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HOUSE BILL 1272

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State of Washington

65th Legislature

2017 Regular Session

By Representatives Harmsworth, Orcutt, Bergquist, Rodne, Muri, Stokesbary, MacEwen, Condotta, and Young

Read first time 01/16/17. Referred to Committee on Transportation.

1 AN ACT Relating to creating a motor vehicle registration hiatus  
2 for certain motor vehicles that are not operated on public roads;  
3 amending RCW 46.16A.020, 46.16A.180, and 46.16A.320; reenacting and  
4 amending RCW 46.16A.030; adding a new section to chapter 46.16A RCW;  
5 and prescribing penalties.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.16A  
8 RCW to read as follows:

9 (1) A registered owner or the registered owner's authorized  
10 representative may apply for a vehicle registration hiatus to the  
11 department, county auditor, or other agent or subagent appointed by  
12 the director on a form approved by the director. The submission of  
13 the hiatus form relieves the registered owner of the legal obligation  
14 to obtain an original vehicle registration upon acquiring a motor  
15 vehicle or to renew the vehicle registration before it expires and  
16 certifies that the motor vehicle will not be operated on the public  
17 roads. For purposes of this section, "motor vehicle" means a moped,  
18 motorcycle, passenger car, or sport utility vehicle.

19 (2) The vehicle registration hiatus must be for at least thirty  
20 days. At any time after this thirty-day time period, the registered  
21 owner or the registered owner's authorized representative may apply

1 for an original registration or registration renewal for the motor  
2 vehicle. Upon application, a new registration year and month must be  
3 assigned based on the date of the application for vehicle  
4 registration. The vehicle registration is valid for a full twelve-  
5 month period.

6 (3) A motor vehicle with a registration on hiatus status that  
7 needs to be moved from one location to another via the public  
8 roadways must obtain a trip permit in accordance with RCW 46.16A.320.  
9 The registered owner or driver of the motor vehicle, or both, in  
10 violation of this subsection is guilty of a traffic infraction and  
11 subject to a fine of up to five hundred dollars in addition to any  
12 other penalties. It is an affirmative defense for the registered  
13 owner of the motor vehicle if there is a theft of the motor vehicle  
14 or when the driver is responsible for the violation without the  
15 registered owner's knowledge.

16 (4) The department or any other public agency may not require  
17 that the registered owner of a privately owned motor vehicle apply  
18 for a vehicle registration hiatus or impose fees, fines, or penalties  
19 for failure to apply for a vehicle registration hiatus.

20 **Sec. 2.** RCW 46.16A.020 and 2014 c 80 s 2 are each amended to  
21 read as follows:

22 (1) The department, county auditor or other agent, or subagent  
23 appointed by the director shall assign a new registration year to a  
24 vehicle if:

25 (a) The registered ownership of the vehicle is being transferred,  
26 except as provided in subsection (4) of this section. The renewed  
27 vehicle registration is valid for a full twelve-month period unless:  
28 (i) The vehicle changes ownership during the twelve-month period, in  
29 which case the registration expires; or (ii) a specific expiration  
30 date is required by law, rule, or program; (~~or~~)

31 (b) The Washington vehicle registration has expired and the  
32 registered owner:

33 (i) Is a member of the United States armed forces;  
34 (ii) Was stationed outside of Washington under military orders  
35 during the prior vehicle registration year; and

36 (iii) Provides the department a copy of the military orders; or

37 (c) The vehicle registration is either obtained for the first  
38 time or renewed after a hiatus status under section 1 of this act.

1 (2) Each registration year may be divided into twelve  
2 registration months. Each registration month begins at 12:01 a.m. on  
3 a day of the month assigned by the department and ends at 12:00 a.m.  
4 on the same day the following month.

5 (3) A registration period extends through the end of the next  
6 business day when the final day of a registration year or month falls  
7 on a Saturday, Sunday, or legal holiday.

8 (4) A vehicle registration does not expire when a change in  
9 vehicle ownership is the result of one or more of the following  
10 circumstances:

11 (a) When adding a lien holder to the certificate of title or  
12 removing a lien holder from the certificate of title;

13 (b) When a vehicle is transferred from one spouse or registered  
14 domestic partner to another;

15 (c) When removing a deceased spouse or registered domestic  
16 partner from the certificate of title;

17 (d) When a vehicle is transferred by gift or inheritance to one  
18 or more members of the registered owner's immediate family;

19 (e) When a vehicle is transferred into or out of a trust in which  
20 the registered owner or one or more immediate family members of the  
21 registered owner is the beneficiary;

22 (f) When a leaseholder buys out the leased vehicle; or

23 (g) When a person changes his or her name.

