to the public transportation grant
36 program account one million two hundred fifty thousand dollars.

1 (3) Beginning September 2013, and by the last day of September,
2 December, March, and June of each year, the state treasurer shall
3 transfer from the multimodal transportation account to the public
4 transportation grant program account one million eight hundred seventy-
5 five thousand dollars.

6 NEW SECTION. **Sec. 10.** A new section is added to chapter 47.66 RCW
7 to read as follows:

8 (1) The department shall establish a public transportation grant
9 program. The purpose of the grant program is to aid transit
10 authorities, and the grant amounts provided pursuant to this subsection
11 must be used for operations. One hundred percent of the money
12 appropriated for the public transportation grant program must be
13 distributed statewide to transit authorities according to the
14 distribution formula in (a) of this subsection.

15 (a) Of the grant amounts provided to transit authorities pursuant
16 to this subsection:

17 (i) One-third must be distributed based on the number of vehicle
18 miles of service provided;

19 (ii) One-third must be distributed based on the number of vehicle
20 hours of service provided; and

21 (iii) One-third must be distributed based on the number of
22 passenger trips.

23 (b) For the purposes of this subsection:

24 (i) "Transit authorities" has the same meaning as in RCW
25 9.91.025(2).

26 (ii) "Vehicle miles of service," "vehicle hours of service," and
27 "passenger trips" are transit service metrics as reported by the public
28 transportation program of the department of transportation in the
29 annual report required in RCW 35.58.2796 for the most recent calendar
30 year.

31 (2) The department must report annually to the transportation
32 committees of the legislature on the use of the grant amounts provided
33 pursuant to this section.

34 NEW SECTION. **Sec. 11.** A new section is added to chapter 46.68 RCW
35 to read as follows:

36 (1) Ten dollars of the fee established in RCW 46.17.100 for the

1 purposes of motor change, the transfer of certificates of title,
2 security interest changes, and duplicate certificates of title, and
3 that is deposited to the transportation 2003 account (nickel account)
4 under RCW 46.68.280, must be used for the purposes of paying the debt
5 service on bonds issued for the construction of a second one hundred
6 forty-four car class ferry boat vessel. After the bonds have been
7 retired, the proceeds may be used for other account purposes.

8 (2) The following must be used for the purposes of initial highway
9 and road project development, including design, preliminary
10 engineering, and rights-of-way acquisition:

11 (a) Ten dollars of the fee established in RCW 46.17.200(1)(a) for
12 the original issue of motor vehicle license plates;

13 (b) Four dollars of the fee established in RCW 46.17.200(1)(a) for
14 the original issue of motorcycle license plates;

15 (c) Two dollars of the fee established in RCW 46.17.200(1)(a) for
16 the issue of replacement motorcycle license plates;

17 (d) Two hundred twenty-five dollars of the fee established in RCW
18 46.70.061(1)(a) for the original license of a vehicle dealer's
19 principal place of business; and

20 (e) Seventy-five dollars of the fee established in RCW
21 46.70.061(2)(a) for the renewal license of a vehicle dealer's principal
22 place of business.

23 (3) The following must be used for the purposes of enforcing the
24 driver and vehicle laws and rules of the state:

25 (a) Three dollars of the fee established in RCW 46.20.293;

26 (b) Three dollars of the fee established in RCW 46.29.050; and

27 (c) Three dollars of the fee established in RCW 46.52.130.

28 NEW SECTION. **Sec. 12.** A new section is added to chapter 46.17 RCW
29 to read as follows:

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

37 (2) This section only applies to:

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

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

5 (3)(a) The fee under this section is imposed to provide funds to
6 mitigate the impact of vehicles on state roads and highways and for the
7 purpose of evaluating the feasibility of transitioning from a revenue
8 collection system based on fuel taxes to a road user assessment system,
9 and is separate and distinct from other vehicle license fees. Proceeds
10 from the fee must be used for highway purposes, and must be deposited
11 in the motor vehicle fund created in RCW 46.68.070, subject to (b) of
12 this subsection.

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

16 (i) Seventy percent to the motor vehicle fund created in RCW
17 46.68.070;

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

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

22 NEW SECTION. **Sec. 13.** Section 12 of this act expires on the
23 effective date of legislation enacted by the legislature that imposes
24 a vehicle miles traveled fee or tax.

25 NEW SECTION. **Sec. 14.** The department of licensing must provide
26 written notice of the expiration date of section 12 of this act to
27 affected parties, the chief clerk of the house of representatives, the
28 secretary of the senate, the office of the code reviser, and others as
29 deemed appropriate by the department.

