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SENATE BILL 5233

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State of Washington                      54th Legislature                      1995 Regular Session

By Senators Owen and Prince; by request of Department of Transportation

Read first time 01/16/95. Referred to Committee on Transportation.

1            AN ACT Relating to transferring the aeronautics account and the  
2 aircraft search and rescue, safety, and education account from the  
3 general fund to the transportation fund; and amending RCW 82.42.090,  
4 82.48.080, 47.68.250, and 47.68.236.

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

6            **Sec. 1.** RCW 82.42.090 and 1991 sp.s. c 13 s 37 are each amended to  
7 read as follows:

8            All moneys collected by the director from the aircraft fuel excise  
9 tax as provided in RCW 82.42.020 shall be transmitted to the state  
10 treasurer and shall be credited to the aeronautics account hereby  
11 created in the transportation fund of the state treasury. Moneys  
12 collected from the consumer or user of aircraft fuel from either the  
13 use tax imposed by RCW 82.12.020 or the retail sales tax imposed by RCW  
14 82.08.020 shall be transmitted to the state treasurer and credited to  
15 the state general fund.

16            **Sec. 2.** RCW 82.48.080 and 1987 c 220 s 8 are each amended to read  
17 as follows:

1       The secretary shall regularly pay to the state treasurer the excise  
2 taxes collected under this chapter, which shall be credited by the  
3 state treasurer as follows: Ninety percent to the general fund and ten  
4 percent to the aeronautics account in the (~~general~~) transportation  
5 fund for administrative expenses.

6       **Sec. 3.** RCW 47.68.250 and 1993 c 208 s 7 are each amended to read  
7 as follows:

8       Every aircraft shall be registered with the department for each  
9 calendar year in which the aircraft is operated or is based within this  
10 state. A fee of four dollars shall be charged for each such  
11 registration and each annual renewal thereof.

12       Possession of the appropriate effective federal certificate,  
13 permit, rating, or license relating to ownership and airworthiness of  
14 the aircraft, and payment of the excise tax imposed by Title 82 RCW for  
15 the privilege of using the aircraft within this state during the year  
16 for which the registration is sought, and payment of the registration  
17 fee required by this section shall be the only requisites for  
18 registration of an aircraft under this section.

19       The registration fee imposed by this section shall be payable to  
20 and collected by the secretary. The fee for any calendar year must be  
21 paid during the month of January, and shall be collected by the  
22 secretary at the time of the collection by him or her of the said  
23 excise tax. If the secretary is satisfied that the requirements for  
24 registration of the aircraft have been met, he or she shall thereupon  
25 issue to the owner of the aircraft a certificate of registration  
26 therefor. The secretary shall pay to the state treasurer the  
27 registration fees collected under this section, which registration fees  
28 shall be credited to the aeronautics account in the (~~general~~)  
29 transportation fund.

30       It shall not be necessary for the registrant to provide the  
31 secretary with originals or copies of federal certificates, permits,  
32 ratings, or licenses. The secretary shall issue certificates of  
33 registration, or such other evidences of registration or payment of  
34 fees as he or she may deem proper; and in connection therewith may  
35 prescribe requirements for the possession and exhibition of such  
36 certificates or other evidences.

37       The provisions of this section shall not apply to:

1 (1) An aircraft owned by and used exclusively in the service of any  
2 government or any political subdivision thereof, including the  
3 government of the United States, any state, territory, or possession of  
4 the United States, or the District of Columbia, which is not engaged in  
5 carrying persons or property for commercial purposes;

6 (2) An aircraft registered under the laws of a foreign country;

7 (3) An aircraft which is owned by a nonresident and registered in  
8 another state: PROVIDED, That if said aircraft shall remain in and/or  
9 be based in this state for a period of ninety days or longer it shall  
10 not be exempt under this section;

11 (4) An aircraft engaged principally in commercial flying  
12 constituting an act of interstate or foreign commerce;

13 (5) An aircraft owned by the commercial manufacturer thereof while  
14 being operated for test or experimental purposes, or for the purpose of  
15 training crews for purchasers of the aircraft;

16 (6) An aircraft being held for sale, exchange, delivery, test, or  
17 demonstration purposes solely as stock in trade of an aircraft dealer  
18 licensed under Title 14 RCW;

19 (7) An aircraft based within the state that is in an unairworthy  
20 condition, is not operated within the registration period, and has  
21 obtained a written exemption issued by the secretary.

22 The secretary shall be notified within one week of any change in  
23 ownership of a registered aircraft. The notification shall contain the  
24 N, NC, NR, NL, or NX number of the aircraft, the full name and address  
25 of the former owner, and the full name and address of the new owner.  
26 For failure to so notify the secretary, the registration of that  
27 aircraft may be canceled by the secretary, subject to reinstatement  
28 upon application and payment of a reinstatement fee of ten dollars by  
29 the new owner.

30 **Sec. 4.** RCW 47.68.236 and 1991 sp.s. c 13 s 38 are each amended to  
31 read as follows:

32 There is hereby created in the transportation fund of the state  
33 treasury an account to be known as the aircraft search and rescue,  
34 safety, and education account. All moneys received by the department  
35 under RCW 47.68.233 shall be deposited in such account.

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