



FAIR DEALER NEWSLETTER

Quarterly updates for the dealer and manufacturer industry

www.dol.wa.gov/business/vehiclevesseldealer/dlrresources.html

March 2007

Greetings from the Administrator



On behalf of Director Liz Luce of the Department of Licensing, I want to welcome you to this edition of the “Fair Dealer” newsletter. Because this is the first edition of the Fair Dealer in a long, long time, I would like to take a few minutes to identify our purpose and philosophy behind this effort.

Some of you old-timers out there may remember back when Dealer and Manufacturer Services had previously published the Fair Dealer on a semi-regular basis. The time has now come to resurrect this newsletter in an effort to increase the communication going out from DOL to our friends and stakeholders. We anticipate using electronic means as we publish a new edition each quarter. It is anticipated that distribution will occur via the internet, email, and through our contacts at the Washington State Auto Dealers Association, the Washington State Independent Auto Dealers Association, and other dealer and industry groups.

Because this is a new endeavor for most of us here in Dealer Services, it will no doubt evolve

as we move forward. I definitely consider it a work in progress. Each quarter, I will take the opportunity as administrator of Dealer Services to write a brief article. This will normally consist of topics I think are most important to the readers. I will endeavor to make it interesting.

Additionally, you will see a listing of regulatory enforcement from the previous quarter, a Q&A feature, articles from the Regional Managers, Audit and Legal Services Manager, and a few surprises thrown into the mix. We are exploring a partnership with some of the national dealer publications that would allow us to reprint articles of interest on an intermittent basis.

The real benefit will occur as information is shared that actually helps someone in the real world understand a program or policy, avoid unnecessary problems, or learn something helpful. Consequently, if you have an idea for a possible future article, have a question, or just feel the need to vent, this is YOUR forum. Let us know how we can make this newsletter meaningful for you.

I look forward to meeting you back here again every quarter as we examine current issues and share information. So long for now.

Dan Devoe, Administrator
Dealer and Manufacturer Services
Olympia

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Governor Christine Gregoire introduced Government Management Accountability and Performance (GMAP)

Governor Christine Gregoire introduced executive directives aimed at improving state government management accountability and performance. This program establishes clear expectations that government services will be improved and the public will better understand what they are getting for their tax dollars.

The program, called Government Management Accountability and Performance (GMAP), will build on the Priorities of Government approach, an initiative to tie budget decisions to priorities. The proposal requires state agencies to develop data-driven management and performance systems that will measure the effectiveness of how state services are delivered and whether or not the results that are intended were accomplished.

“It will allow the public to focus on results and will greatly improve their ability to hold government accountable,” Gregoire said. “While the concepts behind this program are not new to government, imposing it across all state agencies and reporting on their progress directly to citizens is a new approach.

“I have great respect for the work done by state agencies,” Gregoire said. “But we have an obligation to taxpayers to make sure they are getting value for their money, and we are going to do just that.”

“We will require agencies to be more effective & efficient in achieving results & will ensure that public tax dollars are being spent wisely.”- *Governor Chris Gregoire*

Plain Talk http://www.governor.wa.gov/execorders/eo_05-03.pdf

What is Plain Talk?

Plain Talk is Governor Gregoire’s Executive Order that asks state agencies to use clear, plain language in written communications. Plain Talk messages are clear and concise. They contain common words, rather than technical terms or jargon.

Plain Talk documents speak to the intended audience in language that is easy to understand. The purpose of Plain Talk is to give our customers easy access to our services and information.

Documents written in plain language typically have:

- Short sentences and paragraphs.
- Words and phrases commonly used by the intended audience.
- Only the information needed by the intended audience.
- Information presented in a logical sequence.
- Active voice that tells who is responsible for doing what.
- Clear layout that shows the key information for the audience.
- Adequate white space, clear headings, bulleted lists and indented statements.

