

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1259

Chapter 194, Laws of 2005

59th Legislature
2005 Regular Session

PROPORTIONAL REGISTRATION

EFFECTIVE DATE: 7/24/05

Passed by the House March 8, 2005
Yeas 98 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 12, 2005
Yeas 43 Nays 0

BRAD OWEN

President of the Senate

Approved April 26, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1259** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 26, 2005 - 2:25 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1259

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Representatives Wallace and Woods; by request of Department of Licensing

Read first time 01/19/2005. Referred to Committee on Transportation.

1 AN ACT Relating to technical corrections to chapter 46.87 RCW;
2 amending RCW 46.87.010, 46.87.020, 46.87.030, 46.87.050, 46.87.070,
3 46.87.080, 46.87.120, 46.87.130, 46.87.140, and 46.87.190; and
4 repealing RCW 46.87.085, 46.87.170, 46.87.180, and 46.87.901.

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

6 **Sec. 1.** RCW 46.87.010 and 1987 c 244 s 15 are each amended to read
7 as follows:

8 This chapter applies to proportional registration and reciprocity
9 granted under the provisions of the International Registration Plan
10 (IRP) ~~((and the Uniform Vehicle Registration, Proration, and~~
11 ~~Reciprocity Agreement (Western Compact))~~). This chapter shall become
12 effective and be implemented beginning with the 1988 registration
13 year ~~((; however, if Washington is not then registering vehicles under~~
14 ~~the provisions of the IRP, the effective date and implementation date~~
15 ~~for the IRP shall both be delayed until such time as Washington begins~~
16 ~~registering vehicles under the provisions of the IRP))~~.

17 (1) Provisions and terms of the IRP ~~((and the Western Compact, as~~
18 ~~applicable, shall))~~ prevail unless given a different meaning in chapter

1 46.04 RCW, this chapter, or in rules adopted under the authority of
2 this chapter.

3 (2) The director may adopt and enforce rules deemed necessary to
4 implement and administer this chapter.

5 (3) ~~((Beginning with the first registration year in which the state
6 of Washington begins registering fleets under provisions of the IRP,))~~
7 Owners having a fleet of apportionable vehicles operating in two or
8 more IRP member jurisdictions may elect to proportionally register the
9 vehicles of the fleet under the provisions of the IRP and this chapter
10 in lieu of full or temporary registration as provided for in chapters
11 46.16 or 46.88 RCW.

12 (4) ~~((Owners having a fleet of commercial vehicles operating and
13 registered in at least one Western Compact member jurisdiction other
14 than Washington may elect to proportionally register the vehicles of
15 the fleet under provisions of the Western Compact and this chapter in
16 lieu of full or temporary registration as provided for in chapter 46.16
17 or 46.88 RCW.~~

18 ~~(5))~~ If a due date or an expiration date established under
19 authority of this chapter falls on a Saturday, Sunday, or a state legal
20 holiday, such period is automatically extended through the end of the
21 next business day.

22 **Sec. 2.** RCW 46.87.020 and 2003 c 85 s 1 are each amended to read
23 as follows:

24 Terms used in this chapter have the meaning given to them in the
25 International Registration Plan (IRP), ~~((the Uniform Vehicle
26 Registration, Proration, and Reciprocity Agreement (Western Compact),))~~
27 in chapter 46.04 RCW, or as otherwise defined in this section.
28 Definitions given to terms by the IRP ~~((and the Western Compact, as
29 applicable, shall))~~ prevail unless given a different meaning in this
30 chapter or in rules adopted under authority of this chapter.

