

within five years from the date of overpayment. Every such claim shall be signed by the person claiming the refund.

Failure to file such claim within the time prescribed in this section shall constitute waiver of any and all demands against this state on account of overpayments hereunder.

Passed the House March 8, 1965.

Passed the Senate March 10, 1965.

Approved by the Governor March 20, 1965.

CHAPTER 68.

[House Bill No. 278.]

MOTOR VEHICLE DEALERS' LICENSING.

AN ACT relating to motor vehicles and regulating the licensing of motor vehicle dealers; amending section 46.70.010, chapter 12, Laws of 1961 as amended by section 1, chapter 48, Laws of 1961 and RCW 46.70.010; amending sections 46.70.020, 46.70.040 and 46.70.100, chapter 12, Laws of 1961 and RCW 46.70.020, 46.70.040 and 46.70.100; adding a new section to chapter 12, Laws of 1961 and to chapter 46.70 RCW; and providing penalties.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 46.70.010, chapter 12, Laws of 1961 as amended by section 1, chapter 48, Laws of 1961 and RCW 46.70.010 are each amended to read as follows:

RCW 46.70.010 amended.

“Dealer” as defined in this title shall mean any person in the business of buying, selling, exchanging, offering for sale or acting as a broker of new or used motor vehicles, trailers, or motorcycles.

Motor vehicle dealer's license. “Dealer” defined—“Sign” defined.

“Sign” as used in this chapter is any means of display which identifies the place of business, and must prominently feature the name under which the business is conducted.

RCW 46.70.020 amended.

SEC. 2. Section 46.70.020, chapter 12, Laws of 1961 and RCW 46.70.020 are each amended to read as follows:

Motor vehicle dealer's license. Requisites to carry on business as dealer.

It shall be unlawful for any person to carry on or conduct business as a dealer unless he shall have:

- (1) Applied for and received from the director a license to do so;
- (2) An established place of business which is occupied or is to be occupied for the purpose of conducting business as a dealer, at which is kept and maintained the books, records and files of the business;
- (3) An office and display area identified by a sign; and
- (4) Shall allow representatives or agents of the director of licenses access to all books, records, and files for the purpose of inspection during normal business hours.

RCW 46.70.040 amended.

SEC. 3. Section 46.70.040, chapter 12, Laws of 1961 and RCW 46.70.040 are each amended to read as follows:

Application—Contents.

Applications for a dealer's license shall be made upon the form prescribed by the department and shall contain:

- (1) The name under which the business is to be conducted and the address of its established place of business;
- (2) The name and address of owner, or if partnership, name and address of each partner. If owner is a corporation, the names of principal officers and their addresses, and if the corporation is not incorporated under the laws of this state, the name of the state in which it is incorporated, and the name of its resident officers;
- (3) The make of vehicles for which enfranchised, if any;
- (4) Whether or not used vehicles will be sold;

(5) A certificate to the effect that the applicant is a bona fide dealer as defined in this chapter having an established place of business at the address shown on the application and that the books, records, and files of the business are kept thereat, which certificate shall be signed by the chief of police or his deputy in cities having a population of five thousand persons or more, otherwise by a member of the Washington state patrol;

(6) Whether or not a previous dealer's license has been denied, suspended, or revoked; and

(7) Such other information as may be required by the department.

Every such application shall be accompanied by the fee required by law.

SEC. 4. Section 46.70.100, chapter 12, Laws of 1961 and RCW 46.70.100 are each amended to read as follows:

RCW 46.70.100 amended.

The director may refuse to issue a dealer license, or may suspend or revoke a dealer license whenever he has reason to believe that such dealer has:

Refusal, suspension, revocation of license—
Grounds.

(1) Forged the signature of the registered or legal owner on a certificate of title;

(2) Sold or disposed of a vehicle which he knows or has reason to know has been stolen or appropriated without the consent of the owner;

(3) Wilfully misrepresented any material facts in the applications for a vehicle dealer's license, certificate of registration or certificate of title;

(4) Wilfully failed to deliver to a purchaser a certificate of title to the car sold; and/or

(5) Suffered or permitted the cancellation of the bond or the exhaustion of the penalty thereof;

(6) Been convicted of, or has suffered a judgment to be taken against him, in any action in which fraud or misrepresentation is an element;

(7) Failed to comply with the requirements of chapter 46.70 with reference to notices, or reports of

Motor vehicle
dealer's
license.

transfers of vehicles, or the maintenance of records, or has caused or suffered or is permitting the unlawful use of the certificate or registration plates.

New section.

SEC. 5. There is added to chapter 12, Laws of 1961 and chapter 46.70 RCW a new section to read as follows:

Violations—
Misdemeanor.

It shall be a misdemeanor for any person to violate any of the provisions of this chapter and the rules and regulations promulgated as provided under this chapter.

Passed the House March 11, 1965.

Passed the Senate March 11, 1965.

Approved by the Governor March 20, 1965.

CHAPTER 69.

[House Bill No. 304.]

AGRICULTURAL PRODUCTS—COMMISSION MERCHANTS
—SALE AT WHOLESALE.

AN ACT relating to agricultural products; and adding a new section to chapter 139, Laws of 1959 and to chapter 20.01 RCW.

Be it enacted by the Legislature of the State of Washington:

New section.

SECTION 1. There is added to chapter 139, Laws of 1959 and to chapter 20.01 RCW a new section to read as follows:

Commission
merchants.
Certain sales
by retail mer-
chants as sales
at wholesale.

For the purpose of this chapter any sale of hay, grain, or straw by a retail merchant which has not been received and warehoused for sale at retail in the retail merchants fixed place of business, including but not limited to any such sale of hay, grain, or straw delivered directly from the producer to the user, shall be considered a sale at wholesale.

Passed the House March 5, 1965.

Passed the Senate March 10, 1965.

Approved by the Governor March 20, 1965.