S-1093.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SUBSTITUTE SENATE BILL 5271**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 65th Legislature 2017 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Hobbs and King; by request of Department of Licensing)

AN ACT Relating to aligning existing definitions and practices to establish a uniform process for updating addresses of record and make conforming amendments to statutes administered by the department of licensing; amending RCW 46.04.199, 46.12.530, 46.16A.040, 46.16A.190, 46.17.230, 46.17.330, 46.20.205, 46.52.120, 46.68.035, 88.02.375, 46.17.050, and 46.17.060; and adding a new section to chapter 46.08 RCW.

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

**Sec.**  RCW 46.04.199 and 2010 c 161 s 120 are each amended to read as follows:

"Horseless carriage license plate" is a special license plate that may be assigned to a vehicle that is ((~~more than~~)) at least forty years old.

NEW SECTION. **Sec.**  A new section is added to chapter 46.08 RCW to read as follows:

(1) The name, residence address, and mailing address (if different) submitted by an applicant for a driver's license or other permit, identicard, certificate of title, or vehicle or vessel registration is the name and address of record for the person.

(2)(a) If an applicant for or the holder of a driver's license, permit, identicard, certificate of title, or vehicle or vessel registration changes his or her name or address, he or she must notify the department of the change in writing on a form provided by the department. The written notification, or other means as designated by rule of the department, is the exclusive means by which the name or address of record maintained by the department concerning the person may be changed.

(b) The form must contain a place for the person to indicate that an address change is not for voting purposes. The department must notify the secretary of state by the means described in RCW 29A.08.350 of all change of address information for natural persons received by means of this form except information on persons indicating that the change is not for voting purposes.

(3) Any notice regarding the refusal, cancellation, suspension, revocation, disqualification, probation, or nonrenewal of the driver's license, commercial driver's license, permit, driving privilege, identicard, certificate of title, or vehicle or vessel registration mailed to the address of record of the applicant or holder is effective notwithstanding the applicant or holder's failure to receive the notice.

(4) The department may not change the name of record of a person who is the holder of a driver's license, other driving permit, or identicard under this section unless the person has again satisfied the department regarding his or her identity in the manner provided under RCW 46.20.035.

**Sec.**  RCW 46.12.530 and 2010 c 161 s 302 are each amended to read as follows:

(1) The application for a certificate of title of a vehicle must be made by the owner or owner's representative to the department, county auditor or other agent, or subagent appointed by the director on a form furnished or approved by the department and must contain:

(a) A description of the vehicle, including make, model, vehicle identification number, type of body, and the odometer reading at the time of delivery of the vehicle;

(b) The name and address of the person who is to be the registered owner of the vehicle and, if the vehicle is subject to a security interest, the name and address of the secured party; and

(c) Other information the department may require.

(2) The department may require additional information and a physical examination of the vehicle or of any class of vehicles, or either.

(3) The application for a certificate of title must be signed by the person applying to be the registered owner and be sworn to by that person in the manner described under RCW 9A.72.085. The department shall keep the application in the original, computer, or photostatic form.

(4) The application for an original certificate of title must be accompanied by:

(a) A draft, money order, certified bank check, or cash for all fees and taxes due for the application for certificate of title; and

(b) The most recent certificate of title or other satisfactory evidence of ownership.

(5) Once issued, a certificate of title is not subject to renewal.

(6) Whenever any person, after applying for or receiving a certificate of title, moves from the address named in the application or in the certificate of title issued to him or her, or changes his or her name of record, the person shall, within ten days thereafter, notify the department of the name or address change as provided in section 2 of this act.

