
SUBSTITUTE SENATE BILL 5585

State of Washington 62nd Legislature 2011 Regular Session

By Senate Transportation (originally sponsored by Senator Carrell)

READ FIRST TIME 02/17/11.

1 AN ACT Relating to street rod and custom vehicles; amending RCW
2 46.16A.060 and 46.12.560; adding new sections to chapter 46.04 RCW;
3 adding new sections to chapter 46.12 RCW; adding a new section to
4 chapter 46.37 RCW; repealing RCW 46.04.3815, 46.04.571, 46.12.705, and
5 46.12.710; and providing an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.04 RCW
8 to read as follows:

9 "Street rod vehicle" means a motor vehicle that:

10 (1) Is a 1948 or older vehicle or the vehicle was manufactured
11 after 1948 to resemble a vehicle manufactured before 1949; and

12 (2) Has been altered from the manufacturer's original design or has
13 a body constructed from nonoriginal materials.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.12 RCW
15 to read as follows:

16 (1) With an application for an original certificate of title for a
17 street rod vehicle, the owner of the street rod vehicle must:

18 (a) Submit a certification that the street rod vehicle:

1 (i) Will be maintained for occasional transportation, exhibitions,
2 club activities, parades, tours, and similar uses; and

3 (ii) Will not be used for general daily transportation; and

4 (b) Provide a certificate of vehicle inspection as required under
5 RCW 46.12.560(4).

6 (2) The model year and the year of manufacture that are listed on
7 the certificate of title of a street rod vehicle must be the model year
8 and year of manufacture that the body of the street rod vehicle
9 resembles.

10 (3) Unless the presence of the equipment was specifically required
11 by law as a condition of sale in the year listed as the year of
12 manufacture on the certificate of title, the presence of any specific
13 equipment is not required for the operation of a street rod vehicle
14 titled under this section.

15 (4) A street rod vehicle must be registered under RCW 46.18.220.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.04 RCW
17 to read as follows:

18 "Custom vehicle" means any motor vehicle that:

19 (1) Is at least twenty-five years old and of a model year after
20 1948 or was manufactured to resemble a vehicle at least twenty-five
21 years old and of a model year after 1948; and

22 (2) Has been altered from the manufacturer's original design or has
23 a body constructed from nonoriginal materials.

24 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.12 RCW
25 to read as follows:

26 (1) With an application for an original certificate of title for a
27 custom vehicle, the owner of the custom vehicle must:

28 (a) Submit a certification that the custom vehicle:

29 (i) Will be maintained for occasional transportation, exhibitions,
30 club activities, parades, tours, and similar uses; and

31 (ii) Will not be used for general daily transportation; and

32 (b) Provide a certificate of vehicle inspection as required under
33 RCW 46.12.560(4).

34 (2) The model year and the year of manufacture that are listed on
35 the certificate of title of a custom vehicle must be the model year and
36 year of manufacture that the body of the custom vehicle resembles.

1 (3) Unless the presence of the equipment was specifically required
2 by law as a condition of sale in the year listed as the year of
3 manufacture on the certificate of title, the presence of any specific
4 equipment is not required for the operation of a custom vehicle titled
5 under this section.

6 (4) A custom vehicle must be registered under RCW 46.18.220.

7 **Sec. 5.** RCW 46.16A.060 and 2010 c 161 s 406 are each amended to
8 read as follows:

9 (1) The department, county auditor or other agent, or subagent
10 appointed by the director may not issue or renew a motor vehicle
11 registration or change the registered owner of a registered vehicle for
12 any motor vehicle required to be inspected under chapter 70.120 RCW,
13 unless the application for issuance or renewal is: (a) Accompanied by
14 a valid certificate of compliance or a valid certificate of acceptance
15 issued as required under chapter 70.120 RCW; or (b) exempt, as
16 described in subsection (2) of this section. The certificates must
17 have a date of validation that is within twelve months of the assigned
18 registration renewal date. Certificates for fleet or owner tested
19 diesel vehicles may have a date of validation that is within twelve
20 months of the assigned registration renewal date.

