



2016 LEGISLATIVE SESSION REPORT

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For more information about the legislation mentioned in this report, please contact the Policy and Legislative Unit.

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Session Recap

Dear Colleague:

The 2016 legislative session adjourned on March 29 after a 60-day regular session as well as a several week special session. Operating budget negotiations, particularly around teacher pay increases, wildfire suppression funding, home health worker overtime and a tax policy bill regarding digital content producers were some of the main points of contention during what was a fairly quiet special session.

This was a successful session for DOL. The Legislature continued the funding for our Business & Technology Modernization (DRIVES) project and added funding for the agency to keep up with the increased workload and volume demands related to Enhanced Driver Licenses. In addition, funding was provided for DOL to expand issuance of commercial driver licenses and enhanced driver licenses to all of our driver license offices – and the incentive pay associated with driver licensing staff verifying U.S. citizenship for these specialty documents.

Our Business & Professions Division saw another active year in terms of business licensing legislation and firearms policy discussions, from music licensing and theatrical wrestling legislation to several firearms-related bills. A much-awaited bill for the property appraiser community was adopted by the legislature as well, making several small changes to ensure compliance with federal standards. This was an excellent example of DOL working with an industry group to accomplish mutual goals.

Thank you for taking the time to review this report. If you have questions, please don't hesitate to contact any one of us in the Policy & Legislative Unit.

Sincerely,

Tony Sermonti
Policy & Legislative Director

Bills enacted with DOL Impact

The Policy & Legislative Unit has identified the following bills that passed during the 2016 legislative session as having some sort of impact to the Department and its programs. This information will also serve as a resource in tracking the internal bill implementation process throughout the year.

- Administrative Services
- Business & Professions
- Director's Office
- Programs & Services

Bill Number	HB 1022
Bill Title	Prohibiting general power of attorney provisions in bail bond agreements
Bill Summary	Creates a presumption of unprofessional conduct by a bail bond agent where the agent enters into a contract, including a general power of attorney, that gives the agent full authority over a person's finances, assets, and property; the presumption may be overcome by a preponderance of the evidence to the contrary.
Effective Date	90 days sine die
Lead Analyst	Stephanie Sams
Lead Division	Business & Professions

Bill Number	EHB 1409
Bill Title	Concerning the disclosure of vessel owner information
Bill Summary	Provides the vessel owner information is to be released by DOL in substantially the same manner as vehicle owner information.
Effective Date	90 days sine die
Lead Analyst	Clark Holloway
Lead Division	Programs & Services

Bill Number	ESHB 1553
Bill Title	Encouraging certificates of restoration of opportunity
Bill Summary	<p>Creates a process by which a person with a criminal record can be granted a Certificate of Restoration of Opportunity (CROP).</p> <p>Prohibits the state and local governments from disqualifying an applicant for a license, certificate, or other qualification to engage in certain professions or businesses solely based on the applicant's criminal history if the applicant possesses a CROP.</p> <p>The following department professional licenses are exempted from CROP requirements: bail bond agents, private investigators, security guards, notaries public, real estate brokers and salespersons, and security guards.</p>

Effective Date	90 days sine die
Lead Analyst	Stephanie Sams
Lead Division	Business & Professions

Bill Number	E2SHB 1763
Bill Title	Regulating music licensing agencies
Bill Summary	Establishes regulations for music licensing agencies (performing rights societies) including registering with the department and annually filing an electronic copy of each performing rights form agreement providing for the payment of royalties.
Effective Date	January 1, 2017
Lead Analyst	Stephanie Sams
Lead Division	Business & Professions

Bill Number	SHB 1830
Bill Title	Creating Washington state wrestling special license plates
Bill Summary	Creates a Washington State Wrestling special license plate, which promotes and supports college wrestling in Washington. The funds would go to the Washington State Wrestling Foundation to fund new and existing college wrestling programs.
Effective Date	January 1, 2017
Lead Analyst	Kimberly Mathis
Lead Division	Programs & Services

