

SENATE BILL REPORT

SB 5230

As Reported by Senate Committee On:
Transportation, January 28, 2019

Title: An act relating to amending motor vehicle laws to align with federal definitions, make technical corrections, and move an effective date to meet a federal timeline.

Brief Description: Amending motor vehicle laws to align with federal definitions, make technical corrections, and move an effective date to meet a federal timeline.

Sponsors: Senators Wilson, C. and Wilson, L.; by request of Department of Licensing.

Brief History:

Committee Activity: Transportation: 1/23/19, 1/28/19 [DP].

Brief Summary of Bill

- Expands authorization for the Department of Licensing to issue special Armed Forces license plates for vehicles that are not motor vehicles—such as trailers.
- Decreases the fee for a tow truck that is registered to a registered tow truck operator for a transporter's license plate indicator tab that will become available June 1, 2019, from \$25 to \$2.
- Increases the renewal registration fee for a commercial trailer from \$30 to \$34.
- Delays implementation of modifications to commercial driver's license (CDL) laws to correspond to a delay in a federal rule on requirements for tracking CDL medical certifications.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland, Das, Fortunato, Nguyen, O'Ban, Padden, Randall, Takko, Wilson, C. and Zeiger.

Staff: Bryon Moore (786-7726)

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: Armed Forces License Plates. The Department of Licensing (DOL) may issue special armed forces license plates for motor vehicles for the Air Force, Army, Coast Guard, Marine Corps, National Guard, and Navy. These license plates may be purchased by active military personnel, members of the National Guard, reservists, veterans, and families of veterans and service members.

Transporter License Plates. A transporter's license is required to engage in the business of the delivery of vehicles registered in the state by the drive-away or tow-away method. The fee for an original transporter's license is \$25 and the fee for a renewal transporter's license is \$15.

Transporter license plates bearing an appropriate symbol and serial number must be attached to all vehicles being delivered or evaluated under the transporter's license. The plates may be obtained for a fee of \$2.

Until June 1, 2019, transporter's license plates must be conspicuously displayed on all vehicles being delivered by drive-away or tow-away methods or being driven on the public roads of the state for the purpose of repair evaluation. As of June 1, 2019, transporter's license plates or indicator tabs used by tow trucks owned by registered tow truck operators must be conspicuously displayed.

Effective June 1, 2019, if a tow truck owned by a registered tow truck operator is used to conduct transporter business, an indicator tab must be posted on a tow truck license plate indicating that the vehicle is licensed to perform transporter services. The fee for an original transporter's license plate indicator tab for a tow truck owned by a registered tow truck operator is \$25.

Commercial Trailer Renewal Registration Fees. Initial and renewal vehicle registration fees are set by state law. Vehicle and vessel title and registration statutes were reorganized in Senate Bill 6379 (2010). At that time, the initial registration fee for commercial trailers was set at \$34 and the renewal registration fee for commercial trailers was set at \$30. Prior to the 2010 reorganization, the fees for the initial and renewal vehicle registration of commercial trailers were both set at \$34.

There are a number of other fees that must be paid as part of the annual commercial trailer vehicle registration process.

Commercial Driver's License Medical Certification Tracking. Under federal law, a CDL or commercial learner's permit (CLP) holder may not operate a commercial motor vehicle in interstate commerce unless the CDL or CPL holder is medically certified as physically qualified to do so, unless the CDL or CPL holder solely engages in certain exempted driving categories.

Federal law currently requires that a CDL or CLP holder carry the original or a copy of a current medical examiner's certificate indicating that the CDL or CPL holder is physically qualified to drive a commercial motor vehicle. Earlier federal guidance communicated that, as of June 22, 2018, a CDL or CLP holder would no longer be required to carry on their person the medical examiner's certificate. Instead, by that date, an electronic copy of medical

examiner's certifications was to be submitted by all medical examiners to the Federal Motor Carrier Safety Administration (FMCSA). FMCSA would then provide this information to the state, and the state would be required to post a medical qualification status of certified on the driver record in the Commercial Driver's License Information System (CDLIS).

On June 21, 2018, an interim federal final rule delayed the compliance date for this change until June 22, 2021. This delay was needed because FMCSA determined that it would not be prepared to electronically transmit or receive medical certification information by the earlier deadline.

Substitute House Bill 2696 (2018), which is set to take effect April 30, 2019, eliminates the requirement that a commercial motor vehicle driver carry a medical examiner certificate on their person as valid proof of medical certification. Instead, DOL is required to obtain an electronic copy of the medical examiner's certificate from the FMCSA and to post the medical status of the CDL or CLP holder to their CDLIS driver record.

Definition of Commercial Motor Vehicle. A commercial motor vehicle is a motor vehicle that:

- has a gross combination weight rating or gross combination weight of 26,001 pounds or more, whichever is greater, inclusive of a towed unit or units with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds;
- has a gross vehicle weight rating or gross vehicle weight of 26,001 pounds or more, whichever is greater;
- is designed to transport 16 or more passengers, including the driver; or
- is of any size and is used in the transportation of hazardous materials as defined under federal law.

Summary of Bill: Armed Forces License Plates. DOL may issue special Armed Forces license plates for vehicles that are not motor vehicles, including trailers and campers.

Transporter License Plates. The fee for an original transporter's license plate indicator tab for a tow truck owned by a registered tow truck operator is \$2, equal to the fee for a transporter license plate. The law is made consistent to clarify that an indicator tab may be used by these vehicles in place of a transporter license plate.

Commercial Trailer Renewal Registration Fees. The renewal registration fee for commercial trailers is \$34.

Commercial Driver's License Medical Certification Tracking. The elimination of the requirement that CDL and CLP holders carry documentation of valid medical certification, and the requirement that DOL electronically track this information will not take effect until June 1, 2020.

Definition of Commercial Motor Vehicle. Minor technical corrections are made to the definition of commercial motor vehicle. No substantive changes are made to this definition.

Appropriation: None

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates and two emergency clauses. Please refer to the bill.

Staff Summary of Public Testimony: PRO: This bill is needed to correct mistakes from the enactment of previous legislation. It is important that there is clarity for the public.

Persons Testifying: PRO: Senator Claire Wilson, Prime Sponsor.

Persons Signed In To Testify But Not Testifying: PRO: Beau Perschbacher, DOL; Chester Baldwin, Towing and Recovery Association of Washington.