

ESSB 6455 - CONF REPT
By Conference Committee

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,	(\$ 2.00)	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 46.17.375 and 2010 c 161 s 534 are each amended to
2 read as follows:

3 (1) Before accepting an application for registration for a
4 recreational vehicle, the department, county auditor or other agent, or
5 subagent appointed by the director (~~(shall)~~) must require an applicant
6 to pay (~~(a three)~~) an eight dollar fee in addition to any other fees
7 and taxes required by law. The state parks support and recreational
8 vehicle sanitary disposal fee must be (~~(deposited in the RV account~~
9 ~~created)) distributed as provided in RCW 46.68.170.~~

10 (2) For the purposes of this section, "recreational vehicle" means
11 a camper, motor home, or travel trailer.

12 **Sec. 5.** RCW 46.68.170 and 2011 c 367 s 715 are each amended to
13 read as follows:

14 (~~(There is)~~) The director shall forward all proceeds from the state
15 parks support and recreational vehicle sanitary disposal fee imposed
16 under RCW 46.17.375 to the state treasurer to be distributed to the
17 following accounts:

18 (1) Three dollars to the RV account hereby created in the motor
19 vehicle fund the RV account. All moneys hereafter deposited in
20 (~~(said)~~) the account (~~(shall)~~) must be used by the department of
21 transportation for the construction, maintenance, and operation of
22 recreational vehicle sanitary disposal systems at safety rest areas in
23 accordance with the department's highway system plan as prescribed in
24 chapter 47.06 RCW. During the 2009-2011 and 2011-2013 fiscal biennia,
25 the legislature may transfer from the RV account to the motor vehicle
26 fund such amounts as reflect the excess fund balance of the RV account
27 to accomplish the purposes identified in this section; and

28 (2) Five dollars to the state parks renewal and stewardship account
29 established in RCW 79A.05.215.

30 **Sec. 6.** RCW 79A.05.215 and 2011 c 320 s 22 are each amended to
31 read as follows:

32 The state parks renewal and stewardship account is created in the
33 state treasury. Except as otherwise provided in this chapter, all
34 receipts from user fees, concessions, leases, donations collected under
35 RCW 46.16A.090(3), and other state park-based activities (~~(shall)~~) must
36 be deposited into the account. In addition, five dollars of the fee

1 established in RCW 46.17.375 must be deposited into the account as
2 provided in RCW 46.68.170(2) and may be used by the commission only for
3 the operation and maintenance of state parks that provide access and
4 overnight accommodations to recreational vehicles. The proceeds from
5 the recreation access pass account created in RCW 79A.80.090 must be
6 used for the purpose of operating and maintaining state parks. Except
7 as provided otherwise in this section, expenditures from the account
8 may be used for operating state parks, developing and renovating park
9 facilities, undertaking deferred maintenance, enhancing park
10 stewardship, and other state park purposes. Expenditures from the
11 account may be made only after appropriation by the legislature.

12 **Sec. 7.** RCW 46.20.293 and 2007 c 424 s 1 are each amended to read
13 as follows:

14 The department is authorized to provide juvenile courts with the
15 department's record of traffic charges compiled under RCW 46.52.101 and
16 13.50.200, against any minor upon the request of any state juvenile
17 court or duly authorized officer of any juvenile court of this state.
18 Further, the department is authorized to provide any juvenile court
19 with any requested service which the department can reasonably perform
20 which is not inconsistent with its legal authority which substantially
21 aids juvenile courts in handling traffic cases and which promotes
22 highway safety.

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

30 **Sec. 8.** RCW 46.29.050 and 2010 c 8 s 9028 are each amended to read
31 as follows:

32 (1) The department shall upon request furnish any person or his or
33 her attorney a certified abstract of his or her driving record, which
34 abstract shall include enumeration of any motor vehicle accidents in
35 which such person has been involved. Such abstract shall (a) indicate
36 the total number of vehicles involved, whether the vehicles were

1 legally parked or moving, and whether the vehicles were occupied at the
2 time of the accident; and (b) contain reference to any convictions of
3 the person for violation of the motor vehicle laws as reported to the
4 department, reference to any findings that the person has committed a
5 traffic infraction which have been reported to the department, and a
6 record of any vehicles registered in the name of the person. The
7 department shall collect for each abstract the sum of (~~ten~~) thirteen
8 dollars, fifty percent of which shall be deposited in the highway
9 safety fund and fifty percent of which must be deposited according to
10 RCW 46.68.038.

