

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1457

Chapter 241, Laws of 1997

55th Legislature
1997 Regular Session

PERMITS AND CERTIFICATES--ISSUANCE AND COST

EFFECTIVE DATE: 7/27/97

Passed by the House April 19, 1997
Yeas 91 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate April 10, 1997
Yeas 46 Nays 0

BRAD OWEN
President of the Senate

Approved May 1, 1997

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1457** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 1, 1997 - 11:15 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 1457

Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

State of Washington

55th Legislature

1997 Regular Session

By Representatives Chandler, Fisher and Zellinsky; by request of Department of Licensing

Read first time 01/28/97. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to permits and certificates issued by the
2 department of licensing; amending RCW 46.09.070, 46.10.040, 46.12.010,
3 46.12.080, 46.12.170, 46.12.181, 46.16.210, 46.16.220, 46.16.305,
4 46.16.630, 88.02.075, 46.16.010, and 46.37.010; and adding a new
5 section to chapter 46.16 RCW.

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

7 **Sec. 1.** RCW 46.09.070 and 1986 c 206 s 4 are each amended to read
8 as follows:

9 (1) Application for annual or temporary ORV use permits shall be
10 made to the department or its authorized agent in such manner and upon
11 such forms as the department shall prescribe and shall state the name
12 and address of each owner of the off-road vehicle.

13 (2) An application for an annual permit shall be signed by at least
14 one owner, and shall be accompanied by a fee of five dollars. Upon
15 receipt of the annual permit application and the application fee, the
16 off-road vehicle shall be assigned a use permit number tag or decal,
17 which shall be affixed to the off-road vehicle in a manner prescribed
18 by the department. The annual permit is valid for a period of one year
19 and is renewable each year in such manner as the department may

1 prescribe for an additional period of one year upon payment of a
2 renewal fee of five dollars.

3 Any person acquiring an off-road vehicle for which an annual permit
4 has been issued who desires to continue to use the permit must, within
5 fifteen days of the acquisition of the off-road vehicle, make
6 application to the department or its authorized agent for transfer of
7 the permit, and the application shall be accompanied by a transfer fee
8 of one dollar and twenty-five cents.

9 (3) A temporary use permit is valid for sixty days. Application
10 for a temporary permit shall be accompanied by a fee of two dollars.
11 The permit shall be carried on the vehicle at all times during its
12 operation in the state.

13 (4) Except as provided in RCW 46.09.050, any out-of-state operator
14 of an off-road vehicle shall, when operating in this state, comply with
15 this chapter, and if an ORV use permit is required under this chapter,
16 the operator shall obtain an annual or temporary permit and tag.

17 **Sec. 2.** RCW 46.10.040 and 1996 c 164 s 1 are each amended to read
18 as follows:

19 Application for registration shall be made to the department in the
20 manner and upon forms the department prescribes, and shall state the
21 name and address of each owner of the snowmobile to be registered, and
22 shall be signed by at least one such owner, and shall be accompanied by
23 an annual registration fee to be established by the commission, after
24 consultation with the committee and any state-wide snowmobile user
25 groups. The fee shall be fifteen dollars pending action by the
26 commission to increase the fee. The commission shall increase the fee
27 by two dollars and fifty cents effective September 30, 1996, and the
28 commission shall increase the fee by another two dollars and fifty
29 cents effective September 30, 1997. After the fee increase effective
30 September 30, 1997, the commission shall not increase the fee. Upon
31 receipt of the application and the application fee, the snowmobile
32 shall be registered and a registration number assigned, which shall be
33 affixed to the snowmobile in a manner provided in RCW 46.10.070.

34 The registration provided in this section shall be valid for a
35 period of one year. At the end of the period of registration, every
36 owner of a snowmobile in this state shall renew his or her registration
37 in the manner the department prescribes, for an additional period of

1 one year, upon payment of the annual registration fee as determined by
2 the commission.

