

WAC 308-66-140 Place of business and places of business. Which business names and locations do I need to license?

(1) A dealer must inform the department in writing of each and every:

- (a) Name under which the dealer does business, and
- (b) Location at which the dealer does business.

The dealer must inform the department in writing within ten days of any addition, deletion or change in the name or location. The dealer must apply for a temporary subagency license at least ten days prior to the sales event that requires that license. There must be at least one day with no sales activity between any two ten day temporary permit periods.

(2) A dealer shall designate one name and one location as the principal name and principal place of business.

(a) All other names under which the dealer does business shall be designated and licensed as subagencies of that dealership;

(b) All other locations that are physically and geographically separated from the principal place of business shall be designated and licensed as subagencies of that dealership;

(c) If a dealer is required to obtain a subagency license under (2)(b) of this section, the dealer shall not be required to obtain an additional subagency license under (2)(a) of this section, unless the dealer does business under more than one name at that subagency location;

(d) The department will not require a subagency license for a name solely due to the use of a ".com" or other URL extension in an internet address; or because a dealership uses a derivative of its licensed "doing business as" name for its internet address. The web site must clearly display the licensed "doing business as" name.

(3) If the dealer ceases to maintain "an established place of business" at that subagency location, the director shall suspend, revoke and/or refuse to renew a subagency license of a dealership.

(4) All temporary subagencies must be covered by the bond of the dealer's principal place of business.

(5) A vehicle dealer, whether franchised or nonfranchised, that is unable to locate the dealer's used vehicle sales facilities adjacent to or at the established place of business need not obtain and hold a subagency license if:

(a) The vehicle sales lot is contained within the same city block, or

(b) Is directly across the street, or

(c) Is within sight, and

(d) Its location is zoned properly, and

(e) The dealer bond covers the sales lot.

(6) If the sales lot referred to in section 5 is in sight of the principal place of business, no sign is required at that sales lot.

(7) The department may require that a dealer provide evidence that each place of business conforms to all zoning and land use ordinances.

(8) Each and every subagency license of a dealership shall automatically be deemed canceled upon the termination, for whatever reason, of the principal license of that dealership.

(9) No license shall be issued to any applicant for a vehicle dealer or vehicle manufacturer license under a name that is the same as that of any dealer or manufacturer holding a current license issued pursuant to chapter 46.70 RCW.

(10) The sign at the certified location and the business telephone listing must reflect the "doing business as" (dba) name.

[Statutory Authority: RCW 46.70.160. WSR 10-06-058, § 308-66-140, filed 2/25/10, effective 3/28/10; WSR 04-16-090, § 308-66-140, filed 8/3/04, effective 9/3/04; WSR 98-20-039, § 308-66-140, filed 9/30/98, effective 10/31/98. Statutory Authority: RCW 46.70.160 and 46.70.023. WSR 91-20-057, § 308-66-140, filed 9/24/91, effective 10/25/91. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1. WSR 87-01-016 (Order DLR 115), § 308-66-140, filed 12/9/86; Order MV 170, § 308-66-140, filed 7/16/73; Order 69-1, § 308-66-140, filed 8/28/69; Order 2, § 308-66-140, filed 1/29/68.]