31 (1) "Apportionable vehicle" has the meaning given by the IRP,
32 except that it does not include vehicles with a declared gross weight
33 of twelve thousand pounds or less. Apportionable vehicles include
34 trucks, tractors, truck tractors, road tractors, and buses, each as
35 separate and licensable vehicles. ~~((For IRP jurisdictions that require
36 the registration of nonmotor vehicles, this term may include trailers,~~

1 ~~semitrailers, and pole trailers as applicable, each as separate and~~
2 ~~licensable vehicles.))~~

3 (2) "Cab card" is a certificate of registration issued for a
4 vehicle (~~by the registering jurisdiction under the Western Compact.~~
5 ~~Under the IRP, it is a certificate of registration issued by the base~~
6 ~~jurisdiction for a vehicle)) upon which is disclosed the jurisdictions
7 and registered gross weights in such jurisdictions for which the
8 vehicle is registered.~~

9 (3) (~~"Commercial vehicle" is a term used by the Western Compact~~
10 ~~and means any vehicle, except recreational vehicles, vehicles~~
11 ~~displaying restricted plates, and government owned or leased vehicles,~~
12 ~~that is operated and registered in more than one jurisdiction and is~~
13 ~~used or maintained for the transportation of persons for hire,~~
14 ~~compensation, or profit, or is designed, used, or maintained primarily~~
15 ~~for the transportation of property and:~~

16 (a) ~~Is a motor vehicle having a declared gross weight in excess of~~
17 ~~twenty six thousand pounds; or~~

18 (b) ~~Is a motor vehicle having three or more axles with a declared~~
19 ~~gross weight in excess of twelve thousand pounds; or~~

20 (c) ~~Is a motor vehicle, trailer, pole trailer, or semitrailer used~~
21 ~~in combination when the gross weight or declared gross weight of the~~
22 ~~combination exceeds twenty six thousand pounds combined gross weight.~~
23 ~~The nonmotor vehicles mentioned are only applicable to those~~
24 ~~jurisdictions requiring the registration of such vehicles.~~

25 Although a two axle motor vehicle, trailer, pole trailer,
26 semitrailer, or any combination of such vehicles with an actual or
27 declared gross weight or declared combined gross weight exceeding
28 twelve thousand pounds but not more than twenty six thousand is not
29 considered to be a commercial vehicle, at the option of the owner, such
30 vehicles may be considered as "commercial vehicles" for the purpose of
31 proportional registration. The nonmotor vehicles mentioned are only
32 applicable to those jurisdictions requiring the registration of such
33 vehicles.

34 Commercial vehicles include trucks, tractors, truck tractors, road
35 tractors, and buses. Trailers, pole trailers, and semitrailers, will
36 also be considered as commercial vehicles for those jurisdictions who
37 require registration of such vehicles.

1 ~~(4)~~) "Credentials" means cab cards, apportioned plates (for
2 Washington-based fleets), and validation tabs issued for proportionally
3 registered vehicles.

4 ~~((5))~~ (4) "Declared combined gross weight" means the total
5 unladen weight of any combination of vehicles plus the weight of the
6 maximum load to be carried on the combination of vehicles as set by the
7 registrant in the application pursuant to chapter 46.44 RCW and for
8 which registration fees have been or are to be paid.

9 ~~((6))~~ (5) "Declared gross weight" means the total unladen weight
10 of any vehicle plus the weight of the maximum load to be carried on the
11 vehicle as set by the registrant in the application pursuant to chapter
12 46.44 RCW and for which registration fees have been or are to be paid.
13 In the case of a bus, auto stage, or a passenger-carrying for hire
14 vehicle with a seating capacity of more than six, the declared gross
15 weight shall be determined by multiplying the average load factor of
16 one hundred and fifty pounds by the number of seats in the vehicle,
17 including the driver's seat, and add this amount to the unladen weight
18 of the vehicle. If the resultant gross weight is not listed in RCW
19 46.16.070, it will be increased to the next higher gross weight so
20 listed pursuant to chapter 46.44 RCW.

21 ~~((7))~~ (6) "Department" means the department of licensing.

22 ~~((8))~~ (7) "Fleet" means ~~((one or more commercial vehicles in the
23 Western Compact and))~~ one or more apportionable vehicles in the IRP.

24 ~~((9))~~ (8) "In-jurisdiction miles" means the total miles
25 accumulated in a jurisdiction during the preceding year by vehicles of
26 the fleet while they were a part of the fleet.

27 ~~((10))~~ (9) "IRP" means the International Registration Plan.

28 ~~((11))~~ (10) "Jurisdiction" means and includes a state, territory
29 or possession of the United States, the District of Columbia, the
30 Commonwealth of Puerto Rico, a foreign country, and a state or province
31 of a foreign country.