3 Any person acquiring a snowmobile already validly registered under
4 the provisions of this chapter must, within ten days of the acquisition
5 or purchase of the snowmobile, make application to the department for
6 transfer of the registration, and the application shall be accompanied
7 by a transfer fee of one dollar and twenty-five cents.

8 A snowmobile owned by a resident of another state or Canadian
9 province where registration is not required by law may be issued a
10 nonresident registration permit valid for not more than sixty days.
11 Application for the permit shall state the name and address of each
12 owner of the snowmobile to be registered and shall be signed by at
13 least one owner and shall be accompanied by a registration fee of five
14 dollars. The registration permit shall be carried on the vehicle at
15 all times during its operation in this state.

16 The registration fees provided in this section shall be in lieu of
17 any personal property or excise tax heretofore imposed on snowmobiles
18 by this state or any political subdivision thereof, and no city,
19 county, or other municipality, and no state agency shall hereafter
20 impose any other registration or license fee on any snowmobile in this
21 state.

22 The department shall make available a pair of uniform decals
23 consistent with the provisions of RCW 46.10.070. In addition to the
24 registration fee provided in this section the department shall charge
25 each applicant for registration the actual cost of the decal. The
26 department shall make available replacement decals for a fee equivalent
27 to the actual cost of the decals.

28 **Sec. 3.** RCW 46.12.010 and 1979 c 158 s 132 are each amended to
29 read as follows:

30 It shall be unlawful for any person to operate any vehicle in this
31 state under a certificate of license registration of this state without
32 securing and having in full force and effect a certificate of ownership
33 therefor that contains the name of the registered owner exactly as it
34 appears on the certificate of license registration and it shall further
35 be unlawful for any person to sell or transfer any vehicle without
36 complying with all the provisions of this chapter relating to
37 certificates of ownership and license registration of vehicles:
38 PROVIDED, No certificate of title need be obtained for a vehicle owned

1 by a manufacturer or dealer and held for sale, even though incidentally
2 moved on the highway or used for purposes of testing and demonstration,
3 or a vehicle used by a manufacturer solely for testing: PROVIDED, That
4 a security interest in a vehicle held as inventory by a manufacturer or
5 dealer shall be perfected in accordance with RCW 62A.9-302(1) and no
6 endorsement on the certificate of title shall be necessary for
7 perfection: AND PROVIDED FURTHER, That nothing in this title shall be
8 construed to prevent any person entitled thereto from securing a
9 certificate of ownership upon a vehicle (~~other than a travel trailer~~
10 ~~or camper~~)) without securing a certificate of license registration and
11 vehicle license plates, when, in the judgment of the director of
12 licensing, it is proper to do so.

13 **Sec. 4.** RCW 46.12.080 and 1979 ex.s. c 113 s 1 are each amended to
14 read as follows:

15 Any person holding the certificate of (~~license registration~~)
16 ownership for a motorcycle or any vehicle registered by its motor
17 number in which there has been installed a new or different motor than
18 that with which it was issued certificates of ownership and license
19 registration shall forthwith and within five days after such
20 installation forward and surrender such certificates to the department,
21 together with an application for issue of corrected certificates of
22 ownership and license registration and a fee of one dollar and twenty-
23 five cents, and a statement of the disposition of the former motor.
24 The possession by any person of any such certificates for such vehicle
25 in which a new or different motor has been installed, after five days
26 following such installation, shall be prima facie evidence of a
27 violation of the provisions of this chapter and shall constitute a
28 misdemeanor.

29 **Sec. 5.** RCW 46.12.170 and 1994 c 262 s 6 are each amended to read
30 as follows:

31 If, after a certificate of ownership is issued, a security interest
32 is granted on the vehicle described therein, the registered owner or
33 secured party shall, within ten days thereafter, present an application
34 to the department, to which shall be attached the certificate of
35 ownership last issued covering the vehicle, or such other documentation
36 as may be required by the department, which application shall be upon
37 a form (~~provided~~) approved by the department and shall be accompanied

1 by a fee of one dollar and twenty-five cents in addition to all other
2 fees. The department, if satisfied that there should be a reissue of
3 the certificate, shall note such change upon the vehicle records and
4 issue to the secured party a new certificate of ownership.