Bill Number	EHB 1918
Bill Title	Modifying provisions applicable to off-road, non-highway, and wheeled all-terrain vehicles and their drivers
Bill Summary	Modifies off-road vehicle provisions relating to liability immunity for sponsoring organizations, certificate of title requirements; wheeled all-terrain vehicle registration and metal tag exemptions for out-of-state owners; equipment and declaration requirements; and display of special year tabs on metal tags for persons with disabilities.
Effective Date	90 days sine die and July 1, 2017
Lead Analyst	George Price
Lead Division	Programs & Services

Bill Number	SHB 2017
Bill Title	Creating Washington farmers and ranchers special license plates
Bill Summary	Creates the Washington Farmers and Ranchers special license plate, which recognizes Washington farmers and ranchers. The funds would go to the

	Washington Future Farmers of America (FFA) Foundation for educational programs in the state.
Effective Date	January 1, 2017
Lead Analyst	Kimberly Mathis
Lead Division	Programs & Services

Bill Number	HB 2262
Bill Title	Creating Washington tennis special license plates
Bill Summary	Creates the Washington tennis special license plate to provide funds to cities to assist in the construction and maintenance of a public tennis facility with at least four indoor tennis courts.
Effective Date	January 1, 2017
Lead Analyst	Kimberly Mathis
Lead Division	Programs & Services

Bill Number	ESHB 2274
Bill Title	Concerning the filing of abandoned vehicle reports of sale
Bill Summary	Protects individuals from reports of sale filed with an incorrect buyer of a subsequently abandoned vehicle and provides the department with the authority to remove a fraudulently filed report of sale.
Effective Date	90 days sine die
Lead Analyst	George Price
Lead Division	Programs & Services

Bill Number	HB 2317
Bill Title	Expanding the use of neighborhood and medium-speed electric vehicles
Bill Summary	Neighborhood and medium-speed electric vehicles are permitted on state highways with speed limits of 30 mph or less. Restrictions on local authorities' ability to regulate the operation of neighborhood and medium-speed electric vehicles on roadways outside of the state highway system remain unchanged.
Effective Date	The bill contains an emergency clause & takes effect on April 1, 2016
Lead Analyst	George Price
Lead Division	Programs & Services

Bill Number	HB 2405
Bill Title	Concerning the role of parties in cases related to certain notices and records
Bill Summary	Court notification of the loss of firearms rights: A court must notify the DOL and the NICS of the identifying information of a person who is convicted of a crime or committed for mental health treatment resulting in a loss of firearms rights.

	Non-payment of vehicle-related judgments: When a judgment for personal injury or property damage caused by the ownership or use of motor vehicle remains unpaid after 30 days, the judgment debtor, rather than the clerk or judge of the court, must immediately provide notice of the nonpayment to the DOL.
Effective Date	90 days sine die
Lead Analyst	Clark Holloway
Lead Division	Programs & Services

Bill Number	SHB 2598
Bill Title	Authorizing the use of certain cargo extensions
Bill Summary	This bill allows the addition of a cargo extension to a motor home or travel trailer by attaching the frame that meets specific criteria. It also specifies that the cargo extensions are not trailers that pivot on a hitch, but instead attach to the motor home or travel trailer frame and become part of the frame of the motor home or travel trailer. The cargo extensions are required to be equipped with mounted rear tail lamps, fenders, covers, flaps or splash aprons.
Effective Date	July 1, 2016
Lead Analyst	George Price
Lead Division	Programs & Services

Bill Number	ESHB 2700
Bill Title	Concerning impaired driving
Bill Summary	<p>Requires that records of convictions of offenses that can be counted as prior offenses for DUI purposes be kept permanently on file, makes technical corrections relating to notices of criminal traffic Failure to Appear (FTAs), reorganizes and makes changes to the IID license restriction law, and shortens the time between an arrest for DUI and the subsequent administrative license suspension/revocation from 60 days to 30 days.</p> <p>The bill also provides that if a person is convicted of DUI or physical control (and no refusal to be tested) and there has been no prior offense within seven years, the person's license suspension or revocation may be reinstated early once the person has had an alcohol assessment and so long as he or she is enrolled in or has completed the 24/7 Sobriety Program.</p> <p>If a person arrested for DUI or physical control had a blood-alcohol content of 0.08 or more, or a THC concentration of blood that was 5.00 or more, and this is the person's first incident within seven years, the person's license is not administratively suspended so long as the person successfully completes or is enrolled in a pretrial 24/7 Sobriety Program.</p>

