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HOUSE BILL 1991

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State of Washington                      62nd Legislature                      2011 Regular Session

By Representatives Clibborn, Warnick, and Zeiger

Read first time 02/17/11. Referred to Committee on Transportation.

1            AN ACT Relating to mail-in vehicle and vessel registration  
2 renewals; reenacting and amending RCW 46.01.140; adding a new section  
3 to chapter 46.16A RCW; and adding a new section to chapter 88.02 RCW.

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

5            **Sec. 1.** RCW 46.01.140 and 2010 1st sp.s. c 7 s 139, 2010 c 221 s  
6 1, and 2010 c 161 s 204 are each reenacted and amended to read as  
7 follows:

8            (1) **County auditor/agent duties.** A county auditor or other agent  
9 appointed by the director shall:

10            (a) Enter into a standard contract provided by the director(~~(, as~~  
11 ~~developed in consultation with the advice of the title and registration~~  
12 ~~advisory committee));~~

13            (b) Provide all services authorized by the director for vehicle  
14 certificates of title and vehicle registration applications and  
15 issuance under the direction and supervision of the director including,  
16 but not limited to:

17            (i) Processing reports of sale;

18            (ii) Processing transitional ownership transactions;

1 (iii) Processing mail-in vehicle registration renewals under  
2 section 2 of this act until directed otherwise by legislative  
3 authority;

4 (iv) Issuing registrations and temporary ORV use permits for  
5 off-road vehicles as required under chapter 46.09 RCW;

6 (v) Issuing registrations for snowmobiles as required under chapter  
7 46.10 RCW; and

8 (vi) Collecting fees and taxes as required.

9 (2) **County auditor/agent assistants and subagents.** A county  
10 auditor or other agent appointed by the director may, with approval of  
11 the director:

12 (a) Appoint assistants as special deputies to accept applications  
13 for vehicle certificates of title and to issue vehicle registrations;  
14 and

15 (b) Recommend and request that the director appoint subagencies  
16 within the county to accept applications for vehicle certificates of  
17 title and vehicle registration application issuance.

18 (3) **Appointing subagents.** A county auditor or other agent  
19 appointed by the director who requests a subagency shall, with approval  
20 of the director:

21 (a) Use an open competitive process including, but not limited to,  
22 a written business proposal and oral interview to determine the  
23 qualifications of all interested applicants; and

24 (b) Submit all proposals to the director with a recommendation for  
25 appointment of one or more subagents who have applied through the open  
26 competitive process. If a qualified successor who is an existing  
27 subagent's sibling, spouse, or child, or a subagency employee has  
28 applied, the county auditor shall provide the name of the qualified  
29 successor and the name of one other applicant who is qualified and was  
30 chosen through the open competitive process.

31 (4) **Subagent duties.** A subagent appointed by the director shall:

32 (a) Enter into a standard contract with the county auditor or agent  
33 provided by the director(~~(, as developed in consultation with the title~~  
34 ~~and registration advisory committee)); and~~

35 (b) Provide all services authorized by the director for vehicle  
36 certificates of title and vehicle registration applications and  
37 issuance under the direction and supervision of the county auditor or  
38 agent and the director including, but not limited to:

1 (i) Processing reports of sale;  
2 (ii) Processing transitional ownership transactions;  
3 (iii) Processing mail-in vehicle registration renewals under  
4 section 2 of this act until directed otherwise by legislative  
5 authority;

6 (iv) Mailing out vehicle registrations and replacement license  
7 plates to internet payment option and mail-in vehicle registration  
8 renewal customers until directed otherwise by legislative authority;

9 ~~((iv))~~ (v) Issuing registrations and temporary ORV use permits  
10 for off-road vehicles as required under chapter 46.09 RCW;

11 ~~((v))~~ (vi) Issuing registrations for snowmobiles as required  
12 under chapter 46.10 RCW; and

13 ~~((vi))~~ (vii) Collecting fees and taxes as required.