32 ~~((12))~~ (11) "Motor carrier" means an entity engaged in the
33 transportation of goods or persons. The term includes a for-hire motor
34 carrier, private motor carrier, contract motor carrier, or exempt motor
35 carrier. The term includes a registrant licensed under this chapter,
36 a motor vehicle lessor, and a motor vehicle lessee.

37 ~~((13))~~ (12) "Owner" means a person or business firm who holds the
38 legal title to a vehicle, or if a vehicle is the subject of an

1 agreement for its conditional sale with the right of purchase upon
2 performance of the conditions stated in the agreement and with an
3 immediate right of possession vested in the conditional vendee, or if
4 a vehicle is subject to a lease, contract, or other legal arrangement
5 vesting right of possession or control, for security or otherwise, or
6 if a mortgagor of a vehicle is entitled to possession, then the owner
7 is deemed to be the person or business firm in whom is vested right of
8 possession or control.

9 ~~((14))~~ (13) "Preceding year" means the period of twelve
10 consecutive months immediately before July 1st of the year immediately
11 before the commencement of the registration or license year for which
12 apportioned registration is sought.

13 ~~((15) "Properly registered," as applied to the place of
14 registration under the provisions of the Western Compact, means:~~

15 ~~(a) In the case of a commercial vehicle, the jurisdiction in which
16 it is registered if the commercial enterprise in which the vehicle is
17 used has a place of business therein, and, if the vehicle is most
18 frequently dispatched, garaged, serviced, maintained, operated, or
19 otherwise controlled in or from that place of business, and the vehicle
20 has been assigned to that place of business; or~~

21 ~~(b) In the case of a commercial vehicle, the jurisdiction where,
22 because of an agreement or arrangement between two or more
23 jurisdictions, or pursuant to a declaration, the vehicle has been
24 registered as required by that jurisdiction.~~

25 ~~In case of doubt or dispute as to the proper place of registration
26 of a commercial vehicle, the department shall make the final
27 determination, but in making such determination, may confer with
28 departments of the other jurisdictions affected.~~

29 ~~(16))~~ (14) "Prorate percentage" is the factor that is applied to
30 the total proratable fees and taxes to determine the apportionable or
31 prorated fees required for registration in a particular jurisdiction.
32 It is determined by dividing the in-jurisdiction miles for a particular
33 jurisdiction by the total miles. This term is synonymous with the term
34 "mileage percentage."

35 ~~((17))~~ (15) "Registrant" means a person, business firm, or
36 corporation in whose name or names a vehicle or fleet of vehicles is
37 registered.

1 ~~((18))~~ (16) "Registration year" means the twelve-month period
2 during which the registration plates issued by the base jurisdiction
3 are valid according to the laws of the base jurisdiction.

4 ~~((19))~~ (17) "Total miles" means the total number of miles
5 accumulated in all jurisdictions during the preceding year by all
6 vehicles of the fleet while they were a part of the fleet. Mileage
7 accumulated by vehicles of the fleet that did not engage in interstate
8 operations is not included in the fleet miles.

9 ~~((20) "Western Compact" means the Uniform Vehicle Registration,
10 Proration, and Reciprocity Agreement.))~~

11 **Sec. 3.** RCW 46.87.030 and 1997 c 183 s 3 are each amended to read
12 as follows:

13 (1) When application to register an apportionable ~~((or commercial))~~
14 vehicle is made, the Washington prorated fees may be reduced by one-
15 twelfth for each full registration month that has elapsed at the time
16 a temporary authorization permit (TAP) was issued or if no TAP was
17 issued, at such time as an application for registration is received in
18 the department. If a vehicle is being added to a currently registered
19 fleet, the prorate percentage previously established for the fleet for
20 such registration year shall be used in the computation of the
21 proportional fees and taxes due.

