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## **Requirements for Grain Dealers**

**State of Washington**

*Licensing*

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## Requirements for Grain Dealers

### STATE OF WASHINGTON

*Current with legislation from 2014*

#### **West's RCWA 22.09.035**

#### **22.09.035. Grain dealer license required, exception**

It is unlawful for any person to operate as a grain dealer in the state of Washington without first having obtained an annual license from the department. This chapter does not apply to a grain dealer that is licensed for dealing in agricultural commodities under federal law.

#### **West's RCWA 22.09.045**

#### **22.09.045. Application for grain dealer license**

Application for a license to operate as a grain dealer under the provisions of this chapter shall be on a form prescribed by the department and shall include:

- (1) The full name of the person applying for the license and whether the applicant is an individual, partnership, association, corporation, or other entity;
- (2) The full name of each member of the firm or partnership, or the names of the officers of the company, society, cooperative association, or corporation;
- (3) The principal business address of the applicant in the state and elsewhere;
- (4) The name or names of the person or persons in this state authorized to receive and accept service of summons and legal notices of all kinds for the applicant;
- (5) Whether the applicant has also applied for or has been issued a warehouse license under this chapter;
- (6) The location of each business location from which the applicant intends to operate as a grain dealer in the state of Washington whether or not the business location is physically within the state of Washington, and the location of the headquarters or main office of the application;
- (7) A financial statement to determine the net worth of the applicant to determine whether or not the applicant meets the minimum net worth requirements established by the director under chapter 34.05 RCW. However, if the applicant is a subsidiary of a larger company, corporation, society, or cooperative association, both the parent company and the subsidiary company must submit a financial statement to determine whether or not the applicant meets the minimum net worth requirements established by the director under chapter 34.05 RCW. All financial statement information required by this subsection shall be confidential information not subject to public disclosure;
- (8) Whether the applicant has previously been denied a grain dealer or warehouse operator license or whether the applicant has had either license suspended or revoked by the department;
- (9) Any other reasonable information the department finds necessary to carry out the purpose and provisions of this chapter.

**West's RCWA 22.09.055**

**22.09.055. Grain dealer--Exempt grain dealers--License fees--Penalty**

An application for a license to operate as a grain dealer shall be accompanied by a license fee of one thousand seven hundred fifty dollars. The license fee for exempt grain dealers shall be five hundred dollars.

If an application for renewal of a grain dealer or exempt grain dealer license is not received by the department before the renewal date or dates established by the director by rule, a penalty of fifty dollars for the first week and one hundred dollars for each week thereafter shall be assessed and added to the original fee and shall be paid by the applicant before the renewal license may be issued. This penalty does not apply if the applicant furnishes an affidavit certifying that he or she has not acted as a grain dealer or exempt grain dealer after the expiration of his or her prior license.

**West's RCWA 22.09.060**

**22.09.060. Bond or certificate of deposit and insurance prerequisite to license--Exemption**

Except as provided in RCW 22.09.405(2), no warehouse or grain dealer license may be issued to an applicant before a bond, certificate of deposit, or other security is given to the department as provided in RCW 22.09.090, or in RCW 22.09.095. No warehouse license may be issued to an applicant before a certificate of insurance as provided in RCW 22.09.110 has been filed with the department. Grain dealers may be exempted by rule from the bonding requirement if the grain dealer does not do more than one hundred thousand dollars in business annually and makes payments solely in coin or currency of the United States at the time of obtaining possession or control of grain. However, a cashier's check, certified check, or bankdraft may be considered as cash for purposes of this section.

**West's RCWA 22.09.075**

**22.09.075. Grain dealer licenses--Issuance--Posting--Duration**

The department shall issue a grain dealer license to an applicant upon its determination that the application is in its proper form and upon approval of the matters contained on the application and upon a showing that the applicant has complied with the provisions of this chapter and rules adopted hereunder. The licensee shall immediately upon receipt of the license post it in a conspicuous place in its principal place of business. The license expires automatically on a date set by rule by the director unless it has been revoked, canceled, or suspended by the department before that date. Fees shall be prorated where necessary in order to accommodate staggered renewal of a license or licenses.

**West's RCWA 22.09.080**

**22.09.080. Licenses--Denial--Suspension--Revocation**

The department is authorized to deny, suspend, or revoke a license after a hearing in any case in which it is determined that there has been a violation or refusal to comply with the requirements of this chapter, rules adopted hereunder, or the provisions of Article 7 of Title 62A RCW as enacted or hereafter amended. All hearings for the denial, suspension, or revocation of a license shall be subject to chapter 34.05 RCW (Administrative Procedure Act) as enacted or hereafter amended.