11 (2) The department shall upon request furnish any person who may
12 have been injured in person or property by any motor vehicle, with an
13 abstract of all information of record in the department pertaining to
14 the evidence of the ability of any driver or owner of any motor vehicle
15 to respond in damages. The department shall collect for each abstract
16 the sum of (~~ten~~) thirteen dollars, fifty percent of which shall be
17 deposited in the highway safety fund and fifty percent of which must be
18 deposited according to RCW 46.68.038.

19 **Sec. 9.** RCW 46.52.130 and 2010 c 253 s 1 are each amended to read
20 as follows:

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

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

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

27 (i) The total number of vehicles involved;

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

29 (iii) Whether the vehicles were occupied at the time of the
30 accident; and

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

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

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

36 (d) Any reports of failure to appear in response to a traffic

1 citation or failure to respond to a notice of infraction served upon
2 the named individual by an arresting officer.

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

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

9 (ii) Nothing in this section prevents a court from providing a copy
10 of the driver's abstract to the individual named in the abstract,
11 provided that the named individual has a pending or open infraction or
12 criminal case in that court. A pending case includes criminal cases
13 that have not reached a disposition by plea, stipulation, trial, or
14 amended charge. An open infraction or criminal case includes cases on
15 probation, payment agreement or subject to, or in collections. Courts
16 may charge a reasonable fee for the production and copying of the
17 abstract for the individual.

18 (b) **Employers or prospective employers.** (i) An abstract of the
19 full driving record maintained by the department may be furnished to an
20 employer or prospective employer or an agent acting on behalf of an
21 employer or prospective employer of the named individual for purposes
22 related to driving by the individual as a condition of employment or
23 otherwise at the direction of the employer.

24 (ii) Release of an abstract of the driving record of an employee or
25 prospective employee requires a statement signed by: (A) The employee
26 or prospective employee that authorizes the release of the record; and
27 (B) the employer attesting that the information is necessary for
28 employment purposes related to driving by the individual as a condition
29 of employment or otherwise at the direction of the employer. If the
30 employer or prospective employer authorizes an agent to obtain this
31 information on their behalf, this must be noted in the statement.

32 (iii) Upon request of the person named in the abstract provided
33 under this subsection, and upon that same person furnishing copies of
34 court records ruling that the person was not at fault in a motor
35 vehicle accident, the department must indicate on any abstract provided
36 under this subsection that the person was not at fault in the motor
37 vehicle accident.

1 (c) **Volunteer organizations.** (i) An abstract of the full driving
2 record maintained by the department may be furnished to a volunteer
3 organization or an agent for a volunteer organization for which the
4 named individual has submitted an application for a position that would
5 require driving by the individual at the direction of the volunteer
6 organization.

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

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

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

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

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

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

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

28 (A) Not contain any information related to actions committed by law
29 enforcement officers or firefighters, as both terms are defined in RCW
30 41.26.030, or by Washington state patrol officers, while driving
31 official vehicles in the performance of their occupational duty. This
32 does not apply to any situation where the vehicle was used in the
33 commission of a misdemeanor or felony;

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

1 (C) Exclude any deferred prosecution under RCW 10.05.060, except
2 that if a person is removed from a deferred prosecution under RCW
3 10.05.090, the abstract must show the deferred prosecution as well as
4 the removal.

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

9 (iv) Any insurance company or its agent, for underwriting purposes
10 relating to the operation of commercial motor vehicles, may not use any
11 information contained in the abstract relative to any person's
12 operation of motor vehicles while not engaged in such employment. Any
13 insurance company or its agent, for underwriting purposes relating to
14 the operation of noncommercial motor vehicles, may not use any
15 information contained in the abstract relative to any person's
16 operation of commercial motor vehicles.

