
SENATE BILL 5610

State of Washington 64th Legislature 2015 Regular Session

By Senators Benton and Billig

Read first time 01/26/15. Referred to Committee on Transportation.

1 AN ACT Relating to an annual permit fee on studded tire use;
2 amending RCW 46.17.400, 46.37.420, 46.17.240, and 46.17.040; adding a
3 new section to chapter 46.16A RCW; creating a new section;
4 prescribing penalties; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes that studded
7 tires cause millions of dollars in damages to the state's highways
8 each year and that adding a fee for the use of studded tires is not
9 about raising revenue or taxation but rather about ensuring that
10 people are paying their fair share for the damage they cause. As
11 such, it is the intent of the legislature that an annual permit fee
12 be imposed on the use of studded tires to help offset the costs
13 incurred.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.16A
15 RCW to read as follows:

16 (1) The department, county auditor or other agent, or subagent
17 appointed by the director must issue a studded tire permit
18 authorizing the use of studded tires as provided under RCW 46.37.420
19 to a vehicle owner upon submittal of a proper application and payment
20 of the studded tire permit fee under RCW 46.17.400(1)(g).

1 (2) Each studded tire permit is valid on a vehicle during the
2 registration year as outlined in RCW 46.16A.020.

3 (3) The department must also issue an identifying marker that the
4 vehicle owner must place on the vehicle license plate for the studded
5 tire permit to be valid.

6 (4) Operating a vehicle on a public highway without a valid
7 studded tire permit and properly affixing the identifying marker to
8 the vehicle license plate is a traffic infraction. In addition to any
9 other penalties imposed for a traffic infraction, an additional
10 seventy-five dollar penalty is assessed for a violation of this
11 section. The additional seventy-five dollar penalty imposed under
12 this subsection must be forwarded to the state treasurer for deposit
13 in the motor vehicle fund created under RCW 46.68.070.

14 **Sec. 3.** RCW 46.17.400 and 2011 c 171 s 62 are each amended to
15 read as follows:

16 (1) Before accepting an application for one of the following
17 permits, the department, county auditor or other agent, or subagent
18 appointed by the director shall require the applicant to pay the
19 following permit fee by permit type in addition to any other fee or
20 tax required by law:

| 21 PERMIT TYPE | FEE | AUTHORITY | DISTRIBUTION |
|---|----------------|------------------------------|----------------------|
| 22 (a) Dealer temporary | \$15.00 | RCW 46.16A.300 | RCW 46.68.030 |
| 23 (b) Department temporary | \$.50 | RCW 46.16A.305 | RCW 46.68.450 |
| 24 (c) Farm vehicle trip | \$6.25 | RCW 46.16A.330 | RCW 46.68.035 |
| 25 (d) Nonresident military | \$10.00 | RCW 46.16A.340 | RCW 46.68.070 |
| 26 (e) Nonresident temporary snowmobile | \$5.00 | RCW 46.10.450 | RCW 46.68.350 |
| 27 (f) Special fuel trip | \$30.00 | RCW 82.38.100 | RCW 46.68.460 |
| 28 (g) <u>Studded tire</u> | <u>\$75.00</u> | <u>Section 2 of this act</u> | <u>RCW 46.68.070</u> |
| 29 (h) Temporary ORV use | \$7.00 | RCW 46.09.430 | RCW 46.68.045 |
| 30 ((h)) (i) Vehicle trip | \$25.00 | RCW 46.16A.320 | RCW 46.68.455 |

31 (2) Permit fees as provided in subsection (1) of this section are
32 in addition to the filing fee required under RCW 46.17.005, except an
33 additional filing fee may not be charged for:

- 34 (a) Dealer temporary permits;
35 (b) Special fuel trip permits; and

1 (c) Vehicle trip permits.

2 (3) Five dollars of the fifteen dollar dealer temporary permit
3 fee provided in subsection (1)(a) of this section must be credited to
4 the payment of vehicle license fees at the time application for
5 registration is made. The remainder must be deposited to the state
6 patrol highway account created in RCW 46.68.030.