**Sec.**  RCW 46.16A.040 and 2010 c 161 s 413 are each amended to read as follows:

(1) An owner or the owner's authorized representative must apply for an original vehicle registration to the department, county auditor or other agent, or subagent appointed by the director on a form furnished by the department. The application must contain:

(a) A description of the vehicle, including its make, model, vehicle identification number, type of body, and power to be used;

(b) The name and address of the person who is the registered owner of the vehicle and, if the vehicle is subject to a security interest, the name and address of the secured party;

(c) The purpose for which the vehicle is to be used;

(d) The licensed gross weight for the vehicle, which is:

(i) The adult seating capacity, including the operator, as provided for in RCW 46.16A.455(1) if the vehicle will be operated as a for hire vehicle or auto stage and has a seating capacity of more than six; or

(ii) The gross weight declared by the applicant as required in RCW 46.16A.455(2) if the vehicle will be operated as a motor truck, tractor, or truck tractor;

(e) The empty scale weight of the vehicle; and

(f) Other information that the department may require.

(2) The registered owner or the registered owner's authorized representative shall sign the application for an original vehicle registration and certify that the statements on the application are true to the best of the applicant's knowledge.

(3) The application for an original vehicle registration must be accompanied by a draft, money order, certified bank check, or cash for all fees and taxes due for the application for an original vehicle registration.

(4) Whenever any person, after applying for or receiving a vehicle registration, moves from the address named in the application or in the registration issued to him or her, or changes his or her name of record, the person shall, within ten days thereafter, notify the department of the name or address change as provided in section 2 of this act.

**Sec.**  RCW 46.16A.190 and 2010 c 161 s 433 are each amended to read as follows:

A registered owner or the registered owner's authorized representative shall promptly apply for a duplicate registration certificate if the person is applying for a replacement license tab or windshield emblem or a registration certificate is lost, stolen, mutilated, or destroyed, or becomes illegible. The application for a duplicate registration certificate must include information required by the department and be accompanied by the fee required in RCW 46.17.320. The duplicate registration certificate must contain the word, "duplicate."

A person recovering a registration certificate for which a duplicate has been issued shall promptly return the recovered registration certificate to the department.

**Sec.**  RCW 46.17.230 and 2011 c 171 s 59 are each amended to read as follows:

Before accepting an application for a replacement license tab or windshield emblem, the department, county auditor or other agent, or subagent appointed by the director shall charge a ((~~one dollar~~)) fifty cent fee for each ((~~pair of~~)) tab((~~s~~)) or windshield emblem. The license tab or windshield emblem replacement fee must be deposited in the motor vehicle fund created in RCW 46.68.070. A replacement tab or emblem may be issued under this section only in conjunction with an application for a duplicate registration certificate under RCW 46.16A.190.

**Sec.**  RCW 46.17.330 and 2010 c 161 s 527 are each amended to read as follows:

(1) In lieu of the vehicle license fee required under RCW 46.17.350 and before accepting an application for a vehicle registration for farm vehicles described in RCW 46.16A.425, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following farm vehicle reduced gross weight license fee by weight:

