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ENGROSSED SENATE BILL 5616

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Sheldon, Smith, Schoesler, Hargrove, Hatfield, Hewitt,  
and Shin

Read first time 02/05/13. Referred to Committee on Transportation.

1 AN ACT Relating to the use of farm vehicles on public highways;  
2 amending RCW 46.16A.080 and 46.04.181; and reenacting and amending RCW  
3 46.16A.420.

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

5 **Sec. 1.** RCW 46.16A.420 and 2010 c 161 s 409 and 2010 c 8 s 9010  
6 are each reenacted and amended to read as follows:

7 (1) A farmer shall apply to the department, county auditor or other  
8 agent, or subagent appointed by the director for a farm exempt decal  
9 for a farm vehicle if the farm vehicle is exempt under RCW  
10 46.16A.080(3). The farm exempt decal:

11 (a) Allows the farm vehicle to be operated (~~within a radius of~~  
12 ~~fifteen miles of the farm where it is principally used or garaged~~) on  
13 public highways as identified under RCW 46.16A.080(3);

14 (b) Must be displayed on the farm vehicle so that it is clearly  
15 visible from outside of the farm vehicle; and

16 (c) Must identify that the farm vehicle is exempt from the  
17 registration requirements of this chapter.

18 (2) A farmer or the farmer's representative must apply for a farm

1 exempt decal on a form furnished or approved by the department. The  
2 application must show:

3 (a) The name and address of the person who is the owner of the  
4 vehicle;

5 (b) A full description of the vehicle, including its make, model,  
6 year, the motor number or the vehicle identification number if the  
7 vehicle is a motor vehicle, or the serial number if the vehicle is a  
8 trailer;

9 (c) The purpose for which the vehicle is principally used;

10 (d) The place where the farm vehicle is principally used or  
11 garaged; and

12 (e) Other information as required by the department upon  
13 application.

14 (3) The department, county auditor or other agent, or subagent  
15 appointed by the director shall collect the fee required under RCW  
16 46.17.325 when issuing a farm exempt decal.

17 (4) A farm exempt decal may not be renewed. The status as an  
18 exempt vehicle continues until suspended or revoked for misuse, or when  
19 the vehicle is no longer used as a farm vehicle.

20 (5) The department may adopt rules to implement this section.

21 **Sec. 2.** RCW 46.16A.080 and 2011 c 171 s 45 are each amended to  
22 read as follows:

23 The following vehicles are not required to be registered under this  
24 chapter:

25 (1) Converter gears used to convert a semitrailer into a trailer or  
26 a two-axle truck or tractor into a three or more axle truck or tractor  
27 or used in any other manner to increase the number of axles of a  
28 vehicle;

29 (2) Electric-assisted bicycles;

30 (3)(a) (~~Farm implements, tractors, trailers, and other~~) Farm  
31 vehicles (~~(i)~~) operated within a radius of (~~fifteen~~) twenty-five  
32 miles of the farm where it is principally used or garaged for the  
33 purposes of traveling between farms or other locations to engage in  
34 activities that support farming operations, (b) farm tractors and farm  
35 implements including trailers designed as cook or bunk houses (~~(i)~~)  
36 used exclusively for animal herding (~~(i) and (iii)~~) temporarily  
37 operating or drawn upon the public highways, and (~~(b)~~) (c) trailers

1 used exclusively to transport farm implements from one farm to another  
2 during daylight hours or at night when the trailer is equipped with  
3 lights that comply with applicable law;

4 (4) Forklifts operated during daylight hours on public highways  
5 adjacent to and within five hundred feet of the warehouses they serve;

6 (5) Golf carts, as defined in RCW 46.04.1945, operating within a  
7 designated golf cart zone as described in RCW 46.08.175;

8 (6) Motor vehicles operated solely within a national recreation  
9 area that is not accessible by a state highway, including motorcycles,  
10 motor homes, passenger cars, and sport utility vehicles. This  
11 exemption applies only after initial registration;

12 (7) Motorized foot scooters;

13 (8) Nurse rigs or equipment auxiliary for the use of and designed  
14 or modified for the fueling, repairing, or loading of spray and  
15 fertilizer applicator rigs and not used, designed, or modified  
16 primarily for the purpose of transportation;

17 (9) Off-road vehicles operated on a street, road, or highway as  
18 authorized under RCW 46.09.360, or nonhighway roads under RCW  
19 46.09.450;

20 (10) Special highway construction equipment;

21 (11) Dump trucks and tractor-dump trailer combinations that are:

22 (a) Designed and used primarily for construction work on highways;

23 (b) Not designed or used primarily for the transportation of  
24 persons or property on a public highway; and

25 (c) Only incidentally operated or moved over the highways;

26 (12) Spray or fertilizer applicator rigs designed and used  
27 exclusively for spraying or fertilization in the conduct of  
28 agricultural operations and not primarily for the purpose of  
29 transportation;

30 (13) Tow dollies;

31 (14) Trams used for transporting persons to and from facilities  
32 related to the horse racing industry as regulated in chapter 67.16 RCW,  
33 as long as the public right-of-way routes over which the trams operate  
34 are not more than one mile from end to end, the public rights-of-way  
35 over which the tram operates have average daily traffic of not more  
36 than fifteen thousand vehicles per day, and the activity is in  
37 conformity with federal law. The operator must be a licensed driver  
38 and at least eighteen years old. For the purposes of this section,

1 "tram" also means a vehicle, or combination of vehicles linked together  
2 with a single mode of propulsion, used to transport persons from one  
3 location to another; and

4 (15) Vehicles used by the state parks and recreation commission  
5 exclusively for park maintenance and operations upon public highways  
6 within state parks.

7 **Sec. 3.** RCW 46.04.181 and 2012 c 130 s 1 are each amended to read  
8 as follows:

9 "Farm vehicle" means any vehicle other than a farm tractor or farm  
10 implement which is: (1) Designed and/or used primarily in agricultural  
11 pursuits on farms for the purpose of transporting machinery, equipment,  
12 implements, farm products, supplies and/or farm labor thereon and is  
13 only incidentally operated on or moved along public highways for the  
14 purpose of going from one farm to another or between locations  
15 supporting farming operations; or (2) for purposes of RCW 46.25.050,  
16 used to transport agricultural products, farm machinery, farm supplies,  
17 or any combination of these materials to or from a farm.

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