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

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

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

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

1 (g) **City attorneys and county prosecuting attorneys.** An abstract
2 of the full driving record maintained by the department, including
3 whether a recorded violation is an alcohol-related offense, as defined
4 in RCW 46.01.260(2), that was originally charged as a violation of
5 either RCW 46.61.502 or 46.61.504, may be furnished to city attorneys
6 or county prosecuting attorneys. City attorneys and county prosecuting
7 attorneys may provide the driving record to alcohol/drug assessment or
8 treatment agencies approved by the department of social and health
9 services to which the named individual has applied or been assigned for
10 evaluation or treatment.

11 (h) **State colleges, universities, or agencies, or units of local
12 government.** An abstract of the full driving record maintained by the
13 department may be furnished to (i) state colleges, universities, or
14 agencies for employment and risk management purposes or (ii) units of
15 local government authorized to self-insure under RCW 48.62.031 for
16 employment and risk management purposes.

17 (i) **Superintendent of public instruction.** An abstract of the full
18 driving record maintained by the department may be furnished to the
19 superintendent of public instruction for review of public school bus
20 driver records. The superintendent or superintendent's designee may
21 discuss information on the driving record with an authorized
22 representative of the employing school district for employment and risk
23 management purposes.

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

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

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

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

1 **Sec. 10.** RCW 46.70.061 and 2002 c 352 s 23 are each amended to
2 read as follows:

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

6 (a) Vehicle dealers, principal place of business for each and every
7 license classification: ((Seven)) Nine hundred ((fifty)) seventy-five
8 dollars;

9 (b) Vehicle dealers, each subagency, and temporary subagency: One
10 hundred dollars;

11 (c) Vehicle manufacturers: Five hundred dollars.

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

14 (a) Vehicle dealers, principal place of business for each and every
15 license classification: ((Two)) Three hundred ((fifty)) twenty-five
16 dollars;

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

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

19 If any licensee fails or neglects to apply for such renewal within
20 thirty days after the expiration of the license, or assigned renewal
21 date under a staggered licensing system, the license shall be declared
22 canceled by the director, in which case the licensee will be required
23 to apply for an original license and pay the fee required for the
24 original license.

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

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

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

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

35 **Sec. 11.** RCW 46.70.180 and 2010 c 161 s 1136 are each amended to
36 read as follows:

37 Each of the following acts or practices is unlawful:

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

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

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

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

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

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

22 (2)(a)(i) To incorporate within the terms of any purchase and sale
23 or lease agreement any statement or representation with regard to the
24 sale, lease, or financing of a vehicle which is false, deceptive, or
25 misleading, including but not limited to terms that include as an added
26 cost to the selling price or capitalized cost of a vehicle an amount
27 for licensing or transfer of title of that vehicle which is not
28 actually due to the state, unless such amount has in fact been paid by
29 the dealer prior to such sale.

30 (ii) However, an amount not to exceed (~~the applicable amount~~
31 ~~provided in (iii)(A) and (B) of this subsection (2)(a))~~ one hundred
32 fifty dollars per vehicle sale or lease may be charged by a dealer to
33 recover administrative costs for collecting motor vehicle excise taxes,
34 licensing and registration fees and other agency fees, verifying and
35 clearing titles, transferring titles, perfecting, releasing, or
36 satisfying liens or other security interests, and other administrative
37 and documentary services rendered by a dealer in connection with the

1 sale or lease of a vehicle and in carrying out the requirements of this
2 chapter or any other provisions of state law.

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

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

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

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

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

12 (ii) The dealer discloses to the purchaser or lessee in writing
13 that the documentary service fee is a negotiable fee. The disclosure
14 must be written in a typeface that is at least as large as the typeface
15 used in the standard text of the document that contains the disclosure
16 and that is bold faced, capitalized, underlined, or otherwise set out
17 from the surrounding material so as to be conspicuous. The dealer
18 shall not represent to the purchaser or lessee that the fee or charge
19 is required by the state to be paid by either the dealer or prospective
20 purchaser or lessee;

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

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

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

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

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

34 (3) To set up, promote, or aid in the promotion of a plan by which
35 vehicles are to be sold or leased to a person for a consideration and
36 upon further consideration that the purchaser or lessee agrees to
37 secure one or more persons to participate in the plan by respectively
38 making a similar purchase and in turn agreeing to secure one or more

1 persons likewise to join in said plan, each purchaser or lessee being
2 given the right to secure money, credits, goods, or something of value,
3 depending upon the number of persons joining the plan.