30 **Sec. 15.** RCW 46.10.420 and 2010 c 161 s 231 are each amended to
31 read as follows:

32 (1) Each dealer of snowmobiles in this state shall obtain a
33 snowmobile dealer license from the department in a manner prescribed by
34 the department. Upon receipt of an application for a snowmobile

1 dealer's license and the fee provided in subsection (2) of this
2 section, the dealer is licensed and a snowmobile dealer license number
3 must be assigned.

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

9 (3) Upon the issuance of a snowmobile dealer license, a snowmobile
10 dealer may purchase, at a cost to be determined by the department,
11 snowmobile dealer license plates of a size and color to be determined
12 by the department. The snowmobile dealer license plates must contain
13 the snowmobile license number assigned to the dealer. Each snowmobile
14 operated by a dealer, dealer representative, or prospective customer
15 for the purposes of demonstration or testing shall display snowmobile
16 dealer license plates in a clearly visible manner.

17 (4) Only a dealer, dealer representative, or prospective customer
18 may display a snowmobile dealer plate, and only a dealer, dealer
19 representative, or prospective customer may use a snowmobile dealer's
20 license plate for the purposes described in subsection (3) of this
21 section.

22 (5) Snowmobile dealer licenses are nontransferable.

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

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

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

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

33 **Sec. 16.** RCW 46.12.675 and 2010 c 161 s 316 are each amended to
34 read as follows:

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

1 (a) Complying with the requirements of RCW 46.12.660 or this
2 section;

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

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

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

8 (iii) Payment of the required fees.

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

15 (3) If a vehicle is subject to a security interest when brought
16 into this state, perfection of the security interest is determined by
17 the law of the jurisdiction where the vehicle was when the security
18 interest was attached, subject to the following:

19 (a) The security interest continues perfected in this state if the
20 name of the secured party is shown on the existing certificate of title
21 issued by that jurisdiction. The name of the secured party must be
22 shown on the certificate of title issued for the vehicle by this state.
23 The security interest continues perfected in this state when the
24 department issues the certificate of title.

25 (b) If the security interest was not perfected under the law of the
26 jurisdiction where the vehicle was when the security interest was
27 attached, it may be perfected in this state. Perfection begins when
28 the department receives the information and fees required in subsection
29 (1) of this section.

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

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

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

1 (iii) The fee required in RCW 46.17.100.

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

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

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

12 (b) Assign the certificate of title to the person acquiring the
13 vehicle from the registered owner with the registered owner's release
14 of interest.

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

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

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

25 (b) The failure of the secured party to act as described in (a) of
26 this subsection results in a loss to the registered owner or person
27 acquiring the vehicle from the registered owner.

28 **Sec. 17.** RCW 46.16A.320 and 2010 c 161 s 425 are each amended to
29 read as follows:

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

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

36 (ii) Not registered when registration is required under this
37 chapter;

1 ~~(iii)~~ The license tabs have expired; or

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

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

8 (2) Trip permits may not be:

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

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

18 (3)(a) Each trip permit authorizes the operation of a single
19 vehicle at the maximum legal weight limit for the vehicle for a period
20 of three consecutive days beginning with the day of first use. No more
21 than three trip permits may be used for any one vehicle in any thirty
22 consecutive day period. No more than two trip permits may be used for
23 any one recreational vehicle, as defined in RCW 43.22.335, in a one-
24 year period. Every trip permit must:

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

26 (ii) Be completed in its entirety;

27 (iii) Be signed by the operator before operation of the vehicle on
28 the public highways of this state;

29 (iv) Not be altered or corrected. Altering or correcting data on
30 the trip permit invalidates the trip permit; and

31 (v) Be displayed on the vehicle for which it is issued as required
32 by the department.

33 (b) Vehicles operating under the authority of trip permits are
34 subject to all laws, rules, and regulations affecting the operation of
35 similar vehicles in this state.

36 (4) Prorate operators operating commercial vehicles on trip permits
37 in Washington shall retain the customer copy of each permit for four
38 years.

(5) Trip permits may be obtained from field offices of the department of transportation, department of licensing, county auditors or other agents, and subagents appointed by the department for the fee provided in RCW 46.17.400(1)(h). Exchanges, credits, or refunds may not be given for trip permits after they have been purchased.