5 Whenever there is no outstanding secured obligation and no
6 commitment to make advances and incur obligations or otherwise give
7 value, the secured party must assign the certificate of ownership to
8 the debtor or the debtor's assignee and transmit the certificate to the
9 department with an accompanying fee of one dollar and twenty-five cents
10 in addition to all other fees. The department shall then issue a new
11 certificate of ownership and transmit it to the owner. If the affected
12 secured party fails to either assign or transmit the certificate of
13 ownership to the department within ten days after proper demand, that
14 secured party shall be liable to the debtor for one hundred dollars,
15 and in addition for any loss caused to the debtor by such failure.

16 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.16 RCW
17 to read as follows:

18 If a certificate of license registration is lost, stolen,
19 mutilated, or destroyed or becomes illegible, the registered owner or
20 owners, as shown by the records of the department, shall promptly make
21 application for and may obtain a duplicate upon tender of one dollar
22 and twenty-five cents in addition to all other fees and upon furnishing
23 information satisfactory to the department. The duplicate of the
24 license registration shall contain the legend, "duplicate."

25 A person recovering an original certificate of license registration
26 for which a duplicate has been issued shall promptly surrender the
27 original certificate to the department.

28 **Sec. 7.** RCW 46.12.181 and 1994 c 262 s 7 are each amended to read
29 as follows:

30 If a certificate of ownership (~~or a certificate of license~~
31 ~~registration~~) is lost, stolen, mutilated, or destroyed or becomes
32 illegible, the first priority secured party or, if none, the owner or
33 legal representative of the owner named in the certificate, as shown by
34 the records of the department, shall promptly make application for and
35 may obtain a duplicate upon tender of one dollar and twenty-five cents
36 in addition to all other fees and upon furnishing information
37 satisfactory to the department. The duplicate certificate of ownership

1 ((or license registration)) shall contain the legend, "((This is a))
2 duplicate ((certificate))." It shall be ((mailed)) provided to the
3 first priority secured party named in it or, if none, to the owner.

4 A person recovering an original certificate of ownership ((or title
5 registration)) for which a duplicate has been issued shall promptly
6 surrender the original certificate to the department.

7 **Sec. 8.** RCW 46.16.210 and 1994 c 262 s 9 are each amended to read
8 as follows:

9 (1) Upon receipt of the application and proper fee for original
10 vehicle license, the director shall make a recheck of the application
11 and in the event that there is any error in the application it may be
12 returned to the county auditor or other agent to effectively secure the
13 correction of such error, who shall return the same corrected to the
14 director.

15 (2) Application for the renewal of a vehicle license shall be made
16 to the director or his agents, including county auditors, by the
17 registered owner on a form prescribed by the director. The application
18 must be accompanied by the certificate of registration for the last
19 registration period in which the vehicle was registered in Washington
20 unless the applicant submits a preprinted application mailed from
21 Olympia, and the payment of such license fees and excise tax as may be
22 required by law. Such application shall be handled in the same manner
23 and the fees transmitted to the state treasurer in the same manner as
24 in the case of an original application. Any such application which
25 upon validation becomes a renewal certificate need not have entered
26 upon it the name of the lien holder, if any, of the vehicle concerned.

27 (3) Persons expecting to be out of the state during the normal
28 ((forty-five day)) renewal period of a vehicle license may secure
29 renewal of such vehicle license and have license plates or tabs
30 preissued by making application to the director or his agents upon
31 forms prescribed by the director. The application must be accompanied
32 by the certificate of registration for the last registration period in
33 which the vehicle was registered in Washington and be accompanied by
34 such license fees, and excise tax as may be required by law.

