

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5616

63rd Legislature
2013 Regular Session

Passed by the Senate April 22, 2013
YEAS 48 NAYS 0

President of the Senate

Passed by the House April 9, 2013
YEAS 93 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5616** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5616

AS AMENDED BY THE HOUSE

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By Senators Sheldon, Smith, Schoesler, Hargrove, Hatfield, Hewitt,
and Shin

Read first time 02/05/13. Referred to Committee on Transportation.

1 AN ACT Relating to the use of farm vehicles on public highways;
2 amending RCW 46.16A.080 and 46.04.181; and reenacting and amending RCW
3 46.16A.420.

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

5 **Sec. 1.** RCW 46.16A.420 and 2010 c 161 s 409 and 2010 c 8 s 9010
6 are each reenacted and amended to read as follows:

7 (1) A farmer shall apply to the department, county auditor or other
8 agent, or subagent appointed by the director for a farm exempt decal
9 for a farm vehicle if the farm vehicle is exempt under RCW
10 46.16A.080(3). The farm exempt decal:

11 (a) Allows the farm vehicle to be operated (~~((within a radius of~~
12 ~~fifteen miles of the farm where it is principally used or garaged))~~ on
13 public highways as identified under RCW 46.16A.080(3);

14 (b) Must be displayed on the farm vehicle so that it is clearly
15 visible from outside of the farm vehicle; (~~and~~)

16 (c) Must identify that the farm vehicle is exempt from the
17 registration requirements of this chapter; and

18 (d) Must be visible from the rear of the farm vehicle. This

1 requirement for a farm exempt decal to be visible from the rear of the
2 vehicle applies only to farm exempt decals issued after the effective
3 date of this section.

4 (2) A farmer or the farmer's representative must apply for a farm
5 exempt decal on a form furnished or approved by the department. The
6 application must show:

7 (a) The name and address of the person who is the owner of the
8 vehicle;

9 (b) A full description of the vehicle, including its make, model,
10 year, the motor number or the vehicle identification number if the
11 vehicle is a motor vehicle, or the serial number if the vehicle is a
12 trailer;

13 (c) The purpose for which the vehicle is principally used;

14 (d) The place where the farm vehicle is principally used or
15 garaged; and

16 (e) Other information as required by the department upon
17 application.

18 (3) The department, county auditor or other agent, or subagent
19 appointed by the director shall collect the fee required under RCW
20 46.17.325 when issuing a farm exempt decal.

21 (4) A farm exempt decal may not be renewed. The status as an
22 exempt vehicle continues until suspended or revoked for misuse, or when
23 the vehicle is no longer used as a farm vehicle.

24 (5) The department may adopt rules to implement this section.

25 **Sec. 2.** RCW 46.16A.080 and 2011 c 171 s 45 are each amended to
26 read as follows:

27 The following vehicles are not required to be registered under this
28 chapter:

29 (1) Converter gears used to convert a semitrailer into a trailer or
30 a two-axle truck or tractor into a three or more axle truck or tractor
31 or used in any other manner to increase the number of axles of a
32 vehicle;

33 (2) Electric-assisted bicycles;

34 (3)(a) (~~Farm implements, tractors, trailers, and other~~) Farm
35 vehicles (~~((+i))~~) operated within a radius of (~~((fifteen))~~) twenty-five
36 miles of the farm where it is principally used or garaged for the
37 purposes of traveling between farms or other locations to engage in

1 activities that support farming operations, (b) farm tractors and farm
2 implements including trailers designed as cook or bunk houses(~~(, (ii))~~)
3 used exclusively for animal herding(~~(, and (iii))~~) temporarily
4 operating or drawn upon the public highways, and (~~(b)~~) (c) trailers
5 used exclusively to transport farm implements from one farm to another
6 during daylight hours or at night when the trailer is equipped with
7 lights that comply with applicable law;

8 (4) Forklifts operated during daylight hours on public highways
9 adjacent to and within five hundred feet of the warehouses they serve;

10 (5) Golf carts, as defined in RCW 46.04.1945, operating within a
11 designated golf cart zone as described in RCW 46.08.175;

12 (6) Motor vehicles operated solely within a national recreation
13 area that is not accessible by a state highway, including motorcycles,
14 motor homes, passenger cars, and sport utility vehicles. This
15 exemption applies only after initial registration;

16 (7) Motorized foot scooters;

17 (8) Nurse rigs or equipment auxiliary for the use of and designed
18 or modified for the fueling, repairing, or loading of spray and
19 fertilizer applicator rigs and not used, designed, or modified
20 primarily for the purpose of transportation;

21 (9) Off-road vehicles operated on a street, road, or highway as
22 authorized under RCW 46.09.360, or nonhighway roads under RCW
23 46.09.450;

24 (10) Special highway construction equipment;

25 (11) Dump trucks and tractor-dump trailer combinations that are:

26 (a) Designed and used primarily for construction work on highways;

27 (b) Not designed or used primarily for the transportation of
28 persons or property on a public highway; and

29 (c) Only incidentally operated or moved over the highways;

30 (12) Spray or fertilizer applicator rigs designed and used
31 exclusively for spraying or fertilization in the conduct of
32 agricultural operations and not primarily for the purpose of
33 transportation;

34 (13) Tow dollies;

35 (14) Trams used for transporting persons to and from facilities
36 related to the horse racing industry as regulated in chapter 67.16 RCW,
37 as long as the public right-of-way routes over which the trams operate
38 are not more than one mile from end to end, the public rights-of-way

1 over which the tram operates have average daily traffic of not more
2 than fifteen thousand vehicles per day, and the activity is in
3 conformity with federal law. The operator must be a licensed driver
4 and at least eighteen years old. For the purposes of this section,
5 "tram" also means a vehicle, or combination of vehicles linked together
6 with a single mode of propulsion, used to transport persons from one
7 location to another; and

8 (15) Vehicles used by the state parks and recreation commission
9 exclusively for park maintenance and operations upon public highways
10 within state parks.

11 **Sec. 3.** RCW 46.04.181 and 2012 c 130 s 1 are each amended to read
12 as follows:

13 "Farm vehicle" means any vehicle other than a farm tractor or farm
14 implement which is: (1) Designed and/or used primarily in agricultural
15 pursuits on farms for the purpose of transporting machinery, equipment,
16 implements, farm products, supplies and/or farm labor thereon and is
17 only incidentally operated on or moved along public highways for the
18 purpose of going from one farm to another or between locations
19 supporting farming operations; or (2) for purposes of RCW 46.25.050,
20 used to transport agricultural products, farm machinery, farm supplies,
21 or any combination of these materials to or from a farm.

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