

FINAL BILL REPORT

EHB 1742

C 16 L 18
Synopsis as Enacted

Brief Description: Modifying the motor vehicle transporter's license to accommodate automotive repair facilities.

Sponsors: Representatives Stambaugh, Fey, Orcutt, Riccelli, McDonald and Jinkins.

House Committee on Transportation
Senate Committee on Transportation

Background:

Motor Vehicle Transporters.

A motor vehicle transporter (transporter) is a business that delivers or moves vehicles as a service to persons or other businesses or entities for a fee. The transporter may move the vehicle either by driving it from one location to another or else by towing it. Types of businesses or entities that are transporters include: auto detail shops; towers that move vehicles for persons that are members of an automobile association; car haulers; auction houses; and some tow truck operators. The function of transporters is considered distinct from that of registered tow truck operators that tow abandoned vehicles or improperly parked vehicles and from that of motor freight carriers that haul vehicles on trailers or semitrailers.

State law requires that a transporter business procure a special business license known as a transporter license. To apply for the license, the person representing the business must submit an application to the Department of Licensing (DOL) along with a fee of \$25. To receive special transporter license plates, the applicant must submit a fee of \$2 for each set of plates. If the application is in order, the DOL must issue a certificate of license along with any plate sets requested. The plates must be attached to and conspicuously displayed on all vehicles being delivered in the conduct of business. The plates provide the holder of the license the authority to drive or tow any motor vehicle upon the public roads of the state.

The Director of the DOL may deny, suspend, or revoke the license of a transporter if the licensee: uses the transporter plates on a vehicle owned by the transporter business; loans the transporter plates to another entity or person; uses the plates for a purpose other than delivering or moving vehicles as a service to others; is knowingly in possession of a stolen vehicle or a vehicle with an altered or missing vehicle identification number; or otherwise violates the provisions of the chapter of law regulating transporters.

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.

Violation of any provision of the laws governing transporters is a traffic infraction.

Automotive Repair Facilities.

Automotive (auto) repair facilities are businesses or entities that: diagnose, install, exchange, or repair mechanical or electrical parts or units for any vehicle; perform mechanical or electrical adjustments for any vehicle; or perform the service work required for the routine maintenance or repair of any vehicle. Auto repair facilities are required to get a general business license under state law but are not required to obtain any specialty business license. State law includes several provisions that govern the business practices of auto repair facilities that repair or service personal vehicles. The provisions cover: invoices and recordkeeping; the provision of written estimates; required signage; and other administrative matters.

In the course of evaluating a vehicle before or after making a repair, an auto repair facility representative may test the operation of the vehicle by driving the vehicle on public roads. However, the representative may not lawfully do so if the registration on the vehicle has expired.

Summary:

An auto repair facility may obtain a transporter's license for the purpose of evaluating vehicles in need of repair or that have been repaired on the public roads of the state. Entities eligible to apply for the license include businesses that repair personal vehicles, as well as those that service or repair commercial vehicles. An auto repair facility must follow the same application requirements as other entities seeking a transporter license and may apply for transporter license plates, which must be displayed conspicuously on vehicles being driven for the purpose of repair evaluation. The use of transporter plates is subject to the same conditions, limitations, and penalties as for other vehicle transporters.

Votes on Final Passage:

House	98	0
House	96	0
Senate	48	0

Effective: June 7, 2018