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

10 (a) Is subject to any conditions or the dealer's or his or her
11 authorized representative's future acceptance, and the dealer fails or
12 refuses within four calendar days, exclusive of Saturday, Sunday, or
13 legal holiday, and prior to any further negotiations with said buyer or
14 lessee to inform the buyer or lessee either: (i) That the dealer
15 unconditionally accepts the contract or lease, having satisfied,
16 removed, or waived all conditions to acceptance or performance,
17 including, but not limited to, financing, assignment, or lease
18 approval; or (ii) that the dealer rejects the contract or lease,
19 thereby automatically voiding the contract or lease, as long as such
20 voiding does not negate commercially reasonable contract or lease
21 provisions pertaining to the return of the subject vehicle and any
22 physical damage, excessive mileage after the demand for return of the
23 vehicle, and attorneys' fees authorized by law, and tenders the refund
24 of any initial payment or security made or given by the buyer or
25 lessee, including, but not limited to, any down payment, and tenders
26 return of the trade-in vehicle, key, other trade-in, or certificate of
27 title to a trade-in. Tender may be conditioned on return of the
28 subject vehicle if previously delivered to the buyer or lessee.

29 The provisions of this subsection (4)(a) do not impair, prejudice,
30 or abrogate the rights of a dealer to assert a claim against the buyer
31 or lessee for misrepresentation or breach of contract and to exercise
32 all remedies available at law or in equity, including those under
33 chapter 62A.9A RCW, if the dealer, bank, or other lender or leasing
34 company discovers that approval of the contract or financing or
35 approval of the lease was based upon material misrepresentations made
36 by the buyer or lessee, including, but not limited to,
37 misrepresentations regarding income, employment, or debt of the buyer
38 or lessee, as long as the dealer, or his or her staff, has not, with

1 knowledge of the material misrepresentation, aided, assisted,
2 encouraged, or participated, directly or indirectly, in the
3 misrepresentation. A dealer shall not be in violation of this
4 subsection (4)(a) if the buyer or lessee made a material
5 misrepresentation to the dealer, as long as the dealer, or his or her
6 staff, has not, with knowledge of the material misrepresentation,
7 aided, assisted, encouraged, or participated, directly or indirectly,
8 in the misrepresentation.

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

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

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

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

24 (iii) Excessive additional miles or a discrepancy in the mileage.
25 "Excessive additional miles" means the addition of five hundred miles
26 or more, as reflected on the vehicle's odometer, between the time the
27 vehicle was first valued by the dealer for purposes of determining its
28 trade-in value and the time of actual delivery of the vehicle to the
29 dealer. "A discrepancy in the mileage" means (A) a discrepancy between
30 the mileage reflected on the vehicle's odometer and the stated mileage
31 on the signed odometer statement; or (B) a discrepancy between the
32 mileage stated on the signed odometer statement and the actual mileage
33 on the vehicle; or

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

37 (5) To commit any offense relating to odometers, as such offenses

1 are defined in RCW 46.37.540, 46.37.550, 46.37.560, and 46.37.570. A
2 violation of this subsection is a class C felony punishable under
3 chapter 9A.20 RCW.

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

8 (7) To commit any other offense under RCW 46.37.423, 46.37.424, or
9 46.37.425.