7 (4) The studded tire permit fee provided in subsection (1)(g) of
8 this section must be used for highway preservation related to damage
9 caused by studded tires.

10 **Sec. 4.** RCW 46.37.420 and 2012 c 75 s 1 are each amended to read
11 as follows:

12 (1) It is unlawful to operate a vehicle upon the public highways
13 of this state unless it is completely equipped with pneumatic rubber
14 tires except vehicles equipped with temporary-use spare tires that
15 meet federal standards that are installed and used in accordance with
16 the manufacturer's instructions.

17 (2) Except as provided in subsection (3) of this section, no tire
18 on a vehicle moved on a highway may have on its periphery any block,
19 flange, cleat, or spike or any other protuberance of any material
20 other than rubber which projects beyond the tread of the traction
21 surface of the tire(~~(, except that)~~).

22 (3)(a) It is permissible to use: (i) Farm machinery equipped with
23 pneumatic tires or solid rubber tracks having protuberances that will
24 not injure the highway(~~(,)~~); and (~~except also that it is permissible~~
25 ~~to use~~) (ii)(A) tire chains, (B) alternative traction devices, or
26 (C) metal studs imbedded within the tire subject to studded tire
27 permit requirements under section 2 of this act, of reasonable
28 proportions and of a type conforming to rules adopted by the state
29 patrol, upon any vehicle when required for safety because of snow,
30 ice, or other conditions tending to cause a vehicle to skid.

31 (b) It is unlawful to use metal studs imbedded within the tire
32 between April 1st and November 1st, except that a vehicle may be
33 equipped year-round with tires that have retractable studs if:
34 (~~(a)~~) (i) The studs retract pneumatically or mechanically to below
35 the wear bar of the tire when not in use; and (~~(b)~~) (ii) the
36 retractable studs are engaged only between November 1st and April
37 1st. Retractable studs may be made of metal or other material and are
38 not subject to the lightweight stud weight requirements under RCW
39 46.04.272. The state department of transportation may, from time to

1 time, determine additional periods in which the use of tires with
2 metal studs imbedded therein is lawful.

3 ~~((3))~~ (4) The state department of transportation and local
4 authorities in their respective jurisdictions may issue special
5 permits authorizing the operation upon a highway of traction engines
6 or tractors having movable tracks with transverse corrugations upon
7 the periphery of the movable tracks or farm tractors or other farm
8 machinery, the operation of which upon a highway would otherwise be
9 prohibited under this section.

10 ~~((4))~~ (5) After acquiring an annual studded tire permit under
11 section 2 of this act, a school district or fire department may use
12 tires with metal studs imbedded therein ~~((may be used))~~ between
13 November 1st and April 1st upon school buses and fire department
14 vehicles, any law or regulation to the contrary notwithstanding.

15 **Sec. 5.** RCW 46.17.240 and 2010 c 161 s 517 are each amended to
16 read as follows:

17 State agencies, political subdivisions, Indian tribes, and the
18 United States government, except foreign governments or international
19 bodies, shall pay: (1) A fee of two dollars for a license plate or
20 plates for each vehicle when the department assigns license plates
21 for further assignment by the entity; and (2) the studded tire permit
22 fee under RCW 46.17.400(1)(g) prior to using studded tires as
23 authorized under RCW 46.37.420.

24 **Sec. 6.** RCW 46.17.040 and 2014 c 59 s 2 are each amended to read
25 as follows:

26 (1) The department, county auditor or other agent, or subagent
27 appointed by the director shall collect a service fee of:

28 (a) Twelve dollars for changes in a certificate of title, with or
29 without registration renewal, or for verification of record and
30 preparation of an affidavit of lost title other than at the time of
31 the certificate of title application or transfer; and

32 (b) Five dollars for a registration renewal, issuing a transit
33 permit or a studded tire permit, or any other service under this
34 section.

35 (2) Service fees collected under this section by the department
36 or county auditor or other agent appointed by the director must be
37 credited to the capital vessel replacement account under RCW
38 47.60.322.

1 NEW SECTION. **Sec. 7.** This act takes effect January 1, 2016.

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