

HB 2512 - S COMM AMD

By Committee on Transportation

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

3 "Sec. 1. RCW 46.70.120 and 2001 c 272 s 7 are each amended to
4 read as follows:

5 A dealer shall complete and maintain for a period of at least
6 five years a record of the purchase and sale or lease of all vehicles
7 purchased, sold, or leased by him or her. The records shall consist
8 of:

9 (1) The license and title numbers of the state in which the last
10 license was issued;

11 (2) A description of the vehicle;

12 (3) The name and address of the person from whom purchased;

13 (4) The name of the legal owner, if any;

14 (5) The name and address of the purchaser or lessee;

15 (6) If purchased from a dealer, the name, business address,
16 dealer license number, and resale tax number of the dealer;

17 (7) The price paid for the vehicle and the method of payment;

18 (8) The vehicle odometer disclosure statement given by the seller
19 to the dealer, and the vehicle odometer disclosure statement given by
20 the dealer to the purchaser or lessee;

21 (9) The written agreement to allow a dealer to sell between the
22 dealer and the consignor, or the listing dealer and the seller;

23 (10) Trust account records of receipts, deposits, and
24 withdrawals;

25 (11) All sale documents, which shall show the full name of dealer
26 employees involved in the sale or lease; and

27 (12) Any additional information the department may require.
28 However, the department may not require a dealer to collect or retain
29 the hardback copy of a temporary license permit after the permanent
30 license plates for a vehicle have been provided to the purchaser or

1 lessee, if the dealer maintains some other copy of the temporary
2 license permit together with a log of the permits issued.

3 Such records shall be maintained separate from all other business
4 records of the dealer. Paper records older than two years may be kept
5 at a location other than the dealer's place of business if those
6 records are made available in hard copy for inspection within three
7 calendar days, exclusive of Saturday, Sunday, or a legal holiday,
8 after a request by the director or the director's authorized agent.
9 Records kept at the vehicle dealer's place of business must be
10 available for inspection by the director or the director's authorized
11 agent during normal business hours. Records shall be kept in paper
12 form for one year and, after such time, may be kept solely as
13 electronic records and not as hard copies as long as such electronic
14 records can be accessed by computer at the dealer's place of business
15 during normal business hours for the remainder of the five-year
16 retention period. Records that originate as electronic records may be
17 retained as electronic records with no paper form and must be
18 accessible by computer at the dealer's place of business for at least
19 five years. The director may adopt rules necessary to implement
20 electronic records retention.

21 Dealers may maintain their recordkeeping and filing systems in
22 accordance with their own particular business needs and practices.
23 Nothing in this chapter requires dealers to maintain their records in
24 any particular order or manner, as long as the records identified in
25 this section are maintained in the dealership's recordkeeping system.

26 **Sec. 2.** RCW 46.71.060 and 1993 c 424 s 11 are each amended to
27 read as follows:

28 Every automotive repair facility shall retain and make available
29 for inspection, upon request by the customer or the customer's
30 authorized representative, true copies of the written price estimates
31 and invoices required under this chapter for at least one year after
32 the date on which the repairs were performed. Such copies may be
33 maintained as electronic records and not as hard copies as long as
34 the repair facility is capable of printing the records in hard copy
35 upon request of the customer or the customer's authorized
36 representative.

37 NEW SECTION. **Sec. 3.** By December 31, 2018, the department of
38 licensing shall submit a report to the legislature on the efforts

1 taken to convert auto dealer and repair facility records to all
2 electronic records. If the department has already converted to all
3 electronic records by December 31, 2018, no report is required."

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4 On page 1, line 2 of the title, after "records;" strike the
5 remainder of the title and insert "amending RCW 46.70.120 and
6 46.71.060; and creating a new section."

EFFECT: Requires the Department of Licensing to submit a report to the legislature describing its efforts toward all electronic recordkeeping for auto dealers and repair facilities by December 31, 2018, unless the department has already converted to all electronic records by that date.

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