22 (2) If any vehicle is withdrawn from a proportionally registered
23 fleet during the period for which it is registered under this chapter,
24 the registrant of the fleet shall notify the department on appropriate
25 forms prescribed by the department. The department may require the
26 registrant to surrender credentials that were issued to the vehicle.
27 If a motor vehicle is permanently withdrawn from a proportionally
28 registered fleet because it has been destroyed, sold, or otherwise
29 completely removed from the service of the fleet registrant, the unused
30 portion of the licensing fee paid under RCW 46.16.070 with respect to
31 the vehicle reduced by one-twelfth for each calendar month and fraction
32 thereof elapsing between the first day of the month of the current
33 registration year in which the vehicle was registered and the date the
34 notice of withdrawal, accompanied by such credentials as may be
35 required, is received in the department, shall be credited to the fleet
36 proportional registration account of the registrant. Credit shall be
37 applied against the licensing fee liability for subsequent additions of

1 motor vehicles to be proportionally registered in the fleet during such
2 registration year or for additional licensing fees due under RCW
3 46.16.070 or to be due upon audit under RCW 46.87.310. If any credit
4 is less than fifteen dollars, no credit will be entered. In lieu of
5 credit, the registrant may choose to transfer the unused portion of the
6 licensing fee for the motor vehicle to the new owner, in which case it
7 shall remain with the motor vehicle for which it was originally paid.
8 In no event may any amount be credited against fees other than those
9 for the registration year from which the credit was obtained nor is any
10 amount subject to refund.

11 **Sec. 4.** RCW 46.87.050 and 1987 c 244 s 20 are each amended to read
12 as follows:

13 Each day the department shall forward to the state treasurer the
14 fees collected under this chapter, and within ten days of the end of
15 each registration quarter, a detailed report identifying the amount to
16 be deposited to each account for which fees are required for the
17 licensing of proportionally registered vehicles. Such fees shall be
18 deposited pursuant to RCW 46.68.035(~~(, 82.44.110,)~~) and 82.44.170.

19 **Sec. 5.** RCW 46.87.070 and 1993 c 123 s 1 are each amended to read
20 as follows:

21 ~~((1) Washington-based trailers, semitrailers, or pole trailers
22 shall be licensed in this state under the provisions of chapter 46.16
23 RCW except as herein provided. If these vehicles are being operated in
24 jurisdictions that require the registration of such vehicles, the
25 applicable vehicles may be considered as apportionable or commercial
26 vehicles for the purpose of registration in those jurisdictions and
27 this state. This provision does not apply to trailers, semitrailers,
28 or pole trailers which have been issued permanent plates.~~

29 ~~(2))~~ Trailers, semitrailers, and pole trailers (~~which~~) that are
30 properly based in jurisdictions other than Washington, and (~~which~~)
31 that display currently registered license plates from such
32 jurisdictions will be granted vehicle license reciprocity in this state
33 without the need of further vehicle license registration. If pole
34 trailers are not required to be licensed separately by a member
35 jurisdiction, such vehicles may be operated in this state without
36 displaying a current base license plate.

1 **Sec. 6.** RCW 46.87.080 and 1998 c 115 s 1 are each amended to read
2 as follows:

3 (1) Upon making satisfactory application and payment of applicable
4 fees and taxes for proportional registration under this chapter, the
5 department shall issue a cab card and validation tab for each vehicle,
6 and to vehicles of Washington-based fleets, two distinctive
7 apportionable license plates for each motor vehicle (~~and one such~~
8 ~~plate for each trailer, semitrailer, pole trailer, or converter gear~~
9 ~~listed on the application~~). License plates shall be displayed on
10 vehicles as required by RCW 46.16.240. The number and plate shall be
11 of a design, size, and color determined by the department. The plates
12 shall be treated with reflectorized material and clearly marked with
13 the words "WASHINGTON" and "APPORTIONED," both words to appear in full
14 and without abbreviation.

15 (2) The cab card serves as the certificate of registration for a
16 proportionally registered vehicle. The face of the cab card shall
17 contain the name and address of the registrant as contained in the
18 records of the department, the license plate number assigned to the
19 vehicle by the base jurisdiction, the vehicle identification number,
20 and such other description of the vehicle and data as the department
21 may require. The cab card shall be signed by the registrant, or a
22 designated person if the registrant is a business firm, and shall at
23 all times be carried in or on the vehicle to which it was issued. (~~In~~
24 ~~the case of nonpowered vehicles, the cab card may be carried in or on~~
25 ~~the vehicle supplying the motive power instead of in or on the~~
26 ~~nonpowered vehicle.~~)

27 (3) The apportioned license plates are not transferrable from
28 vehicle to vehicle unless otherwise determined by rule and shall be
29 used only on the vehicle to which they are assigned by the department
30 for as long as they are legible or until such time as the department
31 requires them to be removed and returned to the department.