21 (2) The following motor vehicles are exempt from emission test
22 requirements:

23 (a) Motor vehicles that are less than five years old or more than
24 twenty-five years old;

25 (b) Motor vehicles that are a 2009 model year or newer;

26 (c) Motor vehicles powered exclusively by electricity, propane,
27 compressed natural gas, or liquid petroleum gas;

28 (d) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles
29 as defined in RCW 46.04.332;

30 (e) Farm vehicles as defined in RCW 46.04.181;

31 (f) Street rod vehicles as defined in section 1 of this act and
32 custom vehicles as defined in section 3 of this act;

33 (g) Used vehicles that are offered for sale by a motor vehicle
34 dealer licensed under chapter 46.70 RCW;

35 ((g)) (h) Classes of motor vehicles exempted by the director of
36 the department of ecology; and

1 (~~(h)~~) (i) Hybrid motor vehicles that obtain a rating by the
2 environmental protection agency of at least fifty miles per gallon of
3 gas during city driving. For purposes of this section, a hybrid motor
4 vehicle is one that uses propulsion units powered by both electricity
5 and gas.

6 (3) The department of ecology shall provide information to motor
7 vehicle owners:

8 (a) Regarding the boundaries of emission contributing areas and
9 restrictions established under this section that apply to vehicles
10 registered in such areas; and

11 (b) On the relationship between motor vehicles and air pollution
12 and steps motor vehicle owners should take to reduce motor vehicle
13 related air pollution.

14 (4) The department of licensing shall:

15 (a) Notify all registered motor vehicle owners affected by the
16 emission testing program that they must have an emission test to renew
17 their registration;

18 (b) Adopt rules implementing and enforcing this section, except for
19 subsection (2)(e) of this section, as specified in chapter 34.05 RCW.

20 (5) A motor vehicle may not be registered, leased, rented, or sold
21 for use in the state, starting with the model year as provided in RCW
22 70.120A.010, unless the vehicle:

23 (a) Has seven thousand five hundred miles or more; or

24 (b)(i) Is consistent with the vehicle emission standards and carbon
25 dioxide equivalent emission standards adopted by the department of
26 ecology; and

27 (ii) Has a California certification label for all emission
28 standards, and carbon dioxide equivalent emission standards necessary
29 to meet fleet average requirements.

30 (6) The department of licensing, in consultation with the
31 department of ecology, may adopt rules necessary to implement this
32 section and may provide for reasonable exemptions to these
33 requirements. The department of ecology may exempt public safety
34 vehicles from meeting the standards where the department finds that
35 vehicles necessary to meet the needs of public safety agencies are not
36 otherwise reasonably available.

1 **Sec. 6.** RCW 46.12.560 and 2010 c 161 s 303 are each amended to
2 read as follows:

3 (1)(a) Before accepting an application for a certificate of title,
4 the department, county auditor or other agent, or subagent appointed by
5 the director shall require an applicant to provide a certificate of
6 vehicle inspection completed by the Washington state patrol or other
7 authorized inspector if the vehicle:

8 (i) Was declared a total loss or salvage vehicle under the laws of
9 this state;

10 (ii) Has been rebuilt after the certificate of title was returned
11 to the department under RCW 46.12.600 and the vehicle was not kept by
12 the registered owner at the time of the vehicle's destruction or
13 declaration as a total loss; or

14 (iii) Is presented with documents from another state showing that
15 the vehicle was a total loss or salvage vehicle and has not been
16 reissued a valid registration certificate from that state after the
17 declaration of total loss or salvage.

18 (b) A vehicle presented for inspection must have all damaged major
19 component parts replaced or repaired to meet all requirements in law
20 and rule before the Washington state patrol will inspect the vehicle.
21 The inspection must verify that the vehicle identification number is
22 genuine and agrees with the number shown on the certificate of title
23 and registration certificate.

24 (c) A Washington state patrol vehicle identification number
25 specialist must ensure that all major component parts used for the
26 reconstruction of a salvage or rebuilt vehicle were obtained legally,
27 and must securely attach a marking at the driver's door latch pillar
28 indicating the vehicle was previously destroyed or declared a total
29 loss. It is a class C felony for a person to remove the marking
30 indicating that the vehicle was previously destroyed or declared a
31 total loss.

