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HOUSE BILL 2759

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State of Washington                      58th Legislature                      2004 Regular Session

By Representatives Murray, Dickerson and Rockefeller

Read first time 01/20/2004. Referred to Committee on Transportation.

1            AN ACT Relating to registration of vehicles based on residence;  
2 amending RCW 46.16.028, 46.16.040, and 46.20.205; adding a new section  
3 to chapter 46.04 RCW; and adding a new section to chapter 46.16 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 46.04 RCW  
6 to read as follows:

7            "Residence address" means the street address of the primary  
8 residence of a person within the state of Washington. It is strongly  
9 presumed that the residence address will be the same address used in  
10 drivers' license records and voter registration records.

11           **Sec. 2.** RCW 46.16.028 and 1997 c 59 s 7 are each amended to read  
12 as follows:

13           (1) For the purposes of vehicle license registration, a resident is  
14 a person who manifests an intent to live or be located in this state on  
15 more than a temporary or transient basis. Evidence of residency  
16 includes but is not limited to:

17           (a) Becoming a registered voter in this state; or

1 (b) Receiving benefits under one of the Washington public  
2 assistance programs; or

3 (c) Declaring that he or she is a resident for the purpose of  
4 obtaining a state license or tuition fees at resident rates.

5 (2) The term "Washington public assistance programs" referred to in  
6 subsection (1)(b) of this section includes only public assistance  
7 programs for which more than fifty percent of the combined costs of  
8 benefits and administration are paid from state funds. Programs which  
9 are not included within the term "Washington public assistance  
10 programs" pursuant to the above criteria include, but are not limited  
11 to the food stamp program under the federal food stamp act of 1964;  
12 programs under the child nutrition act of 1966, 42 U.S.C. Secs. 1771  
13 through 1788; and temporary assistance for needy families.

14 (3) A resident of the state shall register under chapters 46.12 and  
15 46.16 RCW a vehicle to be operated on the highways of the state. New  
16 Washington residents shall be allowed thirty days from the date they  
17 become residents as defined in this section to procure Washington  
18 registration for their vehicles. This thirty-day period shall not be  
19 combined with any other period of reciprocity provided for in this  
20 chapter or chapter 46.85 RCW. The initial registration of a vehicle  
21 previously licensed in another jurisdiction by a new Washington  
22 resident is considered a relicensing of the vehicle and a renewal of  
23 the vehicle's license.

24 **Sec. 3.** RCW 46.16.040 and 1987 c 244 s 2 are each amended to read  
25 as follows:

26 Application for original vehicle license shall be made on (~~{a}~~)  
27 a form furnished for the purpose by the department. Such application  
28 shall be made by the owner of the vehicle or duly authorized agent over  
29 the signature of such owner or agent, and the applicant shall certify,  
30 under penalty of perjury, that the statements therein are true to the  
31 best of the applicant's knowledge. The application must show:

32 (1) Name and residence address of the owner of the vehicle and, if  
33 the vehicle is subject to a security agreement, the name and address of  
34 the secured party;

35 (2) Trade name of the vehicle, model, year, type of body, the  
36 identification number thereof;

1 (3) The power to be used--whether electric, steam, gas or other  
2 power;

3 (4) The purpose for which said vehicle is to be used and the nature  
4 of the license required;

5 (5) The licensed gross weight for such vehicle which in the case of  
6 for hire vehicles and auto stages with seating capacity of more than  
7 six shall be the adult seating capacity thereof, including the  
8 operator, as provided for in RCW 46.16.111. In the case of motor  
9 trucks, tractors, and truck tractors, the licensed gross weight shall  
10 be the gross weight declared by the applicant pursuant to the  
11 provisions of RCW 46.16.111;

12 (6) The unladen weight of such vehicle, if it be a motor truck or  
13 trailer, which shall be the shipping weight thereof as given by the  
14 manufacturer thereof unless another weight is shown by weight slip  
15 verified by a certified weighmaster, which slip shall be attached to  
16 the original application;

17 (7) Such other information as shall be required upon such  
18 application by the department.

19 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.16 RCW  
20 to read as follows:

21 (1) To renew a vehicle license, an applicant shall satisfy all  
22 special motor vehicle excise tax obligations with respect to any taxing  
23 district of which the applicant is a resident. If the department or  
24 its agents determine that a vehicle registered at an address outside a  
25 taxing district is owned by a resident of the taxing district, the  
26 renewal application may be processed by the department or its agents  
27 only if the applicant:

28 (a) Presents evidence reasonably satisfactory to the department or  
29 its agents that the applicant is not a resident of the taxing district;  
30 or

31 (b) Establishes eligibility of the applicant for an exemption from  
32 the special motor vehicle excise tax; or

33 (c) Tenders payment of the applicable special motor vehicle excise  
34 taxes owed, files a change of address under RCW 46.20.205, and pays a  
35 fifteen-dollar surcharge.

36 (2) The surcharge will be allocated as follows:

1 (a) Ten dollars will be deposited in the motor vehicle fund to be  
2 used exclusively for the administrative costs of the department; and

3 (b) Five dollars will be retained by the agent handling the renewal  
4 application to be used by the agent for the administration of this  
5 section.

6 (3) The department shall send to a registered owner of a vehicle  
7 who has been determined not to be a resident at the registered address  
8 of the vehicle, at the time of renewal, a statement setting out the  
9 presumed address of residency, the taxing district to which the address  
10 relates, the amounts of special motor vehicle excise tax relating to  
11 the vehicle, and the surcharge to be collected.

12 **Sec. 5.** RCW 46.20.205 and 1999 c 6 s 24 are each amended to read  
13 as follows:

14 (1) Whenever any person after applying for or receiving a driver's  
15 license or identicard moves from the residence address named in the  
16 application or in the license or identicard issued to him or her, the  
17 person shall within ten days thereafter notify the department of the  
18 address change. The notification must be in writing on a form provided  
19 by the department and must include the number of the person's driver's  
20 license. The written notification, or other means as designated by  
21 rule of the department, is the exclusive means by which the address of  
22 record maintained by the department concerning the licensee or  
23 identicard holder may be changed.

24 (a) The form must contain a place for the person to indicate that  
25 the address change is not for voting purposes. The department of  
26 licensing shall notify the secretary of state by the means described in  
27 RCW (~~(29.07.270(3))~~) 29A.08.350 of all change of address information  
28 received by means of this form except information on persons indicating  
29 that the change is not for voting purposes. The form must also include  
30 a certification, under penalty of perjury, that the statements in it  
31 are true to the best of the person's knowledge.

32 (b) Any notice regarding the cancellation, suspension, revocation,  
33 disqualification, probation, or nonrenewal of the driver's license,  
34 commercial driver's license, driving privilege, or identicard mailed to  
35 the address of record of the licensee or identicard holder is effective  
36 notwithstanding the licensee's or identicard holder's failure to  
37 receive the notice.

1           (2) When a licensee or holder of an identicard changes his or her  
2 name of record, the person shall notify the department of the name  
3 change. The person must make the notification within ten days of the  
4 date that the name change is effective. The notification must be in  
5 writing on a form provided by the department and must include the  
6 number of the person's driver's license. The department of licensing  
7 shall not change the name of record of a person under this section  
8 unless the person has again satisfied the department regarding his or  
9 her identity in the manner provided by RCW 46.20.035.

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