

SENATE BILL REPORT

EHB 1742

As Passed Senate, March 2, 2018

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: Passed House: 3/06/17, 98-0; 1/18/18, 96-0.

Committee Activity: Transportation: 3/28/17, 3/29/17 [DP]; 2/21/18, 2/26/18 [DP].

Floor Activity:

Passed Senate: 3/02/18, 48-0.

Brief Summary of 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.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Chase, Cleveland, Dhingra, Fortunato, Liias, McCoy, Sheldon, Takko, Walsh, Wellman and Zeiger.

Staff: Bryon Moore (786-7726)

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, among others.

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.

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 \$25 license fee and a \$2 fee for each set of special transporter license plates.

Automotive (Auto) Repair Facilities. 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.

Summary of 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.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: *Testimony from 2017 Regular Session.* PRO: When a vehicle owner brings a vehicle to a facility and the facility needs to test drive the vehicle on the road, they are responsible if those tabs are out of date. This bill would allow auto repair facilities to get a vehicle transporter license to do their work and not be liable. The language is permissive and does not require a repair shop to get a transporter license. This is a common sense, no-frills bill.

Persons Testifying: PRO: Representative Melanie Stambaugh, Prime Sponsor; Mark Johnson, Washington Retail Association.

Persons Signed In To Testify But Not Testifying: No one.

Staff Summary of Public Testimony: PRO: 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.

Persons Testifying: PRO: Representative Melanie Stambaugh, Prime Sponsor; Mark Johnson, Washington Retail Association.

Persons Signed In To Testify But Not Testifying: No one.