32 (2) A person presenting a vehicle for inspection under subsection
33 (1) of this section must provide original invoices for new and used
34 parts from:

35 (a) A vendor that is registered with the department of revenue or
36 a comparable agency in the jurisdiction where the major component parts
37 were purchased for the collection of retail sales or use taxes. The
38 invoices must include:

1 (i) The name and address of the business;
2 (ii) A description of the part or parts sold;
3 (iii) The date of sale; and
4 (iv) The amount of sale to include all taxes paid unless exempted
5 by the department of revenue or a comparable agency in the jurisdiction
6 where the major component parts were purchased;
7 (b) A vehicle wrecker licensed under chapter 46.80 RCW or a
8 comparable business in the jurisdiction outside Washington state where
9 the major component part was purchased; and
10 (c) Private individuals. The private individual must have the
11 certificate of title to the vehicle where the parts were taken from
12 unless the parts were obtained from a parts car(~~(, as defined in RCW~~
13 ~~46.04.3815,)~~) owned by a collector. Bills of sale for parts must be
14 notarized and include:
15 (i) The names and addresses of the sellers and purchasers;
16 (ii) A description of the vehicle and the part or parts being sold,
17 including the make, model, year, and identification or serial number;
18 (iii) The date of sale; and
19 (iv) The purchase price of the vehicle part or parts.
20 (3) A person presenting a vehicle for inspection under this section
21 who is unable to provide an acceptable release of interest or proof of
22 ownership for a vehicle or major component part as described in this
23 section shall apply for an ownership in doubt application described in
24 RCW 46.12.680.
25 (4)(a) Before accepting an application for a certificate of title,
26 the department, county auditor or other agent, or subagent appointed by
27 the director shall require an applicant to provide a certificate of
28 vehicle inspection completed by the Washington state patrol or other
29 authorized inspector when the application is for a vehicle being titled
30 for the first time as:
31 (i) Assembled;
32 (ii) Glider kit;
33 (iii) Homemade;
34 (iv) Kit vehicle;
35 (v) Street rod vehicle; (~~(or)~~)
36 (vi) Custom vehicle; or
37 (vii) Subject to ownership in doubt under RCW 46.12.680.

1 (b) The inspection must verify that the vehicle identification
2 number is genuine and agrees with the number shown on the certificate
3 of title and registration certificate.

4 (5)(a) Before accepting an application for a certificate of title,
5 the department, county auditor or other agent, or subagent appointed by
6 the director shall require an applicant to provide a certificate of
7 vehicle inspection completed by the Washington state patrol when the
8 application is for a vehicle with a vehicle identification number that
9 has been:

- 10 (i) Altered;
- 11 (ii) Defaced;
- 12 (iii) Obliterated;
- 13 (iv) Omitted;
- 14 (v) Removed; or
- 15 (vi) Otherwise absent.

16 (b) The application must include payment of the fee required in RCW
17 46.17.135.

18 (c) The Washington state patrol shall assign a new vehicle
19 identification number to the vehicle and place or stamp the new number
20 in a conspicuous position on the vehicle.

21 (d) The department shall use the new vehicle identification number
22 assigned by the Washington state patrol as the official vehicle
23 identification number assigned to the vehicle.

24 (6) The department may adopt rules as necessary to implement this
25 section.

26 NEW SECTION. **Sec. 7.** A new section is added to chapter 46.37 RCW
27 to read as follows:

28 A street rod or custom vehicle may use blue dot taillights for stop
29 lamps, rear turning indicator lamps, rear hazard lamps, and rear
30 reflectors. For the purposes of this section, "blue dot taillight"
31 means a red lamp installed in the rear of a motor vehicle containing a
32 blue or purple insert that is not more than one inch in diameter.

33 NEW SECTION. **Sec. 8.** The following acts or parts of acts are each
34 repealed:

35 (1) RCW 46.04.3815 (Parts car) and 2010 c 161 s 130 & 1996 c 225 s
36 3;

1 (2) RCW 46.04.571 (Street rod vehicle) and 1999 c 58 s 1 & 1996 c
2 225 s 4;

3 (3) RCW 46.12.705 (Parts cars) and 1996 c 225 s 7; and

4 (4) RCW 46.12.710 (Street rod vehicles) and 2010 c 161 s 323 & 1996
5 c 225 s 6.

6 NEW SECTION. **Sec. 9.** This act takes effect October 1, 2011.

--- END ---