35 (4) Application for the annual renewal of a vehicle license number
36 plate to the director or ((his)) the director's agents shall not be
37 required for those vehicles owned, rented, or leased by the state of
38 Washington, or by any county, city, town, school district, or other

1 political subdivision of the state of Washington or a governing body of
2 an Indian tribe located within this state and recognized as a
3 governmental entity by the United States department of the interior.

4 **Sec. 9.** RCW 46.16.220 and 1991 c 339 s 20 are each amended to read
5 as follows:

6 Vehicle licenses and vehicle license number plates may be renewed
7 for the subsequent registration year (~~(on and after the forty-fifth day~~
8 ~~prior to the end of))~~ up to eighteen months before the current
9 ~~((registration year))~~ expiration date and must be used and displayed
10 from the date of issue or from the day of the expiration of the
11 preceding registration year, whichever date is later.

12 **Sec. 10.** RCW 46.16.305 and 1990 c 250 s 2 are each amended to read
13 as follows:

14 The department shall continue to issue, under RCW 46.16.301 and the
15 department's rules implementing RCW 46.16.301 through 46.16.332, the
16 categories of special plates issued by the department under the
17 sections repealed under section (~~(13)~~) 12 (1) through (7), chapter 250,
18 Laws of 1990. Special license plates issued under those repealed
19 sections before January 1, 1991, are valid to the extent and under the
20 conditions provided in those repealed sections. The following
21 conditions, limitations, or requirements apply to certain special
22 license plates issued after January 1, 1991:

23 (1) A horseless carriage plate and a plate or plates issued for
24 collectors' vehicles more than thirty years old, upon payment of the
25 initial fees required by law and the additional special license plate
26 fee established by the department, are valid for the life of the
27 vehicle for which application is approved by the department. When a
28 single plate is issued, it shall be displayed on the rear of the
29 vehicle.

30 (2) The department may issue special license plates denoting
31 amateur radio operator status only to persons having a valid official
32 radio operator license issued (~~(for a term of five years))~~) by the
33 federal communications commission.

34 (3) The department shall issue one set of special license plates to
35 each resident of this state who has been awarded the Congressional
36 Medal of Honor for use on a passenger vehicle registered to that

1 person. The department shall issue the plate without the payment of
2 any fees.

3 (4) The department may issue for use on only one motor vehicle
4 owned by the qualified applicant special license plates denoting that
5 the recipient of the plate is a survivor of the attack on Pearl Harbor
6 on December 7, 1941, to persons meeting all of the following criteria:

7 (a) Is a resident of this state;

8 (b) Was a member of the United States Armed Forces on December 7,
9 1941;

10 (c) Was on station on December 7, 1941, during the hours of 7:55
11 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or
12 offshore at a distance not to exceed three miles;

13 (d) Received an honorable discharge from the United States Armed
14 Forces; and

15 (e) Is certified by a Washington state chapter of the Pearl Harbor
16 survivors association as satisfying the qualifications in (c) of this
17 subsection.

18 The department may issue such plates to the surviving spouse of any
19 deceased Pearl Harbor survivor who met the requirements of this
20 subsection. If the surviving spouse remarries, he or she shall return
21 the special plates to the department within fifteen days and apply for
22 regular plates. The surviving spouse must be a resident of this state.

23 The department shall issue these plates upon payment by the
24 applicant of all other license fees, but the department may not set or
25 charge an additional fee for these special license plates under RCW
26 46.16.313.

27 (5) The department shall replace, free of charge, special license
28 plates issued under subsections (3) and (4) of this section if they are
29 lost, stolen, damaged, defaced, or destroyed. Such plates shall remain
30 with the persons upon transfer or other disposition of the vehicle for
31 which they were initially issued, and may be used on another vehicle
32 registered to the recipient in accordance with the provisions of RCW
33 46.16.316(1).

