

Chapter 308-94A WAC
OFF-ROAD AND NONHIGHWAY VEHICLES

Last Update: 9/16/22

WAC

| | |
|-------------|---|
| 308-94A-005 | Certificates of title and registration. |
| 308-94A-010 | Annual off-road/nonhighway vehicle use permit (registration) period. |
| 308-94A-015 | Off-road/nonhighway vehicle use permit (registration) not required—When. |
| 308-94A-020 | Display of off-road/nonhighway vehicle use permit decals and validation tabs. |
| 308-94A-025 | Temporary off-road/nonhighway vehicle use permit application. |
| 308-94A-030 | Off-road vehicle dealer plate—Cost. |
| 308-94A-035 | Delivery of off-road vehicle on dealer temporary permit. |

WAC 308-94A-005 Certificates of title and registration. (1) **Is a certificate of title issued for off-road, nonhighway vehicles, and wheeled all-terrain vehicles?** Yes, a certificate of title is issued using the same laws, rules, and procedures for other classes of vehicles. The certificate of title will indicate the comment "not eligible for road use" if a vehicle is not manufactured for road use or "modified for on-road use" if an off-road motorcycle as defined in chapter 46.04 RCW has been modified for use on highways and roads.

(2) **What are the licensing options for off-road and nonhighway vehicles described in RCW 46.04.365?** If your vehicle:

(a) Is licensed for road use under chapter 46.16A RCW:

(i) Your license plates will be valid for off-road use, but you may need an ORV license in designated areas;

(ii) You may purchase an annual or temporary off-road use permit.

(b) Is not manufactured for road use, you may only purchase an annual or temporary off-road use permit;

(c) Is an off-road motorcycle as defined in chapter 46.04 RCW, you can license it for road use by complying with chapter 46.61 RCW and filing a motorcycle highway use declaration with the department.

(3) **What is an ORV use permit?**

(a) The temporary ORV use permit authorized under RCW 46.09.430 is:

(i) Valid for sixty days from the date of application;

(ii) Available to nonresidents and Washington residents who choose not to annually license their ORV; and

(iii) Not transferable to another vehicle.

(b) The annual ORV registration authorized under RCW 46.09.410 is:

(i) Valid for one year from the date of application;

(ii) Available to Washington residents and nonresidents when the ORV is primarily used in Washington state; and

(iii) Not transferable to another vehicle.

(4) **What do I do with the annual or temporary off-road permit?** The permit must be carried on the vehicle and made available to any law enforcement officer on request.

(5) **May I operate my off-road/nonhighway vehicle using a temporary or annual vehicle use permit on any dirt, gravel road, or trail in Washington?** No. Check with local, state, or federal authorities in the areas you intend to operate the vehicle.

(6) **What are the licensing options for wheeled all-terrain vehicles described in RCW 46.09.310?**

(a) In accordance with RCW 46.09.442, you must minimally register your vehicle for off-road use by purchasing:

(i) A metal tag; and

(ii) An off-road tab.

(b) If your vehicle has been modified for on-road use and you are electing to use it on a public roadway, you must:

(i) Submit the wheeled all-terrain vehicle (WATV) road use declaration; and

(ii) Purchase an off-road and on-road tab.

(c) You may elect to revert to off-road use only at any subsequent registration period. Adding on-road use will not require the re-submission of a WATV road use declaration.

Note: Modifying the vehicle does not require the purchase of an on-road tab.

(7) Do I need to retitle my wheeled all-terrain vehicle after I have modified it for on-road use? No, that is a registration activity only.

[Statutory Authority: RCW 46.01.110. WSR 22-19-062, § 308-94A-005, filed 9/16/22, effective 10/17/22; WSR 11-21-068, § 308-94A-005, filed 10/17/11, effective 11/17/11. Statutory Authority: RCW 46.16.110. WSR 06-21-024, § 308-94A-005, filed 10/9/06, effective 11/9/06. Statutory Authority: RCW 46.01.110. WSR 01-13-008, § 308-94A-005, filed 6/8/01, effective 7/9/01; WSR 99-24-013, § 308-94A-005, filed 11/22/99, effective 12/23/99.]

WAC 308-94A-010 Annual off-road/nonhighway vehicle use permit (registration) period. (1) **How long is an off-road/nonhighway vehicle use permit (registration) valid?** The registration year of the off-road/nonhighway use permit (registration) begins the day it is issued and expires the same day of the following year.