	The court is required to notify DOL within 5 days if a person is removed from a 24/7 Sobriety Program and DOL is to resume any suspension or denial that had been terminated early, granting credit for time served.
Effective Date	90 days sine die
Lead Analyst	Clark Holloway
Lead Division	Programs & Services

Bill Number	E2SHB 2872
Bill Title	Concerning the recruitment and retention of Washington state patrol commissioned officers
Bill Summary	Changes the distribution of the initial and renewal vehicle license fee
Effective Date	90 days sine die and July 1, 2017
Lead Analyst	George Price
Lead Division	Administrative Services

Bill Number	EHB 2883
Bill Title	Addressing government efficiency by eliminating or revising the requirements of state agency reports
Bill Summary	The department annual report to the Legislature on agent and subagent fees, fee revision recommendations, and other related information is eliminated.
Effective Date	90 days sine die
Lead Analyst	George Price
Lead Division	Director's Office

Bill Number	ESHB 2906
Bill Title	Strengthening opportunities for the rehabilitation and reintegration of juvenile offenders
Bill Summary	This bill changes the notification procedures for courts when juveniles are convicted of offenses relating to minors in possession (MIP) of drugs, alcohol, and firearms. First offenses will no longer be reported to DOL and diversion units will not be reporting any diversion agreements.
Effective Date	90 days sine die
Lead Analyst	Clark Holloway
Lead Division	Programs & Services

Bill Number	SSB 5597
Bill Title	Concerning requirements for real estate appraisers
Bill Summary	This bill amends reciprocity provisions for real estate appraisers to remove the requirement that the applicant be credentialed under substantially similar licensing regulations in another state. Adds a reciprocity requirement that the

	applicant be credentialed in a state complying with federal regulations and whose licensing requirements meet or exceed Washington's requirements.
Effective Date	90 days sine die
Lead Analyst	Stephanie Sams
Lead Division	Business & Professions

Bill Number	SSB 6120
Bill Title	Providing a registration exemption for certain vessels
Bill Summary	This bill adds an exemption to the vessel registration requirement for vessels with motors that draw 250 watts or less that propel the vessel no faster than 10 miles per hour and are not used on waters subject to the jurisdiction of the US or on the high seas beyond the territorial seas for vessels in the US.
Effective Date	90 days sine die
Lead Analyst	George Price
Lead Division	Programs & Services

Bill Number	SB 6200
Bill Title	Providing funding for steelhead conservation through the issuance of Washington's fish license plate collection
Bill Summary	Washington's fish license plate collection specialty plates are created. Proceeds from the sale of these special license plates must go to support the Department of Fish & Wildlife's steelhead species management activities including, but not limited to, activities supporting conservation, recovery, and research to promote healthy fishable steelhead.
Effective Date	January 1, 2017
Lead Analyst	George Price
Lead Division	Programs & Services

Bill Number	SSB 6254
Bill Title	Authorizing the issuance of Purple Heart license plates for more than one motor vehicle.
Bill Summary	Qualified individuals are eligible to buy additional plates at a cost of \$40 for the initial fee and \$30 upon renewal. The original plates will remain free of charge.
Effective Date	July 1, 2017
Lead Analyst	Kimberly Mathis
Lead Division	Programs & Services

Bill Number	SB 6299
Bill Title	Correcting certain manifest drafting errors in Chapter 44, Laws of 2015 3 rd special session (transportation revenue)

Bill Summary	Correcting the technical errors made in the 2015 transportation revenue bill (2ESSB 5987) – reestablishes that DOL must collect \$18 per enhanced driver’s license from July 15, 2015 until June 30, 2016.
Effective Date	Immediately upon signing
Lead Analyst	Clark Holloway
Lead Division	Programs & Services

Bill Number	SSB 6326
Bill Title	Concerning the retention and maintenance of auto dealer and repair facility records
Bill Summary	<p>Authorizes vehicle dealers and automotive repair facilities to maintain certain required records in electronic form if the records can be accessed by computer at the dealer or repair facility’s place of business during the remainder of the record retention period.</p> <p><i>The Department of Licensing must submit a report to the Legislature describing its effort toward all electronic recordkeeping for auto dealers and repair facilities by December 31, 2018.</i></p>
Effective Date	90 days sine die
Lead Analyst	Stephanie Sams
Lead Division	Business & Professions