34 **Sec. 11.** RCW 46.16.630 and 1979 ex.s. c 213 s 5 are each amended
35 to read as follows:

36 Application for registration of a moped shall be made to the
37 department of licensing in such manner and upon such forms as the
38 department shall prescribe, and shall state the name and address of

1 each owner of the moped to be registered, the vehicle identification
2 number, and such other information as the department may require, and
3 shall be accompanied by a registration fee of three dollars. Upon
4 receipt of the application and the application fee, the moped shall be
5 registered and a registration number assigned, which shall be affixed
6 to the moped in the manner as provided by rules adopted by the
7 department. The registration provided in this section shall be valid
8 for a period of twelve months.

9 Every owner of a moped in this state shall renew the registration,
10 in such manner as the department shall prescribe, for an additional
11 period of twelve months, upon payment of a renewal fee of three
12 dollars.

13 Any person acquiring a moped already validly registered must,
14 within fifteen days of the acquisition or purchase of the moped, make
15 application to the department for transfer of the registration, and the
16 application shall be accompanied by a transfer fee of one dollar and
17 twenty-five cents.

18 The registration fees provided in this section shall be in lieu of
19 any personal property tax or the vehicle excise tax imposed by chapter
20 82.44 RCW.

21 The department shall, at the time the registration number is
22 assigned, make available a decal or other identifying device to be
23 displayed on the moped. A fee of one dollar and fifty cents shall be
24 charged for the decal or other identifying device.

25 The provisions of RCW 46.01.130 and 46.01.140 shall apply to
26 applications for the issuance of registration numbers or renewals or
27 transfers thereof for mopeds as they do to the issuance of vehicle
28 licenses, the appointment of agents, and the collection of application
29 fees. Except for the fee collected pursuant to RCW 46.01.140, all fees
30 collected under this section shall be deposited in the motor vehicle
31 fund.

32 **Sec. 12.** RCW 88.02.075 and 1986 c 71 s 1 are each amended to read
33 as follows:

34 (1) If a certificate of (~~title~~) ownership, a certificate of
35 registration, or a pair of decals is lost, stolen, mutilated, or
36 destroyed or becomes illegible, the first priority secured party or, if
37 none, the owner or legal representative of the owner named in the
38 certificate, as shown by the records of the department, shall promptly

1 apply for and may obtain a duplicate certificate or replacement decals
2 upon payment of one dollar and twenty-five cents and furnishing
3 information satisfactory to the department.

4 (a) An application for a duplicate certificate of title shall be
5 accompanied by an affidavit of loss or destruction in a form approved
6 by the department and signed by the first secured party or, if none,
7 the owner or legal representative of the owner.

8 (b) An application for a duplicate certificate of registration or
9 replacement decals shall be accompanied by an affidavit of loss or
10 destruction in a form approved by the department and signed by the
11 registered owner or legal representative of the owner.

12 (2) The duplicate certificate of (~~title~~) ownership or
13 registration shall contain the legend, "~~(This is a)~~ duplicate
14 (~~certificate~~)." It shall be mailed to the first priority secured
15 party named in it or, if none, to the owner.

16 (3) A person recovering an original certificate of (~~title~~)
17 ownership, certificate of registration, or decal for which a duplicate
18 or replacement has been issued shall promptly surrender the original to
19 the department.

20 **Sec. 13.** RCW 46.16.010 and 1996 c 184 s 1 are each amended to read
21 as follows:

22 (1) It is unlawful for a person to operate any vehicle over and
23 along a public highway of this state without first having obtained and
24 having in full force and effect a current and proper vehicle license
25 and display vehicle license number plates therefor as by this chapter
26 provided. Failure to make initial registration before operation on the
27 highways of this state is a misdemeanor, and any person convicted
28 thereof shall be punished by a fine of no less than three hundred
29 thirty dollars, no part of which may be suspended or deferred. Failure
30 to renew an expired registration before operation on the highways of
31 this state is a traffic infraction.