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

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

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

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

23 (9) For a dealer, salesperson, or mobile home manufacturer, having
24 taken an instrument or cash "on deposit" from a purchaser or lessee
25 prior to the delivery of the bargained-for vehicle, to commingle the
26 "on deposit" funds with assets of the dealer, salesperson, or mobile
27 home manufacturer instead of holding the "on deposit" funds as trustee
28 in a separate trust account until the purchaser or lessee has taken
29 delivery of the bargained-for vehicle. Delivery of a manufactured home
30 shall be deemed to occur in accordance with RCW 46.70.135(5). Failure,
31 immediately upon receipt, to endorse "on deposit" instruments to such
32 a trust account, or to set aside "on deposit" cash for deposit in such
33 trust account, and failure to deposit such instruments or cash in such
34 trust account by the close of banking hours on the day following
35 receipt thereof, shall be evidence of intent to commit this unlawful
36 practice: PROVIDED, HOWEVER, That a motor vehicle dealer may keep a
37 separate trust account which equals his or her customary total customer
38 deposits for vehicles for future delivery. For purposes of this

1 section, "on deposit" funds received from a purchaser of a manufactured
2 home means those funds that a seller requires a purchaser to advance
3 before ordering the manufactured home, but does not include any loan
4 proceeds or moneys that might have been paid on an installment
5 contract.

6 (10) For a dealer or manufacturer to fail to comply with the
7 obligations of any written warranty or guarantee given by the dealer or
8 manufacturer requiring the furnishing of goods and services or repairs
9 within a reasonable period of time, or to fail to furnish to a
10 purchaser or lessee, all parts which attach to the manufactured unit
11 including but not limited to the undercarriage, and all items specified
12 in the terms of a sales or lease agreement signed by the seller and
13 buyer or lessee.

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

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

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

29 (b) Signing any vehicle purchase orders, sales contracts, leases,
30 odometer statements, or title documents, or having the name of the
31 buyer's agent appear on the vehicle purchase order, sales contract,
32 lease, or title; or

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

35 It is unlawful for a buyer's agent to use a power of attorney
36 obtained from the consumer to accomplish or effect the purchase, sale,
37 lease, or transfer of ownership documents of any new motor vehicle by
38 any means which would otherwise be prohibited under (a) through (c) of

1 this subsection. However, the buyer's agent may use a power of
2 attorney for physical delivery of motor vehicle license plates to the
3 consumer.

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

9 (13) For a buyer's agent to arrange for or to negotiate the
10 purchase, or both, of a new motor vehicle through an out-of-state
11 dealer without disclosing in writing to the customer that the new
12 vehicle would not be subject to chapter 19.118 RCW. This subsection
13 also applies to leased vehicles. In addition, it is unlawful for any
14 buyer's agent to fail to have a written agreement with the customer
15 that: (a) Sets forth the terms of the parties' agreement; (b)
16 discloses to the customer the total amount of any fees or other
17 compensation being paid by the customer to the buyer's agent for the
18 agent's services; and (c) further discloses whether the fee or any
19 portion of the fee is refundable.

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

22 (a) Coerce or attempt to coerce any vehicle dealer to order or
23 accept delivery of any vehicle or vehicles, parts or accessories, or
24 any other commodities which have not been voluntarily ordered by the
25 vehicle dealer: PROVIDED, That recommendation, endorsement,
26 exposition, persuasion, urging, or argument are not deemed to
27 constitute coercion;

28 (b) Cancel or fail to renew the franchise or selling agreement of
29 any vehicle dealer doing business in this state without fairly
30 compensating the dealer at a fair going business value for his or her
31 capital investment which shall include but not be limited to tools,
32 equipment, and parts inventory possessed by the dealer on the day he or
33 she is notified of such cancellation or termination and which are still
34 within the dealer's possession on the day the cancellation or
35 termination is effective, if: (i) The capital investment has been
36 entered into with reasonable and prudent business judgment for the
37 purpose of fulfilling the franchise; and (ii) the cancellation or
38 nonrenewal was not done in good faith. Good faith is defined as the

1 duty of each party to any franchise to act in a fair and equitable
2 manner towards each other, so as to guarantee one party freedom from
3 coercion, intimidation, or threats of coercion or intimidation from the
4 other party: PROVIDED, That recommendation, endorsement, exposition,
5 persuasion, urging, or argument are not deemed to constitute a lack of
6 good faith;

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

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

14 (e) Refuse to deliver any vehicle publicly advertised for immediate
15 delivery to any duly licensed vehicle dealer having a franchise or
16 contractual agreement for the retail sale or lease of new and unused
17 vehicles sold or distributed by such manufacturer within sixty days
18 after such dealer's order has been received in writing unless caused by
19 inability to deliver because of shortage or curtailment of material,
20 labor, transportation, or utility services, or by any labor or
21 production difficulty, or by any cause beyond the reasonable control of
22 the manufacturer;