32 (4) Distinctive validation tab(s) of a design, size, and color
33 determined by the department shall be affixed to the apportioned
34 license plate(s) as prescribed by the department to indicate the month,
35 if necessary, and year for which the vehicle is registered. (~~Foreign-~~
36 ~~based vehicles proportionally registered in this state under the~~
37 ~~provisions of the Western Compact shall display the validation tab on~~
38 ~~a backing plate or as otherwise prescribed by the department.~~)

1 (5) Renewals shall be effected by the issuance and display of such
2 tab(s) after making satisfactory application and payment of applicable
3 fees and taxes.

4 (6) Fleet vehicles so registered and identified shall be deemed to
5 be fully licensed and registered in this state for any type of movement
6 or operation. However, in those instances in which a grant of
7 authority is required for interstate or intrastate movement or
8 operation, no such vehicle may be operated in interstate or intrastate
9 commerce in this state unless the owner has been granted interstate
10 operating authority (~~by the interstate commerce commission~~) in the
11 case of interstate operations or intrastate operating authority by the
12 Washington utility and transportation commission in the case of
13 intrastate operations and unless the vehicle is being operated in
14 conformity with that authority.

15 (7) The department may issue temporary authorization permits (TAPs)
16 to qualifying operators for the operation of vehicles pending issuance
17 of license identification. A fee of one dollar plus a one dollar
18 filing fee shall be collected for each permit issued. The permit fee
19 shall be deposited in the motor vehicle fund, and the filing fee shall
20 be deposited in the highway safety fund. The department may adopt
21 rules for use and issuance of the permits.

22 (8) The department may refuse to issue any license or permit
23 authorized by subsection (1) or (7) of this section to any person: (a)
24 Who formerly held any type of license or permit issued by the
25 department pursuant to chapter 46.16, 46.85, 46.87, 82.36, or 82.38 RCW
26 that has been revoked for cause, which cause has not been removed; or
27 (b) who is a subterfuge for the real party in interest whose license or
28 permit issued by the department pursuant to chapter 46.16, 46.85,
29 46.87, 82.36, or 82.38 RCW and has been revoked for cause, which cause
30 has not been removed; or (c) who, as an individual licensee, or
31 officer, director, owner, or managing employee of a nonindividual
32 licensee, has had a license or permit issued by the department pursuant
33 to chapter 46.16, 46.85, 46.87, 82.36, or 82.38 RCW which has been
34 revoked for cause, which cause has not been removed; or (d) who has an
35 unsatisfied debt to the state assessed under either chapter 46.16,
36 46.85, 46.87, 82.36, 82.38, or 82.44 RCW.

37 (9) The department may revoke the license or permit authorized by

1 subsection (1) or (7) of this section issued to any person for any of
2 the grounds constituting cause for denial of licenses or permits set
3 forth in subsection (8) of this section.

4 (10) Before such refusal or revocation under subsection (8) or (9)
5 of this section, the department shall grant the applicant a hearing and
6 at least ten days written notice of the time and place of the hearing.

7 **Sec. 7.** RCW 46.87.120 and 1997 c 183 s 4 are each amended to read
8 as follows:

9 (1) The initial application for proportional registration of a
10 fleet shall state the mileage data with respect to the fleet for the
11 preceding year in this and other jurisdictions. If no operations were
12 conducted with the fleet during the preceding year, the application
13 shall contain a full statement of the proposed method of operation and
14 estimates of annual mileage in each of the jurisdictions in which
15 operation is contemplated. The registrant shall determine the in-
16 jurisdiction and total miles to be used in computing the fees and taxes
17 due for the fleet. The department may evaluate and adjust the estimate
18 in the application if it is not satisfied as to its correctness. ~~((The
19 department shall require a minimum estimated mileage of one trip state-
20 line to state line in each jurisdiction the carrier registers for
21 operations.~~