32 (2) The licensing of a vehicle in another state by a resident of
33 this state, as defined in RCW 46.16.028, evading the payment of any tax
34 or license fee imposed in connection with registration, is a gross
35 misdemeanor punishable as follows:

36 (a) For a first offense, up to one year in the county jail and a
37 fine equal to twice the amount of delinquent taxes and fees, no part of
38 which may be suspended or deferred;

1 (b) For a second or subsequent offense, up to one year in the
2 county jail and a fine equal to four times the amount of delinquent
3 taxes and fees, no part of which may be suspended or deferred;

4 (c) For fines levied under (b) of this subsection, an amount equal
5 to the avoided taxes and fees owed shall be deposited in the vehicle
6 licensing fraud account created in the state treasury;

7 (d) The avoided taxes and fees shall be deposited and distributed
8 in the same manner as if the taxes and fees were properly paid in a
9 timely fashion.

10 (3) These provisions shall not apply to farm vehicles as defined in
11 RCW 46.04.181 if operated within a radius of fifteen miles of the farm
12 where principally used or garaged, farm tractors and farm implements
13 including trailers designed as cook or bunk houses used exclusively for
14 animal herding temporarily operating or drawn upon the public highways,
15 and trailers used exclusively to transport farm implements from one
16 farm to another during the daylight hours or at night when such
17 equipment has lights that comply with the law: PROVIDED FURTHER, That
18 these provisions shall not apply to spray or fertilizer applicator rigs
19 designed and used exclusively for spraying or fertilization in the
20 conduct of agricultural operations and not primarily for the purpose of
21 transportation, and nurse rigs or equipment auxiliary to the use of and
22 designed or modified for the fueling, repairing or loading of spray and
23 fertilizer applicator rigs and not used, designed or modified primarily
24 for the purpose of transportation: PROVIDED FURTHER, That these
25 provisions shall not apply to fork lifts operated during daylight hours
26 on public highways adjacent to and within five hundred feet of the
27 warehouses which they serve: PROVIDED FURTHER, That these provisions
28 shall not apply to vehicles used by the state parks and recreation
29 commission exclusively for park maintenance and operations upon public
30 highways within state parks: PROVIDED FURTHER, That these provisions
31 shall not apply to equipment defined as follows:

32 "Special highway construction equipment" is any vehicle which is
33 designed and used primarily for grading of highways, paving of
34 highways, earth moving, and other construction work on highways and
35 which is not designed or used primarily for the transportation of
36 persons or property on a public highway and which is only incidentally
37 operated or moved over the highway. It includes, but is not limited
38 to, road construction and maintenance machinery so designed and used
39 such as portable air compressors, air drills, asphalt spreaders,

1 bituminous mixers, bucket loaders, track laying tractors, ditchers,
2 leveling graders, finishing machines, motor graders, paving mixers,
3 road rollers, scarifiers, earth moving scrapers and carryalls, lighting
4 plants, welders, pumps, power shovels and draglines, self-propelled and
5 tractor-drawn earth moving equipment and machinery, including dump
6 trucks and tractor-dump trailer combinations which either (1) are in
7 excess of the legal width or (2) which, because of their length, height
8 or unladen weight, may not be moved on a public highway without the
9 permit specified in RCW 46.44.090 and which are not operated laden
10 except within the boundaries of the project limits as defined by the
11 contract, and other similar types of construction equipment, or (3)
12 which are driven or moved upon a public highway only for the purpose of
13 crossing such highway from one property to another, provided such
14 movement does not exceed five hundred feet and the vehicle is equipped
15 with wheels or pads which will not damage the roadway surface.

16 Exclusions:

17 "Special highway construction equipment" does not include any of
18 the following:

19 Dump trucks originally designed to comply with the legal size and
20 weight provisions of this code notwithstanding any subsequent
21 modification which would require a permit, as specified in RCW
22 46.44.090, to operate such vehicles on a public highway, including
23 trailers, truck-mounted transit mixers, cranes and shovels, or other
24 vehicles designed for the transportation of persons or property to
25 which machinery has been attached.