2007 Session Calendar	
January 8, 2007	First Day of Session
February 28, 2007	Last day to read in committee reports in house of origin, except House fiscal committees and Senate Ways & Means and Transportation committees.
March 5, 2007	Last day to read in committee reports from House fiscal committees and Senate Ways & Means and Transportation committees in house of origin.
March 14, 2007	Last day to consider bills in house of origin (5 p.m.).*
March 30, 2007	Last day to read in committee reports from opposite house, except House fiscal committees and Senate Ways & Means and Transportation committees.
April 2, 2007	Last day to read in opposite house committee reports from House fiscal committees and Senate Ways & Means and Transportation committees.
April 13, 2007	Last day to consider opposite house bills (5 p.m.) (except initiatives and alternatives to initiatives, budgets and matters necessary to implement budgets, differences between the houses, and matters incident to the interim and closing of the session).
April 22, 2007	Last day allowed for regular session under state constitution.

Washington State Legislature

The Washington State Legislature is a body consisting of 49 members in the Senate and 98 members in the House of Representatives. One Senator and two House members serve each district. Members of the Senate are elected to four-year terms and House members are elected to two-year terms.

The Legislature meets annually on the second Monday in January in the Capitol building in Olympia. In odd-numbered years – the budget year – the Legislature meets for 105 days, and in even-numbered years, for 60 days. If necessary, the Governor can call legislators in for a special session for a 30-day period. Legislators can call themselves into special session with a two-thirds vote of the two bodies.

How does a bill become a law?

1. A bill may be introduced in either the Senate or House of Representatives by a member.
2. It is referred to a committee for a hearing. The committee studies the bill and may hold public hearings on it. It can then pass, reject or take no action on the bill.
3. The committee report on the passed bill is read in open session of the House or Senate, and the bill is then referred to the Rules Committee.
4. The Rules Committee can either place the bill on the second reading of the calendar for debate before the entire body, or take no action.
5. At the second reading, a bill is subject to debate and amendment before being placed on the third reading calendar for final passage.
6. After passing one house, the bill goes through the same procedure in the other house.
7. If amendments are made, the other house must approve the changes.
8. When the bill is accepted in both houses, it is signed by the respective leaders and sent to the governor.
9. The governor signs the bill into law or may veto all or part of it. If the governor fails to act on the bill, it may become law without a signature.

For bill information, visit the Washington State Legislature website at
<http://www1.leg.wa.gov/legislature/>



2007 Department Request Legislation



Border Crossing

This legislation will permit DOL to enter into agreements with the federal government and Canadian province standards and requirements for the issuance of special driver licenses and identicards that can be used as identification for border crossing. It also allows DOL to set fees for the special driver licenses and identicards.

Commercial Driver Licenses Requirements

DOL intends to assume primary responsibility of the Commercial Driver License (CDL) testing duties currently conducted by private contractors (third-party testers). Raising the exam fees will offset some of the costs of assuming these duties. This legislation will allow DOL to set CDL test fees by rule. Current law limits fees for CDL exams given by DOL to \$50. In addition, this legislation will improve public safety by requiring that applicants for an original CDL provide evidence of satisfactory training in the operation of a commercial motor vehicle and provide proof of residence in the state of Washington. Training would be waived for applicants who are transferring a CDL from another state. Effective date is January 2008.

Motorcycle Endorsements Driver's Licenses & Skills Education

This legislation supports recommendations made by the Motorcycle Task Force following its six-month assessment and deliberation of crash and fatality data, and the programs currently in place to improve motorcyclist safety. The task force was a collaborative effort between DOL, Department of Health, Department of Transportation, Washington Traffic Safety Commission, and Washington State Patrol. The legislation removes the current cap on course fees charged to participants in motorcycle training courses and the cap on the fees paid by students. Currently, fees are capped at \$100 for adult students and at \$50 for students under 18. The Motorcycle Training Program subsidizes the remainder of the cost for the course. The legislation also redirects the \$5.00 application fee for a motorcycle endorsement from the Highway Safety Fund to the Motorcycle Safety Education Account, which will provide additional funds for training.

Impound of Vehicles without Special Endorsement

This legislation gives law enforcement the discretion to impound a motor vehicle that requires a special endorsement for operation (such as a motorcycle), upon determining the person is operating the vehicle without a properly-endorsed driver license.

