

HOUSE BILL REPORT

SHB 1802

As Passed House:

March 5, 2009

Title: An act relating to collector vehicles.

Brief Description: Concerning collector vehicles.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Hudgins, Simpson, Sullivan and Moeller).

Brief History:

Committee Activity:

Transportation: 2/11/09, 2/27/09 [DPS].

Floor Activity

Passed House: 3/5/09, 65-32.

Brief Summary of Substitute Bill

- Allows an individual to purchase as collector vehicles up to two vehicles per year produced in foreign countries that are rated for at least 40 miles per gallon.
- Exempts the collector vehicles from emissions testing in motor vehicle emissions testing areas, but must still meet federal clean air standards.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 18 members: Representatives Clibborn, Chair; Lias, Vice Chair; Campbell, Driscoll, Eddy, Finn, Flannigan, Moeller, Morris, Rolfes, Sells, Simpson, Springer, Takko, Uthegrove, Wallace, Williams and Wood.

Minority Report: Do not pass. Signed by 8 members: Representatives Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong, Cox, Ericksen, Herrera, Johnson and Klippert.

Staff: Jerry Long (786-7306)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

Many manufacturers produce vehicles in foreign countries that are not offered for sale in the United States. Vehicles sold in some of the foreign markets are smaller vehicles and before the manufacturers will offer them for sale in the United States, they want to make sure there is a viable market for their vehicles.

The National Highway Traffic Safety Administration (NHTSA) is the agency that issues and enforces the Federal Motor Vehicle Safety Standards (FMVSS). If a vehicle was manufactured to comply with the FMVSS, it can be imported into the United States free of restrictions. The NHTSA maintains a list of these vehicles.

If a vehicle is less than 25 years old and not certified by its manufacturer to comply with the FMVSS, then it is up to the NHTSA to determine whether the vehicle is eligible for importation. The agency makes those determinations on its own initiative or on the basis of a petition from a registered importer, or a person who has a contract with a registered importer. The petitions must specify that the vehicle is substantially similar to a vehicle that was certified by its original manufacturer as conforming to all applicable FMVSS. If the vehicle is capable of being readily altered to conform to those standards, or if there is no substantially similar United States-certified vehicle and the vehicle has safety features that comply with, or are capable of being altered to comply with, the FMVSS, the agency will make a determination based on the safety data available for the vehicle. Import eligibility decisions are made on a make, model, and model-year basis.

Any vehicle that is at least 25 years old is exempt and can be imported into the United States regardless of whether it conforms to all applicable FMVSS. Nonresidents of the United States and United States citizens living abroad may temporarily import motor vehicles not meeting FMVSS for a period not to exceed one year.

In Washington, the Washington State Patrol (WSP) establishes vehicle standards to be met, but in most cases, the federal standards are adopted. In Clark, King, Pierce, Snohomish, and Spokane counties, emissions testing is required due to those areas needing to meet air quality standards. Vehicles five to 25 years old are required to have an emissions test every two years. Certain hybrid vehicles that have an efficiency rating of at least 50 miles per gallon for city driving are exempt, along with vehicles that are less than five years old, over 25 years old, and scooters and motorcycles.

Summary of Substitute Bill:

An individual may purchase up to two collector vehicles per year that are production vehicles manufactured by a major vehicle manufacturer that meet the following criteria:

- rated for at least 40 miles per gallon;
- not currently produced in the United States;
- the purchaser is not a vehicle dealer; and
- the vehicle is not purchased for resale.

The Department of Licensing will title these vehicles as collector vehicles regardless of age and will issue collector plates. The initial fees are valid for the life of the vehicle. If the

vehicle becomes a production vehicle in the United States, the existing collector vehicles prior to production in the United States will retain their collector vehicle status.

These vehicles are exempt from emissions testing in motor vehicle emissions testing areas.

Prior to the 2014 legislative session, the Joint Legislative Audit and Review Committee (JLARC) is required to review this new collector vehicle section and make a recommendation whether to maintain or discontinue the section.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Americans want access to fuel efficient vehicles that the major vehicle manufacturers do not currently market in the United States. According to a 2005 survey by the Civil Society Institute, nine out of 10 Americans say that "United States consumers should be able to get the best of the more fuel efficient vehicles that already are available in other countries." According to the same Institute, there are 129 car models for sale outside the United States rated at 35 miles per gallon (MPG) and 86 that are rated at 40 MPG or better combined for both city and highway driving. We should give people the opportunity to purchase more fuel efficient production model cars and help send a message to the federal government that the United States needs alternatives. The NHTSA already regulates the vehicles it allows into the United States and makes sure the vehicles comply with the applicable standards under its jurisdiction.

(With concerns) The WSP assumes the vehicles will comply with the federal standards. We would request a change to the bill requiring that these collector vehicles not only have a collector plate on the back, but also on the front.

(Opposed) None.

Persons Testifying: (In support) Representative Hudgins, prime sponsor.

(With concerns) Jeff DeVere, Washington State Patrol.

Persons Signed In To Testify But Not Testifying: None.