22 ~~(2) Fleets will consist of either motor vehicles or nonmotor
23 vehicles, but not a mixture of both.~~

24 ~~(3) In instances where the use of mileage accumulated by a nonmotor
25 vehicle fleet is impractical, for the purpose of calculating prorate
26 percentages, the registrant may request another method and/or unit of
27 measure to be used in determining the prorate percentages. Upon
28 receiving such request, the department may prescribe another method
29 and/or unit of measure to be used in lieu of mileage that will ensure
30 each jurisdiction that requires the registration of nonmotor vehicles
31 its fair share of vehicle licensing fees and taxes.~~

32 ~~(4))~~ (2) When operations of a Washington-based fleet is materially
33 changed through merger, acquisition, or extended authority, the
34 registrant shall notify the department, which shall then require the
35 filing of an amended application setting forth the proposed operation
36 by use of estimated mileage for all jurisdictions. The department may
37 adjust the estimated mileage by audit or otherwise to an actual travel

1 basis to insure proper fee payment. The actual travel basis may be
2 used for determination of fee payments until such time as a normal
3 mileage year is available under the new operation. (~~Under the~~
4 ~~provisions of the Western Compact, this subsection applies to any fleet~~
5 ~~proportionally registered in Washington irrespective of the fleet's~~
6 ~~base jurisdiction.~~)

7 **Sec. 8.** RCW 46.87.130 and 1987 c 244 s 26 are each amended to read
8 as follows:

9 In addition to all other fees prescribed for the proportional
10 registration of vehicles under this chapter, the department shall
11 collect a vehicle transaction fee each time a vehicle is added to a
12 Washington-based fleet, and each time the proportional registration of
13 a Washington-based vehicle is renewed. (~~The transaction fee is also~~
14 ~~applicable to all foreign based vehicles for which this state~~
15 ~~calculates and assesses fees/taxes for the state of Washington.~~) The
16 exact amount of the vehicle transaction fee shall be fixed by rule but
17 shall not exceed ten dollars. This fee shall be deposited in the motor
18 vehicle fund.

19 **Sec. 9.** RCW 46.87.140 and 2003 c 85 s 2 are each amended to read
20 as follows:

21 (1) Any owner engaged in interstate operations of one or more
22 fleets of apportionable (~~or commercial~~) vehicles may, in lieu of
23 registration of the vehicles under chapter 46.16 RCW, register and
24 license the vehicles of each fleet under this chapter by filing a
25 proportional registration application for each fleet with the
26 department. (~~The nonmotor vehicles of Washington based fleets which~~
27 ~~are operated in IRP jurisdictions that require registration of such~~
28 ~~vehicles may be proportionally registered for operation in those~~
29 ~~jurisdictions as herein provided.~~) The application shall contain the
30 following information and such other information pertinent to vehicle
31 registration as the department may require:

32 (a) A description and identification of each vehicle of the fleet.
33 (~~Motor vehicles and nonpower units shall be placed in separate~~
34 ~~fleets.~~)

35 (b) (~~If registering under the provisions of the IRP, the~~

1 ~~registrant shall also indicate~~) The member jurisdictions in which
2 registration is desired and (~~furnish~~) such other information as
3 (~~these~~) member jurisdictions require.

4 (c) An original or renewal application shall also be accompanied by
5 a mileage schedule for each fleet.

6 (d) The USDOT number issued to the registrant and the USDOT number
7 of the motor carrier responsible for the safety of the vehicle, if
8 different.

9 (e) A completed Motor Carrier Identification Report (MCS-150) at
10 the time of fleet renewal or at the time of vehicle registration, if
11 required by the department.

12 (f) The Taxpayer Identification Number of the registrant and the
13 motor carrier responsible for the safety of the vehicle, if different.

14 (2) Each application shall, at the time and in the manner required
15 by the department, be supported by payment of a fee computed as
16 follows:

17 (a) Divide the in-jurisdiction miles by the total miles and carry
18 the answer to the nearest thousandth of a percent (three places beyond
19 the decimal, e.g. 10.543%). This factor is known as the prorate
20 percentage.