Uniform Business & Professions Act

This legislation is necessary to correct the current conflicts in statute and make necessary technical corrections. It eliminates duplications that have occurred due to changes in other laws. In addition, the changes requested in this legislation will bring the statutes into conformity with the Governor's request for Plain Talk.

Professional Athletics

This legislation is designed to address issues brought forward to the Department by the industry during the 2006 Legislative Session. Among those issues being addressed are: providing immunity for officials, changing the event fee structure, and authority to cancel kickboxing and martial arts events if the promoter fails to submit proof of medical insurance. In addition, in order to improve the safety and welfare of the participants and meet today's safety standards, this legislation will require paramedic units to have transport and resuscitation capabilities, and require a chief inspector and other inspectors as deemed necessary to be present at events.

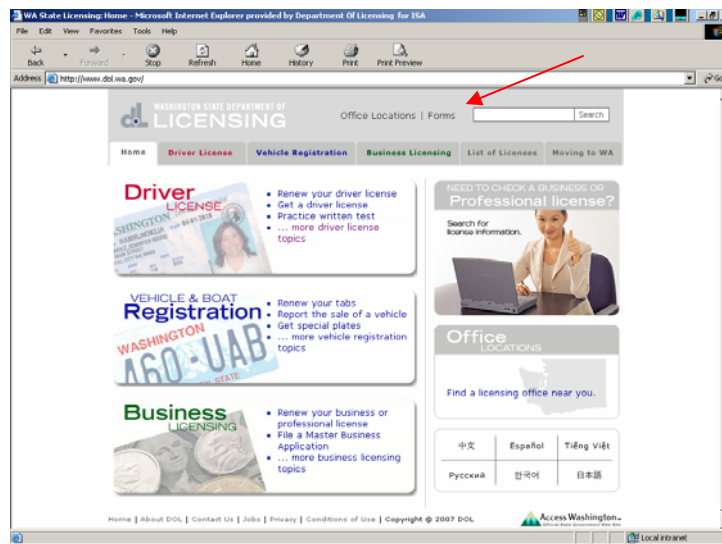
Are you looking for DOL forms used by vehicle dealers?

By: Lewis Dennie, North-Eastern Region Manager

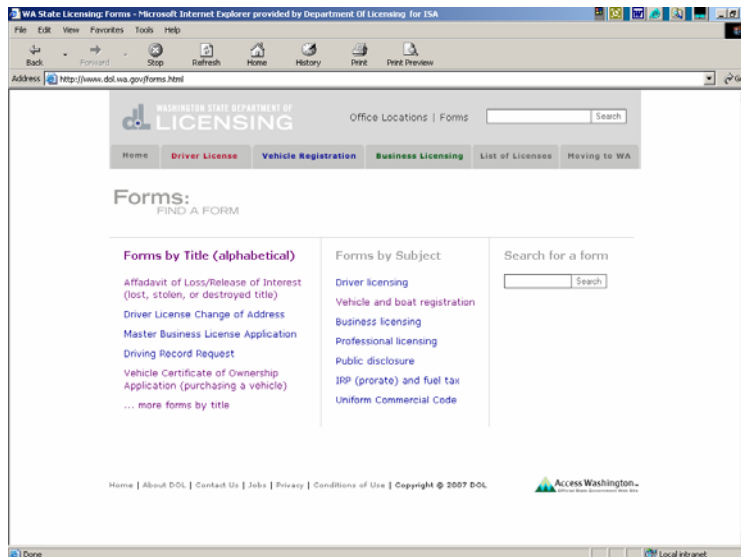
The Internet is an indispensable source of information for businesses. Knowing how and where to locate information improves efficiency and allows tasks to be conducted faster. DOL offers a solution to your search for many forms used by title clerks and other dealer staff. These forms can be completed online and printed.