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

29 Nothing in this section may be construed to impair the obligations
30 of a contract or to prevent a manufacturer, distributor,
31 representative, or any other person, whether or not licensed under this
32 chapter, from requiring performance of a written contract entered into
33 with any licensee hereunder, nor does the requirement of such
34 performance constitute a violation of any of the provisions of this
35 section if any such contract or the terms thereof requiring
36 performance, have been freely entered into and executed between the
37 contracting parties. This paragraph and subsection (14)(b) of this

1 section do not apply to new motor vehicle manufacturers governed by
2 chapter 46.96 RCW.

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

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

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

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

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

32 (d) As used in this section:

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

37 (ii) "Manufacturer's suggested retail price" means the retail price
38 of the new motor vehicle suggested by the manufacturer, and includes

1 the retail delivered price suggested by the manufacturer for each
2 accessory or item of optional equipment physically attached to the new
3 motor vehicle at the time of delivery to the new motor vehicle dealer
4 that is not included within the retail price suggested by the
5 manufacturer for the new motor vehicle.

6 NEW SECTION. **Sec. 12.** A new section is added to chapter 46.68 RCW
7 to read as follows:

8 The public transportation grant program account is created in the
9 state treasury. Moneys in the account may be spent only after
10 appropriation. Expenditures from the account may be used only for
11 grants to aid transit authorities with operations.

12 NEW SECTION. **Sec. 13.** A new section is added to chapter 46.17 RCW
13 to read as follows:

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

21 (2) This section only applies to:

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

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

26 (3)(a) The fee under this section is imposed to provide funds to
27 mitigate the impact of vehicles on state roads and highways and for the
28 purpose of evaluating the feasibility of transitioning from a revenue
29 collection system based on fuel taxes to a road user assessment system,
30 and is separate and distinct from other vehicle license fees. Proceeds
31 from the fee must be used for highway purposes, and must be deposited
32 in the motor vehicle fund created in RCW 46.68.070, subject to (b) of
33 this subsection.

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

1 (i) Seventy percent to the motor vehicle fund created in RCW
2 46.68.070;

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

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

7 NEW SECTION. **Sec. 14.** Section 13 of this act expires on the
8 effective date of legislation enacted by the legislature that imposes
9 a vehicle miles traveled fee or tax.

10 NEW SECTION. **Sec. 15.** The department of licensing must provide
11 written notice of the expiration date of section 13 of this act to
12 affected parties, the chief clerk of the house of representatives, the
13 secretary of the senate, the office of the code reviser, and others as
14 deemed appropriate by the department.

15 **Sec. 16.** RCW 46.10.420 and 2010 c 161 s 231 are each amended to
16 read as follows:

17 (1) Each dealer of snowmobiles in this state shall obtain a
18 snowmobile dealer license from the department in a manner prescribed by
19 the department. Upon receipt of an application for a snowmobile
20 dealer's license and the fee provided in subsection (2) of this
21 section, the dealer is licensed and a snowmobile dealer license number
22 must be assigned.

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

28 (3) Upon the issuance of a snowmobile dealer license, a snowmobile
29 dealer may purchase, at a cost to be determined by the department,
30 snowmobile dealer license plates of a size and color to be determined
31 by the department. The snowmobile dealer license plates must contain
32 the snowmobile license number assigned to the dealer. Each snowmobile
33 operated by a dealer, dealer representative, or prospective customer
34 for the purposes of demonstration or testing shall display snowmobile
35 dealer license plates in a clearly visible manner.

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

6 (5) Snowmobile dealer licenses are nontransferable.

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

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

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

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

17 **Sec. 17.** RCW 46.12.675 and 2010 c 161 s 316 are each amended to
18 read as follows:

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

22 (a) Complying with the requirements of RCW 46.12.660 or this
23 section;

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

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

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

29 (iii) Payment of the required fees.