(6) Except as provided in subsection (2)(b) of this section, a violation of or a failure to comply with this section is a gross misdemeanor.

(7) The department may adopt rules necessary to administer this section.

Sec. 18. RCW 88.02.640 and 2011 c 326 s 5, 2011 c 171 s 134, and 2011 c 169 s 1 are each reenacted and amended to read as follows:

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

FEE	AMOUNT	AUTHORITY	DISTRIBUTION
(a) Dealer temporary permit	\$5.00	RCW 88.02.800(2)	General fund
(b) Derelict vessel and invasive species removal	Subsection (3) of this section	Subsection (3) of this section	Subsection (3) of this section
(c) Derelict vessel removal surcharge	\$1.00	Subsection (4) of this section	Subsection (4) of this section
(d) Duplicate certificate of title	<u>\$1.25</u>	<u>RCW 88.02.530(1)(c)</u>	<u>General fund</u>
(e) Duplicate registration	\$1.25	RCW 88.02.590(1)(c)	General fund
((e)) (f) Filing	RCW 46.17.005	RCW ((46.17.005)) <u>88.02.560(2)</u>	RCW 46.68.400
((f)) (g) License plate technology	RCW 46.17.015	RCW ((46.17.015)) <u>88.02.560(2)</u>	RCW 46.68.370
((g)) (h) License service	RCW 46.17.025	RCW ((46.17.025)) <u>88.02.560(2)</u>	RCW 46.68.220
((h)) (i) Nonresident vessel permit	\$25.00	RCW 88.02.620(3)	Subsection (5) of this section
((i)) (j) Quick title service	\$50.00	RCW 88.02.540(3)	Subsection (7) of this section
((j)) (k) Registration	\$10.50	RCW 88.02.560(2)	RCW 88.02.650

1	((k)) <u>(l)</u> Replacement	\$1.25	RCW 88.02.595(1)(c)	General fund
2	decal			
3	((h)) <u>(m)</u> Title application	\$5.00	RCW 88.02.515	General fund
4	((m)) <u>(n)</u> Transfer	\$1.00	RCW 88.02.560(7)	General fund
5	((r)) <u>(o)</u> Vessel visitor	\$30.00	RCW 88.02.610(3)	Subsection (6) of this
6	permit			section

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

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

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

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

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

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

(b) If the department of natural resources indicates that the balance of the derelict vessel removal account, not including any transfer or appropriation of funds into the account or funds deposited into the account collected under subsection (5) of this section reaches one million dollars as of March 1st of any year, the collection of the two dollars of the derelict vessel and invasive species removal fee that is deposited into the derelict vessel removal account as authorized in (a)(iv) of this subsection must be suspended for the following fiscal year.

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

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

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

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

3 (5) The twenty-five dollar nonresident vessel permit fee must be
4 paid by the vessel owner to the department for the cost of providing
5 the identification document by the department. Any moneys remaining
6 from the fee after the payment of costs must be allocated to counties
7 by the state treasurer for approved boating safety programs under RCW
8 88.02.650.

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

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

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

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

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

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

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

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

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

31 NEW SECTION. **Sec. 19.** Sections 1 through 10 of this act take
32 effect October 1, 2012."

33 Correct the title.

EFFECT: (1) Changes the fee for a certificate of title from

\$12.50 to \$15.00. 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.

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

(3) Implements a \$100 annual renewal fee for electric vehicles capable of traveling over 35 miles per hour.

(4) Creates the public transportation grant program account in the state treasury and requires that \$1.25 million be transferred into the account every quarter for the remainder of the 2011-2013 biennium and \$1.875 million in every quarter thereafter from the multimodal transportation account. Establishes the public transportation grant program to provide funding to all transit authorities in the state for operations. Requires that all the money appropriated for the grant program be distributed to transit authorities, with one-third distributed based on vehicle miles of service provided, one-third distributed based on vehicle hours of service provided, and one-third distributed based on the number of passenger trips provided.

(5) Provides a statutory framework for the purposes for which the other incremental fee revenues are to be used:

(a) The incremental revenues deposited to the nickel account are to be used to pay debt service on bonds issued for the construction of a second 144-car class ferry boat until the bonds are paid off.

(b) The incremental revenues deposited to the motor vehicle account are to be used for the purposes of initial highway and road project development, including design, preliminary engineering, and rights-of-way acquisition.

(c) The incremental revenues associated with the driver abstract fees are to be used for the purposes of enforcing the driver and vehicle laws of the state.

(6) 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.

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