

FINAL BILL REPORT

SHB 1242

C 169 L 13

Synopsis as Enacted

Brief Description: Concerning the authority of a vehicle subagent to recommend a successor.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Moscoso, Zeiger, Morrell, Johnson, Roberts and Springer).

House Committee on Transportation
Senate Committee on Transportation

Background:

The Director of the Department of Licensing (DOL) has final appointment authority for county auditors or other agents or subagents. The Director may appoint county auditors, or in the absence of a county auditor, the DOL or an official of county government, as agents for vehicle titles and registrations. County auditors or agents must enter into a contract with the DOL. A county auditor or agent may, with the approval of the Director of the DOL, appoint subagents. A county auditor or agent who requests a subagency must use an open competitive process which includes, but is not limited to, a written business proposal and an oral interview to determine the qualifications of the interested applicants.

The county auditor or subagent then submits all proposals to the Director of the DOL with a recommendation for appointment of one or more subagents. A subagent appointed by the Director of the DOL must enter into a contract with the county auditor or agent.

If a subagent no longer wants the subagency appointment, then the same open competitive process is followed to select a successor. If one of the county auditor's recommendations is an existing subagent's sibling, spouse, or child, or a subagency employee, the county auditor must submit one other applicant who is qualified and was chosen through the open competitive process.

A subagent may not receive any direct or indirect compensation from any party or entity in recognition of a successor nomination. A subagent may not receive any financial benefit from the transfer or termination of an appointment. The appointment of a successor does not create a proprietary or property interest in the appointment.

Summary:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A subagent who is planning to retire within 12 months may recommend a successor without resigning his or her appointment by submitting a letter of intent to retire to the county auditor or agent with a successor recommendation. The county auditor or agent must, within 60 days, respond in writing indicating if the successor would be considered in the open competitive process. If there are negative factors or deficiencies pertaining to the subagency or the recommended successor, the county auditor or agent must state those factors in writing to the subagent. The subagent may withdraw the letter of intent to retire prior to the open competitive process by writing to the county auditor and filing a copy with the Director of the DOL.

If the county auditor or agent does not select the recommended successor for appointment as a result of the open competitive process, the county auditor or agent must contact the subagent by letter and explain the decision. The subagent must be provided an opportunity to respond in writing. Any response by the subagent must be included in the open competitive process materials submitted to the DOL.

A subagent may name a recommended successor at any time during his or her appointment by notifying the county auditor or agent and filing a copy with the Director. The purpose is for the county auditor or agent to know the wishes of the subagent in the event of death or incapacitation that could lead to the inability of the subagent to fulfill the obligation of his or her appointment.

Votes on Final Passage:

House	98	0	
Senate	48	0	(Senate amended)
House	97	0	(House concurred)

Effective: July 28, 2013