Bill Number	SSB 6360
Bill Title	Developing a plan for the consolidation of traffic-based financial obligations
Bill Summary	<p>The Office of the Attorney General (AGO) must convene a work group of stakeholders including DOL to provide input and feedback on the development of a plan and program for the efficient statewide consolidation of an individual’s traffic-based financial obligations into a single, affordable payment plan.</p> <p>The AGO must submit a report detailing its recommendations and the plan and program to the Supreme Court, the Governor, and the appropriate committees of the Legislature no later than December 1, 2017.</p>
Effective Date	90 days sine die
Lead Analyst	Clark Holloway
Lead Division	Programs & Services

Bill Number	ESSB 6606
Bill Title	Concerning wholesale vehicle dealers

Bill Summary	<p>The definition for wholesale vehicle dealer is retained in statute and further clarified as a dealer who buys and sells vehicles to other Washington licensed dealers.</p> <p>Wholesale vehicle dealers must have office facilities within the state with no more than two other wholesale or retain vehicle dealers in the same building.</p>
Effective Date	Immediately
Lead Analyst	George Price
Lead Division	Business & Professions

Legislative reports and studies

The Department of Licensing routinely prepares reports and participates in studies on a range of topics at the Legislature's direction. Some of these reports are ongoing over several years while others are one-time to assist the Legislature as it considers a specific policy issue. Brief summaries of the reports we are responsible for are below.



For-Profit Degree-Granting Institutions and Private Vocational Schools Study

The Workforce Training and Education Coordinating Board and DOL to work together to design and oversee a study, to be administered by the council, that objectively analyzes and makes recommendations about systemic overlaps and gaps in jurisdiction regarding for-profit degree-granting institutions and private vocational schools in the state.

Due Date: January 1, 2017

Lead Analyst: Stephanie Sams



Auto Dealer and Repair Facility Records Report

DOL must submit a report to the legislature on the efforts taken to convert auto dealer and repair facility records to all electronic records. If the department has already converted to all electronic records by December 31, 2018, no report is required.

Due Date: December 31, 2018 to the Legislature

Lead Analyst: Stephanie Sams

BTM Quarterly Status Reports

The 2015-17 transportation budget directs DOL and the state Chief Information Officer to jointly provide a quarterly status report of its business and technology modernization project. The reports must include detailed information about planned and actual scope, schedule, and budget, the status of key vendor and other project deliverables, and a description of significant changes to planned deliverables or system functions over the life of the project.

Due Date: Quarterly to the Transportation Committees

Lead Analyst: Clark Holloway

Special Plate Application Report

Annual financial report submitted by organizations sponsoring active special license plates.

Due Date: December 31 to the Joint Transportation Committee

Lead Analyst: Kimberly Mathis

Tribal Fuel Tax Status Report

Annual report detailing existing compact agreements and ongoing negotiations on motor vehicle fuel tax agreements with the federally recognized WA State tribes.

Due Date: Annually to the Transportation Committees

Lead Analyst: Josh Johnston

Facial Recognition Report

Annual report regarding the facial recognition matching system, including the number of investigations initiated based on the results from the system; determinations that were confirmed and those overturned; and determinations that were referred to law enforcement. This annual report ends November 14, 2017.

Due Date: November 15 through 2017 to the Governor and Legislature

Lead Analyst: Clark Holloway

Driver & Vehicle Fee Study

DOL provides a listing of fees and associated costs to administer Vehicle and Driver services transactions.

Due Date: December 31 (biennial basis) to the Transportation Committees

Lead Analyst: Research & Analysis Unit

Road Usage Charge Workgroup

DOL will continue to participate in a workgroup led by the transportation commission on road usage charge from 2014 session. The purpose of this workgroup is to advise the commission in the design of the pilot project and assessment of public attitudes toward road usage charges.

Due Date: December 1, 2016 to the Transportation Committees

Lead Analyst: George Price w/the Research & Analysis Unit