24 **Sec. 3.** RCW 46.16A.030 and 2011 c 171 s 43 and 2011 c 96 s 31  
25 are each reenacted and amended to read as follows:

26 (1) Vehicles must be registered as required by this chapter and  
27 must display license plates or decals assigned by the department.

28 (2) It is unlawful for a person to operate any vehicle on a  
29 public highway of this state without having in full force and effect  
30 a current and proper vehicle registration or, when the vehicle  
31 registration is on hiatus status under section 1 of this act, a trip  
32 permit and displaying license plates on the vehicle.

33 (3) Vehicle license plates or registration certificates, whether  
34 original issues or duplicates, may not be issued or furnished by the  
35 department until the applicant makes satisfactory application for a  
36 certificate of title or presents satisfactory evidence that a  
37 certificate of title covering the vehicle has been previously issued.

38 (4) Failure to make initial registration before operating a  
39 vehicle on the public highways of this state is a traffic infraction.

1 A person committing this infraction must pay a fine of five hundred  
2 twenty-nine dollars, which may not be suspended, deferred, or  
3 reduced. This fine is in addition to any delinquent taxes and fees  
4 that must be deposited and distributed in the same manner as if the  
5 taxes and fees were properly paid in a timely fashion. The five  
6 hundred twenty-nine dollar fine must be deposited into the vehicle  
7 licensing fraud account created in the state treasury in RCW  
8 46.68.250.

9 (5) Except as provided under section 1 of this act, failure to  
10 renew an expired registration before operating a vehicle on the  
11 public highways of this state is a traffic infraction.

12 (6) It is a gross misdemeanor for a resident, as identified in  
13 RCW 46.16A.140, to register a vehicle in another state, evading the  
14 payment of any tax or vehicle license fee imposed in connection with  
15 registration. It is punishable, in lieu of the fine in subsection (4)  
16 of this section, as follows:

17 (a) For a first offense:

18 (i) Up to three hundred sixty-four days in the county jail;

19 (ii) Payment of a fine of five hundred twenty-nine dollars plus  
20 any applicable assessments, which may not be suspended, deferred, or  
21 reduced. The fine of five hundred twenty-nine dollars must be  
22 deposited into the vehicle licensing fraud account created in the  
23 state treasury in RCW 46.68.250;

24 (iii) A fine of one thousand dollars to be deposited into the  
25 vehicle licensing fraud account created in the state treasury in RCW  
26 46.68.250, which may not be suspended, deferred, or reduced; and

27 (iv) The delinquent taxes and fees, which must be deposited and  
28 distributed in the same manner as if the taxes and fees were properly  
29 paid in a timely fashion, and which may not be suspended, deferred,  
30 or reduced;

31 (b) For a second or subsequent offense:

32 (i) Up to three hundred sixty-four days in the county jail;

33 (ii) Payment of a fine of five hundred twenty-nine dollars plus  
34 any applicable assessments, which may not be suspended, deferred, or  
35 reduced. The fine of five hundred twenty-nine dollars must be  
36 deposited into the vehicle licensing fraud account created in the  
37 state treasury in RCW 46.68.250;

38 (iii) A fine of five thousand dollars to be deposited into the  
39 vehicle licensing fraud account created in the state treasury in RCW  
40 46.68.250, which may not be suspended, deferred, or reduced; and

1 (iv) The amount of delinquent taxes and fees, which must be  
2 deposited and distributed in the same manner as if the taxes and fees  
3 were properly paid in a timely fashion, and which may not be  
4 suspended, deferred, or reduced.

5 (7) A vehicle with an expired registration of more than  
6 forty-five days parked on a public street may be impounded by a  
7 police officer under RCW 46.55.113(2).

8 **Sec. 4.** RCW 46.16A.180 and 2013 c 157 s 3 are each amended to  
9 read as follows:

10 (1)(a) A registration certificate must be:

11 (~~(a)~~) (i) Signed by the registered owner, or if a firm or  
12 corporation, the signature of one of its officers or other authorized  
13 agent, to be valid;

14 (~~(b)~~) (ii) Carried in the vehicle for which it is issued; and

15 (~~(c)~~) (iii) Provided to law enforcement and the department by  
16 the operator of the vehicle upon demand.