21 (b) Determine the total proratable fees and taxes required for each
22 vehicle in the fleet for which registration is requested, based on the
23 regular annual fees and taxes or applicable fees and taxes for the
24 unexpired portion of the registration year under the laws of each
25 jurisdiction for which fees or taxes are to be calculated.

26 (~~Washington-based nonmotor vehicles shall normally be fully~~
27 ~~licensed under the provisions of chapter 46.16 RCW. If these vehicles~~
28 ~~are being operated in jurisdictions that require the registration of~~
29 ~~such vehicles, the applicable vehicles may be considered as~~
30 ~~apportionable vehicles for the purpose of registration in those~~
31 ~~jurisdictions and this state. The prorate percentage for which~~
32 ~~registration fees and taxes were paid to such jurisdictions may be~~
33 ~~credited toward the one hundred percent of registration fees and taxes~~
34 ~~due this state for full licensing.)) Applicable fees and taxes for
35 vehicles of Washington-based fleets are those prescribed under RCW
36 46.16.070, 46.16.085, and 82.38.075, as applicable. If, during the
37 registration period, the lessor of an apportioned vehicle changes and~~

1 the vehicle remains in the fleet of the registrant, the department
2 shall only charge those fees prescribed for the issuance of new
3 apportioned license plates, validation tabs, and cab card.

4 (c) Multiply the total, proratable fees or taxes for each motor
5 vehicle by the prorate percentage applicable to the desired
6 jurisdiction and round the results to the nearest cent. (~~Fees and~~
7 ~~taxes for nonmotor vehicles being prorated will be calculated as~~
8 ~~indicated in (b) of this subsection.~~)

9 (d) Add the total fees and taxes determined in (c) of this
10 subsection for each vehicle to the nonproratable fees required under
11 the laws of the jurisdiction for which fees are being calculated.
12 Nonproratable fees required for vehicles of Washington-based fleets are
13 the administrative fee required by RCW 82.38.075, if applicable, and
14 the vehicle transaction fee pursuant to the provisions of RCW
15 46.87.130.

16 (e) (~~Add the total fees and taxes determined in (d) of this~~
17 ~~subsection for each vehicle listed on the application. Assuming the~~
18 ~~fees and taxes calculated were for Washington, this would be the amount~~
19 ~~due and payable for the application under the provisions of the Western~~
20 ~~Compact. Under the provisions of the IRP,~~) The amount due and payable
21 for the application ((would be)) is the sum of the fees and taxes
22 ((referred to in (d) of this subsection,) calculated for each member
23 jurisdiction in which registration of the fleet is desired.

24 (3) All assessments for proportional registration fees are due and
25 payable in United States funds on the date presented or mailed to the
26 registrant at the address listed in the proportional registration
27 records of the department. The registrant may petition for
28 reassessment of the fees or taxes due under this section within thirty
29 days of the date of original service as provided for in this chapter.

30 **Sec. 10.** RCW 46.87.190 and 1987 c 244 s 32 are each amended to
31 read as follows:

32 The department may suspend or cancel the exemptions, benefits, or
33 privileges granted under chapter 46.85 RCW or this chapter to any
34 person or business firm who violates any of the conditions or terms of
35 the IRP(~~, Western Compact, or declarations,~~) or who violates the laws
36 of this state relating to the operation or registration of vehicles or
37 rules lawfully adopted thereunder.

1 NEW SECTION. **Sec. 11.** The following acts or parts of acts are
2 each repealed:

3 (1) RCW 46.87.085 (Staggered renewal periods) and 1993 c 307 s 17;

4 (2) RCW 46.87.170 (Recalculation of prorated percentage--Additional
5 fees and taxes) and 1987 c 244 s 30;

6 (3) RCW 46.87.180 (Conditions on fleet vehicles) and 1987 c 244 s
7 31; and

8 (4) RCW 46.87.901 (Effective date--1986 c 18; 1985 c 380) and 1986
9 c 18 s 27 & 1985 c 380 s 25.

Passed by the House March 8, 2005.

Passed by the Senate April 12, 2005.

Approved by the Governor April 26, 2005.

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