Our website was recently updated and is located at www.dol.wa.gov. Following these steps to locate the forms:

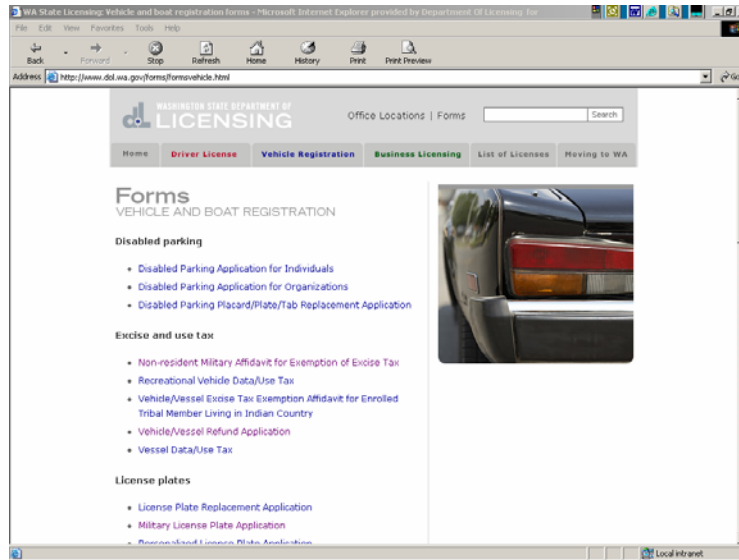
1. In your web browser type the following address www.dol.wa.gov
2. That will bring up DOL's Internet home page



3. Click on the word “Forms” as shown above being pointed to with the red arrow.
4. The next web page will look like this:



5. In the center column titled *Forms by subject* click on the words “**Vehicle and Boat registration**” That brings up the following page:



6. Scroll down the page to the section beginning with “**Title and registration**”. This section includes many forms frequently used by dealers including:
 - Affidavit of loss/release of interest
 - Certificate of fact
 - Release of interest/power of attorney
 - Vehicle report of sale
 - Vehicle certificate of ownership application
7. Place your cursor over the words describing the form. Clicking on the text will result in that form opening on your computer screen.

There are 40 other forms on this web page that dealers often use relating to excise and use tax and special license plates.

The temporary subagency license application for off-site sales can be found at the Forms page previously shown. To access the form click on the text **Forms by Title (alphabetical)**. Then select the letter “**D**”. This takes you to a Dealer form section.

You may want to save the Web page of forms as one of your favorites in your web browser. That way you can quickly return to the forms when needed.

If you have questions or want to make suggestions for the new website, please email us at dealers@dol.wa.gov

Disciplinary Action Cases

Carland Auto Sales, Lynnwood

Finding: Late title transfer

Action / Penalty: \$500

Gilbert O. Mendoza Guillen, Yakima

Finding: Unlicensed dealer activity

Action / Penalty: Cease & Desist / \$1000

Eduard Dadyan, Redmond

Finding: Unlicensed dealer activity

Action / Penalty: Cease & Desist / \$6000

James Ellis Halterman , Tacoma

Finding: Unlicensed dealer activity

Action / Penalty: \$1000

Dunn's Hulk Hauling, Morton

Finding: Storing more than 2 vehicles at licensed location

Action / Penalty: Revoked

Hiro Imports, Inc., Anacortes

Finding:

1. Failure to maintain a place of business
2. Failure to mark major component parts
3. Failure to submit monthly reports

Action / Penalty: \$1000

C Graham Enterprises, Cle Elum

Finding: Sold from an unlicensed location

Action / Penalty: \$3500

Ralli-round, Seattle

Finding: Failure to mark parts

Action / Penalty: \$500

Hertz Car Sales, Pasco

Finding: Bushing

Action / Penalty: \$1000

JDG Enterprises, Vancouver

Finding: Failure to provide certification by law enforcement for renewal

Action / Penalty: \$500

Triple R Auto Sales, Wapato

Finding: Failure to pay prior fine

Action / Penalty: \$5,700 and suspended for 5 days or until paid

Orion Motors, Anacortes

Finding: Late title transfers

Action / Penalty: \$11,000

Washington Car & Truck, Pacific

Finding: Insolvency and failure to maintain a place of business

Action / Penalty: \$1000 & license revoked

Federal Way Auto Wrecking, Auburn

Finding: Misuse of wrecker plate

Action / Penalty: \$500

Nextcar, Sultan

Finding: Failed to pay prior fine

Action / Penalty: \$5000 and Revoked

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