14 (5) **Subagent successorship.** A subagent appointed by the director  
15 who no longer wants his or her appointment may recommend a successor  
16 who is the subagent's sibling, spouse, or child, or a subagency  
17 employee. The recommended successor must participate in the open  
18 competitive process used to select an applicant. In making successor  
19 recommendations and appointment determinations, the following  
20 provisions apply:

21 (a) If a subagency is held by a partnership or corporate entity,  
22 the nomination must be submitted on behalf of, and agreed to by, all  
23 partners or corporate officers;

24 (b) A subagent may not receive any direct or indirect compensation  
25 or remuneration from any party or entity in recognition of a successor  
26 nomination. A subagent may not receive any financial benefit from the  
27 transfer or termination of an appointment; and

28 (c) The appointment of a successor is intended to assist in the  
29 efficient transfer of appointments to minimize public inconvenience.  
30 The appointment of a successor does not create a proprietary or  
31 property interest in the appointment.

32 (6) **Standard contracts.** The standard contracts provided by the  
33 director in this section may include provisions that the director deems  
34 necessary to ensure that readily accessible and acceptable service is  
35 provided to the citizens of the state, including the full collection of  
36 fees and taxes. The standard contracts must include provisions that:

37 (a) Describe responsibilities and liabilities of each party related  
38 to service expectations and levels;

1 (b) Describe the equipment to be supplied by the department and  
2 equipment maintenance;

3 (c) Require specific types of insurance or bonds, or both, to  
4 protect the state against any loss of collected revenue or loss of  
5 equipment;

6 (d) Specify the amount of training that will be provided by each of  
7 the parties;

8 (e) Describe allowable costs that may be charged for vehicle  
9 registration activities as described in subsection (7) of this section;  
10 and

11 (f) Describe causes and procedures for termination of the contract,  
12 which may include mediation and binding arbitration.

13 (7) **County auditor/agent cost reimbursement.** A county auditor or  
14 other agent appointed by the director who does not cover expenses for  
15 services provided by the standard contract may submit to the department  
16 a request for cost-coverage moneys. The request must be submitted on  
17 a form developed by the department. The department shall develop  
18 procedures to standardize and identify allowable costs and to verify  
19 whether a request is reasonable. Payment must be made on those  
20 requests found to be allowable from the licensing services account.

21 (8) **County auditor/agent revenue disbursement.** County revenues  
22 that exceed the cost of providing services described in the standard  
23 contract, calculated in accordance with the procedures in subsection  
24 (7) of this section, must be expended as determined by the county  
25 legislative authority during the process established by law for  
26 adoption of county budgets.

27 (9) **Appointment authority.** The director has final appointment  
28 authority for county auditors or other agents or subagents.

29 (10) **Rules.** The director may adopt rules to implement this  
30 section.

31 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.16A RCW  
32 to read as follows:

33 A mail-in vehicle registration renewal must be processed by the  
34 vehicle licensing office that is closest to the address of the  
35 registered owner and located in the county in which the registered  
36 owner resides. The mail-in vehicle registration renewal notice must  
37 list the required fees and taxes for the renewal and address of the

1 vehicle licensing office that is closest to the address of the  
2 registered owner and located in the county in which the registered  
3 owner resides.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 88.02 RCW  
5 to read as follows:

6 (1) A subagent appointed by the director shall:

7 (a) Process mail-in vessel registration renewals under subsection  
8 (2) of this section until directed otherwise by legislative authority;  
9 and

10 (b) Mail out vessel registrations and replacement decals to  
11 internet payment option and mail-in vessel registration renewal  
12 customers until directed otherwise by legislative authority.

13 (2) A mail-in vessel registration renewal must be processed by the  
14 vessel licensing office that is closest to the address of the  
15 registered owner and located in the county in which the registered  
16 owner resides. The mail-in vessel registration renewal notice must  
17 list the required fees and taxes for the renewal and address of the  
18 vessel licensing office that is closest to the address of the  
19 registered owner and located in the county in which the registered  
20 owner resides.

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