26 (4) The following vehicles, whether operated solo or in
27 combination, are exempt from license registration and displaying
28 license plates as required by this chapter:

29 (a) A converter gear used to convert a semitrailer into a trailer
30 or a two-axle truck or tractor into a three or more axle truck or
31 tractor or used in any other manner to increase the number of axles of
32 a vehicle. Converter gear includes an auxiliary axle, booster axle,
33 dolly, and jeep axle.

34 (b) A tow dolly that is used for towing a motor vehicle behind
35 another motor vehicle. The front or rear wheels of the towed vehicle
36 are secured to and rest on the tow dolly that is attached to the towing
37 vehicle by a tow bar.

1 **Sec. 14.** RCW 46.37.010 and 1989 c 178 s 22 are each amended to
2 read as follows:

3 (1) It is a traffic infraction for any person to drive or move or
4 for the owner to cause or knowingly permit to be driven or moved on any
5 highway any vehicle or combination of vehicles which is in such unsafe
6 condition as to endanger any person, or which does not contain those
7 parts or is not at all times equipped with such lamps and other
8 equipment in proper condition and adjustment as required in this
9 chapter or in regulations issued by the chief of the Washington state
10 patrol, or which is equipped in any manner in violation of this chapter
11 or the state patrol's regulations, or for any person to do any act
12 forbidden or fail to perform any act required under this chapter or the
13 state patrol's regulations.

14 (2) Nothing contained in this chapter or the state patrol's
15 regulations shall be construed to prohibit the use of additional parts
16 and accessories on any vehicle not inconsistent with the provisions of
17 this chapter or the state patrol's regulations.

18 (3) The provisions of the chapter and the state patrol's
19 regulations with respect to equipment on vehicles shall not apply to
20 implements of husbandry, road machinery, road rollers, or farm tractors
21 except as herein made applicable.

22 (4) No owner or operator of a farm tractor, self-propelled unit of
23 farm equipment, or implement of husbandry shall be guilty of a crime or
24 subject to penalty for violation of RCW 46.37.160 as now or hereafter
25 amended unless such violation occurs on a public highway.

26 (5) It is a traffic infraction for any person to sell or offer for
27 sale vehicle equipment which is required to be approved by the state
28 patrol as prescribed in RCW 46.37.005 unless it has been approved by
29 the state patrol.

30 (6) The provisions of this chapter with respect to equipment
31 required on vehicles shall not apply to motorcycles or motor-driven
32 cycles except as herein made applicable.

33 (7) This chapter does not apply to vehicles used by the state parks
34 and recreation commission exclusively for park maintenance and
35 operations upon public highways within state parks.

36 (8) Notices of traffic infraction issued to commercial drivers
37 under the provisions of this chapter with respect to equipment required
38 on commercial motor vehicles shall not be considered for driver
39 improvement purposes under chapter 46.20 RCW.

1 (~~(8)~~) (9) Whenever a traffic infraction is chargeable to the
2 owner or lessee of a vehicle under subsection (1) of this section, the
3 driver shall not be arrested or issued a notice of traffic infraction
4 unless the vehicle is registered in a jurisdiction other than
5 Washington state, or unless the infraction is for an offense that is
6 clearly within the responsibility of the driver.

7 (~~(9)~~) (10) Whenever the owner or lessee is issued a notice of
8 traffic infraction under this section the court may, on the request of
9 the owner or lessee, take appropriate steps to make the driver of the
10 vehicle, or any other person who directs the loading, maintenance, or
11 operation of the vehicle, a codefendant. If the codefendant is held
12 solely responsible and is found to have committed the traffic
13 infraction, the court may dismiss the notice against the owner or
14 lessee.

Passed the House April 19, 1997.

Passed the Senate April 10, 1997.

Approved by the Governor May 1, 1997.

Filed in Office of Secretary of State May 1, 1997.