

WAC 308-99-020 Definitions. (1) **What is a resident?** For the purposes of this section, a resident is a natural person who lives or shows intent to live in this state on more than a temporary or transient basis.

You will be presumed a resident if you meet one of the following:

- (a) You are a registered voter in this state; or
- (b) You receive benefits under one of the Washington public assistance programs; or
- (c) You declare that you are a resident for the purpose of obtaining a state driver's license, a hunting or fishing license or tuition fees at resident rates.

A natural person may be a resident of this state even though that person has or claims residency or domicile in another state or intends to leave this state at some future time. A natural person will be presumed a resident if at least two of the following conditions are met:

- (i) You maintain a residence in this state for personal use;
- (ii) You have a Washington state driver's license or a Washington state resident hunting or fishing license;
- (iii) You use a Washington state address for federal income tax or state tax purposes;
- (iv) You have previously maintained a residence in this state for personal use and have not established a permanent residence outside the state of Washington (for example, a person who retires and lives in a motor home or vessel which is not permanently attached to any property);
- (v) You claim this state as residence for obtaining eligibility to hold a public office or for judicial actions;
- (vi) You are a custodial parent with a child attending public schools in this state.

The department may consider factors other than those listed in this subsection to determine that a person intends to be located in or be a resident of this state. However, the department may not consider those factors alone to presume residency.

A natural person who is a resident of Washington may not form a corporation, trust or other entity in another jurisdiction for the purpose of evading Washington vehicle registration.

(2) **Who are "military personnel"?** "Military personnel" means active duty members of the United States armed forces including the United States Coast Guard, Army, Navy, Marines, Air Force, commissioned officers of the public health service, personnel from National Oceanographic and Atmospheric Agency, and members of foreign military organizations assigned to this state on official duty. Coast guard personnel living in Washington and assigned to duty in the Portland area are also entitled to a nonresident military exemption.

(3) **What is a "jurisdiction"?** "Jurisdiction" means a state, territory, or possession of the United States, the District of Columbia, or a state or province of a country.

(4) **What is "reciprocity"?** "Reciprocity" means an agreement with another jurisdiction granting mutual benefits, privileges, or exemptions from payment of vehicle registration fees. Reciprocity will only be extended to vehicles that are properly registered in another jurisdiction.

(5) **What is a "Washington public assistance program"?** "Washington public assistance program" is defined in RCW 46.16.028.

(6) **What is a "natural person"?** For the purpose of this section, a "natural person" is a human being, as distinguished from an artificial person created by law.

[Statutory Authority: RCW 46.01.110. WSR 05-01-048, § 308-99-020, filed 12/7/04, effective 1/7/05; WSR 00-20-064, § 308-99-020, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110, 46.16.276 and 46.85.060 as amended by 1987 c 142 § 4. WSR 87-21-013 (Order TL/RG 37), § 308-99-020, filed 10/9/87. Statutory Authority: RCW 46.85.060, 46.16.028 and 46.01.110. WSR 86-14-016 (Order TL/RG 26), § 308-99-020, filed 6/24/86. Statutory Authority: RCW 46.85.060. WSR 85-20-080 (Order TL/RG 17), § 308-99-020, filed 9/30/85. Statutory Authority: 1982 c 227 § 18 et seq. WSR 83-19-009 (Order 729-DOL), § 308-99-020, filed 9/9/83. Formerly WAC 410-20-020.]