|  |  |  |
| --- | --- | --- |
| WEIGHT | SCHEDULE A | SCHEDULE B |
| 4,000 pounds | $24.50 | $24.50 |
| 6,000 pounds | $24.50 | $24.50 |
| 8,000 pounds | $24.50 | $24.50 |
| 10,000 pounds | $40.50 | $40.50 |
| 12,000 pounds | $49.00 | $49.00 |
| 14,000 pounds | $54.50 | $54.50 |
| 16,000 pounds | $60.50 | $60.50 |
| 18,000 pounds | $86.50 | $86.50 |
| 20,000 pounds | $95.00 | $95.00 |
| 22,000 pounds | $102.00 | $102.00 |
| 24,000 pounds | $109.50 | $109.50 |
| 26,000 pounds | $115.00 | $115.00 |
| 28,000 pounds | $134.00 | $134.00 |
| 30,000 pounds | $153.00 | $153.00 |
| 32,000 pounds | $182.50 | $182.50 |
| 34,000 pounds | $193.50 | $193.50 |
| 36,000 pounds | $209.00 | $209.00 |
| 38,000 pounds | $228.50 | $228.50 |
| 40,000 pounds | $260.00 | $260.00 |
| 42,000 pounds | $270.00 | $315.00 |
| 44,000 pounds | $275.50 | $320.50 |
| 46,000 pounds | $295.50 | $340.50 |
| 48,000 pounds | $307.50 | $352.50 |
| 50,000 pounds | $333.00 | $378.00 |
| 52,000 pounds | $349.50 | $394.50 |
| 54,000 pounds | $376.50 | $421.50 |
| 56,000 pounds | $397.00 | $442.00 |
| 58,000 pounds | $412.50 | $457.50 |
| 60,000 pounds | $439.00 | $484.00 |
| 62,000 pounds | $470.00 | $515.00 |
| 64,000 pounds | $480.00 | $525.00 |
| 66,000 pounds | $533.50 | $578.50 |
| 68,000 pounds | $556.00 | $601.00 |
| 70,000 pounds | $598.00 | $643.00 |
| 72,000 pounds | $639.00 | $684.00 |
| 74,000 pounds | $693.50 | $738.50 |
| 76,000 pounds | $748.50 | $793.50 |
| 78,000 pounds | $816.50 | $861.50 |
| 80,000 pounds | $880.50 | $925.50 |
| 82,000 pounds | $941.00 | $986.00 |
| 84,000 pounds | $1,001.00 | $1,046.00 |
| 86,000 pounds | $1,061.50 | $1,106.50 |
| 88,000 pounds | $1,122.00 | $1,167.00 |
| 90,000 pounds | $1,182.50 | $1,127.50 |
| 92,000 pounds | $1,242.50 | $1,287.50 |
| 94,000 pounds | $1,303.00 | $1,348.00 |
| 96,000 pounds | $1,363.50 | $1,408.50 |
| 98,000 pounds | $1,424.00 | $1,469.00 |
| 100,000 pounds | $1,484.00 | $1,529.00 |
| 102,000 pounds | $1,544.50 | $1,589.50 |
| 104,000 pounds | $1,605.00 | $1,650.00 |
| 105,500 pounds | $1,665.50 | $1,710.50 |

(2) Schedule A applies to vehicles either used exclusively for hauling logs or that do not tow trailers. Schedule B applies to vehicles that tow trailers and are not covered under Schedule A.

(3) If the resultant gross weight is not listed in the table provided in subsection (1) of this section, it must be increased to the next higher weight.

(4) The farm vehicle reduced gross weight license fees provided in subsection (1) of this section are in addition to the filing fee required under RCW 46.17.005 and any other fee or tax required by law.

(5) The farm vehicle reduced gross weight license fee as provided in subsection (1) of this section must be distributed under RCW ((~~46.68.030~~)) 46.68.035.

**Sec.**  RCW 46.20.205 and 2015 c 53 s 72 are each amended to read as follows:

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

~~(a) The form must contain a place for the person to indicate that the address change is not for voting purposes. The department of licensing shall notify the secretary of state by the means described in RCW 29A.08.350 of all change of address information received by means of this form except information on persons indicating that the change is not for voting purposes.~~

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

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

**Sec.**  RCW 46.52.120 and 2016 c 197 s 4 are each amended to read as follows:

(1) The director shall keep a case record on every motor vehicle driver licensed under the laws of this state, together with information on each driver, showing all the convictions and findings of traffic infractions certified by the courts, together with an index cross-reference record of each accident reported relating to such individual with a brief statement of the cause of the accident and whether or not the accident resulted in any fatality.

(2) The records shall be for the confidential use of the director, the chief of the Washington state patrol, the director of the Washington traffic safety commission, and for such police officers or other cognizant public officials as may be designated by law. Such case records shall not be admitted into evidence in any court, except where relevant to the prosecution or defense of a criminal charge, or in case appeal is taken from the order of the director, suspending, revoking, canceling, or refusing a vehicle driver's license.