17 (~~(d)~~) (b) The registration certificate required by this section  
18 may be provided in either paper or electronic format. Acceptable  
19 electronic formats include the display of electronic images on a  
20 cellular phone or any other type of portable electronic device.

21 (2) Except as provided under section 1 of this act, it is  
22 unlawful for any person to operate or be in possession of a vehicle  
23 without carrying a registration certificate for the vehicle. Any  
24 person in charge of a vehicle shall, upon demand of any of the local  
25 authorities or of any police officer or of any representative of the  
26 department, permit an inspection of the vehicle registration  
27 certificate unless the vehicle registration is on hiatus status under  
28 section 1 of this act. This section does not apply to a vehicle for  
29 which registration is not required to be renewed annually and is a  
30 publicly owned vehicle marked as required under RCW 46.08.065.

31 **Sec. 5.** RCW 46.16A.320 and 2012 c 74 s 15 are each amended to  
32 read as follows:

33 (1)(a) A vehicle owner may operate an unregistered vehicle on  
34 public highways under the authority of a trip permit issued by this  
35 state. For purposes of trip permits, a vehicle is considered  
36 unregistered if:

37 (i) Under reciprocal relations with another jurisdiction, the  
38 owner would be required to register the vehicle in this state;

1 (ii) Not registered when registration is required under this  
2 chapter;

3 (iii) The license tabs have expired; (~~(e)~~)

4 (iv) The vehicle registration is on hiatus status under section 1  
5 of this act; or

6 (v) The current gross weight license is insufficient for the load  
7 being carried. The licensed gross weight may not exceed eighty  
8 thousand pounds for a combination of vehicles or forty thousand  
9 pounds for a single unit vehicle with three or more axles.

10 (b) Trip permits are required to move mobile homes or park model  
11 trailers and may only be issued if property taxes are paid in full.

12 (2) Trip permits may not be:

13 (a) Issued to vehicles registered under RCW 46.16A.455(5) in lieu  
14 of further registration within the same registration year; or

15 (b) Used for commercial motor vehicles owned by a motor carrier  
16 subject to RCW 46.32.080 if the motor carrier's department of  
17 transportation number has been placed out of service by the  
18 Washington state patrol. A violation of or a failure to comply with  
19 this subsection is a gross misdemeanor, subject to a minimum monetary  
20 penalty of two thousand five hundred dollars for the first violation  
21 and five thousand dollars for each subsequent violation.

22 (3)(a) Each trip permit authorizes the operation of a single  
23 vehicle at the maximum legal weight limit for the vehicle for a  
24 period of three consecutive days beginning with the day of first use.  
25 No more than three trip permits may be used for any one vehicle in  
26 any thirty consecutive day period. No more than two trip permits may  
27 be used for any one recreational vehicle, as defined in RCW  
28 43.22.335, in a one-year period. Every trip permit must:

29 (i) Identify the vehicle for which it is issued;

30 (ii) Be completed in its entirety;

31 (iii) Be signed by the operator before operation of the vehicle  
32 on the public highways of this state;

33 (iv) Not be altered or corrected. Altering or correcting data on  
34 the trip permit invalidates the trip permit; and

35 (v) Be displayed on the vehicle for which it is issued as  
36 required by the department.

37 (b) Vehicles operating under the authority of trip permits are  
38 subject to all laws, rules, and regulations affecting the operation  
39 of similar vehicles in this state.

1           (4) Prorate operators operating commercial vehicles on trip  
2 permits in Washington shall retain the customer copy of each permit  
3 for four years.

4           (5) Trip permits may be obtained from field offices of the  
5 department of transportation, department of licensing, county  
6 auditors or other agents, and subagents appointed by the department  
7 for the fee provided in RCW 46.17.400(1)(h). Exchanges, credits, or  
8 refunds may not be given for trip permits after they have been  
9 purchased.

10          (6) Except as provided in subsection (2)(b) of this section, a  
11 violation of or a failure to comply with this section is a gross  
12 misdemeanor.

13          (7) The department may adopt rules necessary to administer this  
14 section.

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