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

36 (3) If a vehicle is subject to a security interest when brought

1 into this state, perfection of the security interest is determined by
2 the law of the jurisdiction where the vehicle was when the security
3 interest was attached, subject to the following:

4 (a) The security interest continues perfected in this state if the
5 name of the secured party is shown on the existing certificate of title
6 issued by that jurisdiction. The name of the secured party must be
7 shown on the certificate of title issued for the vehicle by this state.
8 The security interest continues perfected in this state when the
9 department issues the certificate of title.

10 (b) If the security interest was not perfected under the law of the
11 jurisdiction where the vehicle was when the security interest was
12 attached, it may be perfected in this state. Perfection begins when
13 the department receives the information and fees required in subsection
14 (1) of this section.

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

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

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

24 (iii) The fee required in RCW 46.17.100.

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

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

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

35 (b) Assign the certificate of title to the person acquiring the
36 vehicle from the registered owner with the registered owner's release
37 of interest.

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

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

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

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

14 **Sec. 18.** RCW 46.16A.320 and 2010 c 161 s 425 are each amended to
15 read as follows:

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

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

22 (ii) Not registered when registration is required under this
23 chapter;

24 (iii) The license tabs have expired; or

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

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

31 (2) Trip permits may not be:

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

34 (b) Used for commercial motor vehicles owned by a motor carrier
35 subject to RCW 46.32.080 if the motor carrier's department of
36 transportation number has been placed out of service by the Washington
37 state patrol. A violation of or a failure to comply with this

1 subsection is a gross misdemeanor, subject to a minimum monetary
2 penalty of two thousand five hundred dollars for the first violation
3 and five thousand dollars for each subsequent violation.

4 (3)(a) Each trip permit authorizes the operation of a single
5 vehicle at the maximum legal weight limit for the vehicle for a period
6 of three consecutive days beginning with the day of first use. No more
7 than three trip permits may be used for any one vehicle in any thirty
8 consecutive day period. No more than two trip permits may be used for
9 any one recreational vehicle, as defined in RCW 43.22.335, in a one-
10 year period. Every trip permit must:

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

12 (ii) Be completed in its entirety;

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

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

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

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

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

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

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

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

35 **Sec. 19.** RCW 88.02.640 and 2011 c 326 s 5, 2011 c 171 s 134, and
36 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	\$1.25	RCW 88.02.530(1)(c)	General fund
(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
((k)) (l) Replacement decal	\$1.25	RCW 88.02.595(1)(c)	General fund
((l)) (m) Title application	\$5.00	RCW 88.02.515	General fund
((m)) (n) Transfer	\$1.00	RCW 88.02.560(7)	General fund
((n)) (o) Vessel visitor permit	\$30.00	RCW 88.02.610(3)	Subsection (6) of this 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:

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

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

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

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

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

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

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

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

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

28 (5) The twenty-five dollar nonresident vessel permit fee must be
29 paid by the vessel owner to the department for the cost of providing
30 the identification document by the department. Any moneys remaining
31 from the fee after the payment of costs must be allocated to counties
32 by the state treasurer for approved boating safety programs under RCW
33 88.02.650.

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

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

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

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

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

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

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

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

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

19 NEW SECTION. **Sec. 20.** Section 4 of this act applies to vehicle
20 registrations that are due or become due on or after October 1, 2012.

21 NEW SECTION. **Sec. 21.** Sections 1 through 15 of this act take
22 effect October 1, 2012.

23 NEW SECTION. **Sec. 22.** Section 12 of this act expires July 1,
24 2015."

ESSB 6455 - CONF REPT
By Conference Committee

25 On page 1, line 1 of the title, after "revenue;" strike the
26 remainder of the title and insert "amending RCW 46.17.100, 46.17.140,
27 46.17.200, 46.17.375, 46.68.170, 79A.05.215, 46.20.293, 46.29.050,

1 46.52.130, 46.70.061, 46.70.180, 46.10.420, 46.12.675, and 46.16A.320;
2 reenacting and amending RCW 88.02.640; adding a new section to chapter
3 46.68 RCW; adding a new section to chapter 46.17 RCW; creating new
4 sections; providing an effective date; providing an expiration date;
5 and providing a contingent expiration date."

--- END ---