Chapter 308-129 WAC
SELLERS OF TRAVEL

WAC

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308-129-340 Preliminary record in brief adjudicative proceedings. [Statutory Authority: RCW 34.05.482 and 19.138.170(1). 96-24-064, § 308-129-340, filed 12/2/96, effective 1/2/97.] Repealed by 06-10-007, filed 4/20/06, effective 5/21/06. Statutory Authority: RCW 19.138.170. Later promulgation, see chapter 308-08 WAC.

WAC 308-129-030 Registration. Registration as a seller of travel shall be accomplished through the master license system under chapter 19.02 RCW. The fees established by or under chapter 19.138 RCW for registering as a seller of travel shall be paid to the department of licensing concurrently with an application for a master license or with the annual renewal of a master license under chapter 19.02 RCW.

A corporation, limited liability company, limited liability partnership, or a limited partnership, based in the state of Washington, must first be registered with the office of the secretary of state before registering as a seller of travel.

[Statutory Authority: Chapter 19.138 RCW. 96-14-092, § 308-129-030, filed 7/2/96, effective 8/2/96.]

PART B
REGISTRATION APPLICATION AND FEES

WAC 308-129-100 Applications—Conditions. Any person desiring to be registered as a seller of travel shall submit with the application form:

1. A copy of any criminal conviction, including a guilty plea, within the last ten years, or any conviction that resulted in the applicant having to register as a sex offender regardless of whether the conviction is over ten years old.
2. A copy of any civil or administrative judgment or order involving dishonesty, fraud, or violation of any act designed to protect consumers that names the applicant as a party.
3. In lieu of the CPA/LPA/bank officer report required by RCW 19.138.110(5), an applicant may submit an affidavit or declaration signed under penalty of perjury setting out the information required by RCW 19.138.110(5).
4. Applicants who certify under penalty of perjury that they do not hold for more than five business days any nonexempt funds received from any person or entity for retail travel services shall not be required to report or maintain a trust fund.

WAC 308-129-020 Definitions. (1) "Registration number" means the unified business identifier number (UBI) assigned to the registered seller of travel.
(2) "Main office" means the first registered business location for a seller of travel.
(3) "Branch office" means each additional business location for a seller of travel after the first location has been registered.
(4) "Other approved account" means (a) bank administered account; (b) account pursuant to other state law; (c) checking account; (d) savings account; (e) an account individually approved of by the department.

[Statutory Authority: Chapter 19.138 RCW. 96-14-092, § 308-129-020, filed 7/2/96, effective 8/2/96.]

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account or other approved account under RCW 19.138.-
110(5).

(5) A seller of travel applying to be licensed under chap-
ter 19.138 RCW may submit a surety bond as described
in RCW 19.138.140 (7)(a)(i) or other instrument approved by
the department as described in RCW 19.138.140 (7)(a)(iv).
The amount of the surety bond or other approved instrument
shall be based upon the prior year’s annual gross income of
business conducted as outlined in the following scale:

<table>
<thead>
<tr>
<th>Annual Gross Income of Business Conducted:</th>
<th>Amount of Surety Bond or other instrument approved by the department:</th>
</tr>
</thead>
<tbody>
<tr>
<td>$199,999 and under</td>
<td>$10,000</td>
</tr>
<tr>
<td>$200,000 through $499,999</td>
<td>$20,000</td>
</tr>
<tr>
<td>$500,000 through $749,999</td>
<td>$30,000</td>
</tr>
<tr>
<td>$750,000 through $999,999</td>
<td>$40,000</td>
</tr>
<tr>
<td>$1,000,000 and above</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

(6) Sellers of travel companies upon application and
renewal shall attest to their gross annual income of business
conducted on a form provided by the department.

WAC 308-129-110 Seller of travel registration fees.
The following fees shall be charged by the business and pro-
fessions division of the department of licensing:

<table>
<thead>
<tr>
<th>Title of Fee</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original registration fee</td>
<td>$202.00</td>
</tr>
<tr>
<td>Registration renewal</td>
<td>202.00</td>
</tr>
<tr>
<td>Service of process fee</td>
<td>20.00</td>
</tr>
</tbody>
</table>

Branch offices are subject to a duplicate registration fee.
The duplicate registration fee for each branch office shall be
an amount equal to the original registration fee.

WAC 308-129-120 Dishonored checks. Payment of
any fee required under chapter 19.138 or 19.02 RCW by a
check which is dishonored shall be considered a nonpayment
and the registration action for which the dishonored check
was tendered shall be considered invalid by the department.

WAC 308-129-130 Expiration and renewal of regis-
trations. Registrations issued to sellers of travel shall expire
concurrently with the master license expiration date. Regis-
trations and fees will be prorated as necessary to match the
master license expiration date. Registrations must be
renewed each year on or before the expiration date and
renewal registration fees as prescribed in WAC 308-129-110
and chapter 19.02 RCW shall be paid. Acceptance by the
director of an application for renewal after the renewal date
shall not be a waiver of the master licensing service delin-
quency.

[Statutory Authority: Chapter 19.138 RCW. 96-14-092, § 308-129-130,
filed 7/2/96, effective 8/2/96.]

PART C
REQUIRED RECORDS AND RECORDS
PROCEDURES

WAC 308-129-300 Required records. The minimum
records a seller of travel shall be required to keep are:

1. Bank trust account or other approved account records
   (unless exempt);

2. Client account information, which includes the cli-
   ent’s name, amount and date payment was received and dis-
   bursed;

3. Unless a different period is specified by statute or
   rule, the required records shall be maintained and available
   for inspection by representatives of the department for a
   period of two years after completion of the travel.

[Statutory Authority: Chapter 19.138 RCW. 96-14-092, § 308-129-300,
filed 7/2/96, effective 8/2/96.]

WAC 308-129-310 Administration of nonexempt
funds and records procedure. Any seller of travel shall dis-
tribute nonexempt funds as authorized by statute and these
regulations:

1. The trust account or other approved account shall be
   in the firm name of the seller of travel as registered;

2. All disbursements from the trust account or other
   approved account shall be identified to a specific transaction

3. If the financial institution charges service fees, the
   seller of travel shall reimburse the trust account or other
   approved account within 10 banking days after receipt of the
   monthly statement.

[Statutory Authority: Chapter 19.138 RCW. 96-14-092, § 308-129-310,
filed 7/2/96, effective 8/2/96.]