(2) **Under what circumstances will the registration expiration date be changed?** The expiration date of the off-road use permit will change when:

(a) It has been expired for more than one year;

(b) The registration is expired at the time ownership is transferred and the new owner renews the registration;

(c) The registered owner requests a change of registration expiration month. This can only be done at the time of renewal and requires the registered owner to purchase more than twelve months of registration, limited to the vehicle field system constraints and tab availability; or

(d) The vehicle has subsequently been registered, but no certificate of ownership has been issued, in another jurisdiction and:

(i) No change in ownership has occurred; and

(ii) The off-road/nonhighway vehicle is being registered again in Washington; and

(iii) The previous Washington registration has expired.

(3) **Can I get a refund for the unused portion of my off-road/nonhighway use permit (registration)?** No, there is no refund for the unused portion.

[Statutory Authority: RCW 46.01.110. WSR 01-13-008, § 308-94A-010, filed 6/8/01, effective 7/9/01; WSR 99-24-013, § 308-94A-010, filed 11/22/99, effective 12/23/99.]

WAC 308-94A-015 Off-road/nonhighway vehicle use permit (registration) not required—When. When are off-road/nonhighway vehicle(s) not required to be registered? Vehicles exempted in RCW

46.09.050 and 46.09.020 are not required to obtain off-road/nonhighway vehicle use permit (registration).

[Statutory Authority: RCW 46.01.110. WSR 01-13-008, § 308-94A-015, filed 6/8/01, effective 7/9/01; WSR 99-24-013, § 308-94A-015, filed 11/22/99, effective 12/23/99.]

WAC 308-94A-020 Display of off-road/nonhighway vehicle use permit decals and validation tabs. (1) **How do I display the off-road/nonhighway vehicle use permit number and validation tabs on my vehicle?** Display off-road/nonhighway use permit number and validation tabs by:

(a) Affixing the decals provided by the department to the right and left side or on the rear of the off-road vehicle. The decals must be visible at all times; or

(b) Painting the vehicle use permit number in a manner that is readily legible and visible at all times. The characters must be at least one-inch high with a minimum of one-eighth inch stroke and in a color contrasting with the background; and

(c) Reading from left to right; and

(d) Affixing the validation month tab issued by the department no more than two inches in front of the beginning of the annual use permit decal number; and

(e) Affixing the validation year tab no more than two inches following the last digit in the annual use permit decal number.

(2) **Is a license plate required if my off-road/nonhighway vehicle is registered for dual use?** Yes, the license plate must be displayed in the same manner as required for highway use.

[Statutory Authority: RCW 46.01.110. WSR 01-13-008, § 308-94A-020, filed 6/8/01, effective 7/9/01; WSR 99-24-013, § 308-94A-020, filed 11/22/99, effective 12/23/99.]

WAC 308-94A-025 Temporary off-road/nonhighway vehicle use permit application. **What information does the department require when I apply for a temporary off-road/nonhighway vehicle use permit?** An application for a temporary off-road/nonhighway vehicle use permit must include the following:

(1) Name and address of the applicant;

(2) Off-road or nonhighway vehicle plate or registration number if registered in another state;

(3) Make and year of vehicle;

(4) Expiration date of the foreign state registration;

(5) Vehicle identification number;

(6) Appropriate fees; and

(7) Signature of registered owner(s).

[Statutory Authority: RCW 46.01.110. WSR 01-13-008, § 308-94A-025, filed 6/8/01, effective 7/9/01; WSR 99-24-013, § 308-94A-025, filed 11/22/99, effective 12/23/99.]

WAC 308-94A-030 Off-road vehicle dealer plate—Cost. **What is the cost of an off-road vehicle dealer's plate?** An off-road vehicle

dealer must pay three dollars and fifty cents, plus the reflectorization fee of fifty cents for each dealer plate ordered from the department.

[Statutory Authority: RCW 46.01.110. WSR 01-13-008, § 308-94A-030, filed 6/8/01, effective 7/9/01; WSR 99-24-013, § 308-94A-030, filed 11/22/99, effective 12/23/99.]

WAC 308-94A-035 Delivery of off-road vehicle on dealer temporary permit. What are the requirements for Washington licensed off-road vehicle dealers when purchasing and issuing dealer temporary permits? Washington licensed off-road vehicle dealers must follow the same requirements as provided in WAC 308-56A-420 and 308-56A-425, with the exception that the off-road vehicle dealer must apply for title in the purchaser's name within fifteen days following the sale as defined in RCW 46.09.330.

[Statutory Authority: RCW 46.01.110. WSR 11-18-047, § 308-94A-035, filed 8/31/11, effective 10/1/11.]