

HOUSE BILL REPORT

EHB 1742

As Passed Legislature

Title: An act relating to modifying the motor vehicle transporter's license to accommodate automotive repair facilities.

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

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

Brief History:

Committee Activity:

Transportation: 2/8/17, 2/20/17 [DP].

Floor Activity:

Passed House: 3/6/17, 98-0.

Passed House: 1/18/18, 96-0.

Passed Senate: 3/2/18, 48-0.

Passed Legislature.

Brief Summary of Engrossed Bill

- Authorizes automotive repair facilities to obtain a vehicle transporter license and transporter license plates for the purpose of evaluating vehicles for repair on the public roads of the state.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 23 members: Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman, Gregerson, Hayes, Irwin, Kloba, Lovick, McBride, Morris, Ortiz-Self, Pellicciotti, Pike, Riccelli, Shea, Stambaugh, Tarleton, Van Werven and Young.

Staff: Mark Matteson (786-7145).

Background:

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.

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, among others. Transporters are considered distinct from towers that are licensed as registered tow truck operators and that may tow abandoned vehicles or improperly parked vehicles, and from 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.

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; or that perform mechanical or electrical adjustments for any vehicle; or that 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; and required signage, among others.

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 of Engrossed Bill:

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.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill was brought by a constituent, the local owner of an auto repair shop in Puyallup. When the owner called over the interim, she explained that when the shop receives vehicles with expired tabs and a shop employee test drives the vehicle before or after the repair, the employee is the one liable if he or she gets pulled over for the expired tabs. The constituent's idea was to use something like the vehicle dealer model. Cars are test driven at dealers, where the dealer slaps a dealer plate on the back that allows the driver to operate the vehicle temporarily on the public roads. The bill utilizes a similar approach in existing law concerning vehicle transporters. Under the proposal, auto repair shops can register with the DOL, pay the one-year licensing fee, and buy sets of plates that allow them to test drive vehicles on public roads, whether or not the vehicle owner's tabs have expired. This is a voluntary license.

(Opposed) None.

Persons Testifying: Representative Stambaugh, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.