(3) The director shall tabulate and analyze vehicle driver's case records and suspend, revoke, cancel, or refuse a vehicle driver's license to a person when it is deemed from facts contained in the case record of such person that it is for the best interest of public safety that such person be denied the privilege of operating a motor vehicle. The director shall also suspend a person's driver's license if the person fails to attend or complete a driver improvement interview or fails to abide by conditions of probation under RCW 46.20.335. Whenever the director orders the vehicle driver's license of any such person suspended, revoked, or canceled, or refuses the issuance of a vehicle driver's license, such suspension, revocation, cancellation, or refusal is final and effective unless appeal from the decision of the director is taken as provided by law.

**Sec.**  RCW 46.68.035 and 2010 c 161 s 804 are each amended to read as follows:

The director shall forward all proceeds from vehicle license fees received by the director for vehicles registered under RCW 46.17.330, 46.17.350(1) (c) and (k), 46.17.355, and 46.17.400(1)(c) to the state treasurer to be distributed into accounts according to the following method:

(1) 22.36 percent must be deposited into the state patrol highway account of the motor vehicle fund;

(2) 1.375 percent must be deposited into the Puget Sound ferry operations account of the motor vehicle fund;

(3) 5.237 percent must be deposited into the transportation 2003 account (nickel account);

(4) 11.533 percent must be deposited into the transportation partnership account created in RCW 46.68.290; and

(5) The remaining proceeds must be deposited into the motor vehicle fund.

**Sec.**  RCW 88.02.375 and 2010 c 161 s 1013 are each amended to read as follows:

A vessel owner shall notify the department within ((~~fifteen~~)) ten days of any of the following:

(1) A change of name or address of the owner, as provided in section 2 of this act;

(2) Destruction, loss, abandonment, theft, or recovery of the vessel; or

(3) Loss or destruction of a valid registration certificate issued for the vessel.

**Sec.**  RCW 46.17.050 and 2015 3rd sp.s. c 44 s 211 are each amended to read as follows:

(1) Until June 30, 2017, before accepting a report of sale filed under RCW 46.12.650(2), the county auditor or other agent or subagent appointed by the director shall require the applicant to pay:

(a) The filing fee under RCW 46.17.005(1), the license plate technology fee under RCW 46.17.015, and the license service fee under RCW 46.17.025 to the county auditor or other agent; and

(b) The service fee under RCW 46.17.040(1)(b) to the subagent.

(2)(a) Beginning July 1, 2017, before accepting a report of sale filed under RCW 46.12.650(2), the department, county auditor or other agent, or subagent appointed by the director shall require the applicant to pay the filing fee under RCW 46.17.005(1), the license plate technology fee under RCW 46.17.015, the license service fee under RCW 46.17.025, and the service fee under RCW 46.17.040(1)(b).

(b) Service((~~s~~)) fees collected under (a) of this subsection by the department or county auditor or other agent appointed by the director must be credited to the capital vessel replacement account under RCW 47.60.322.

**Sec.**  RCW 46.17.060 and 2015 3rd sp.s. c 44 s 212 are each amended to read as follows:

(1) Until June 30, 2017, before accepting a transitional ownership record filed under RCW 46.12.660, the county auditor or other agent or subagent appointed by the director shall require the applicant to pay:

(a) The filing fee under RCW 46.17.005(1), the license plate technology fee under RCW 46.17.015, and the license service fee under RCW 46.17.025 to the county auditor or other agent; and

(b) The service fee under RCW 46.17.040(1)(b) to the subagent.

(2)(a) Beginning July 1, 2017, before accepting a transitional ownership record filed under RCW 46.12.660, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant to pay the filing fee under RCW 46.17.005(1), the license plate technology fee under RCW 46.17.015, the license service fee under RCW 46.17.025, and the service fee under RCW 46.17.040(1)(b).

(b) Service((~~s~~)) fees collected under (a) of this subsection by the department or county auditor or other agent appointed by the director must be credited to the capital vessel replacement account under RCW 47.60.322.

**--- END ---**