
HOUSE BILL 2237

State of Washington 65th Legislature 2017 3rd Special Session

By Representatives Young, Reeves, Orcutt, Kilduff, Irwin, J. Walsh,
and Condotta

1 AN ACT Relating to providing tax relief to motorists by exempting
2 certain mobile communications technology from retail sales and use
3 tax; adding a new section to chapter 82.08 RCW; adding a new section
4 to chapter 82.12 RCW; creating a new section; providing expiration
5 dates; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that public
8 safety will be improved if hands-free wireless communications devices
9 are widely adopted for use in motor vehicles to replace technology
10 that requires drivers to move their hands from the steering wheel
11 and/or their eyes from the roadway to send or receive messages. The
12 legislature has recently changed the penalties for texting while
13 driving, and redefined the behavior that will subject motorists to
14 penalties. The legislature finds that the legislature can help reduce
15 the cost of communications technology that can be operated hands-free
16 in motor vehicles, and thereby encourage compliance with the new law,
17 by eliminating the sales tax on these items. The legislature's
18 objective is to do everything in its power to make the transition to
19 compliance with the law affordable for all persons irrespective of
20 income.

1 (2)(a) This subsection is the tax preference performance
2 statement for the sales and use tax exemptions for mobile
3 communications devices provided in sections 2 and 3, chapter . . . ,
4 Laws of 2017 3rd sp. sess. (sections 2 and 3 of this act). The
5 performance statement is only intended to be used for subsequent
6 evaluation of the tax preferences. It is not intended to create a
7 private right of action by any party or be used to determine
8 eligibility to preferential tax treatment.

9 (b) The legislature categorizes these tax preferences as ones
10 intended to induce certain designated behavior by taxpayers, namely
11 purchase of hands-free wireless communications devices or vehicles
12 equipped with such technology, as indicated in RCW 82.32.808(2)(a).

13 (c) It is the legislature's specific public policy objective to
14 authorize a limited-duration sales and use tax exemption for hands-
15 free wireless communications devices to decrease the cost of that
16 technology, resulting in greater compliance with the laws regarding
17 texting while driving.

18 (d) The legislature intends that these exemptions are not subject
19 to a tax preference performance review by the joint legislative audit
20 and review committee under RCW 82.32.808 because the legislature does
21 not intend to extend the time period for the exemptions beyond the
22 expiration dates provided in this act.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.08
24 RCW to read as follows:

25 (1) The tax levied by RCW 82.08.020 does not apply to any sale of
26 hands-free wireless communications devices, whether sold as original
27 equipment by the manufacturer of an automobile or as an aftermarket
28 product or service.

29 (2) For purposes of this section, "hands-free wireless
30 communications device" means a device specifically designed and
31 configured to allow voice-operated and hands-free operation."

32 (3) This section expires December 31, 2017.

33 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.12
34 RCW to read as follows:

35 (1) The provisions of this chapter do not apply in respect to the
36 use of a hands-free wireless communications device, whether sold as
37 original equipment by the manufacturer of an automobile or as an
38 aftermarket product or service.

1 (2) For purposes of this section, "hands-free wireless
2 communications device" has the same meaning as provided in section 2
3 of this act.

4 (3) This section expires December 31, 2017.

5 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of
7 the state government and its existing public institutions, and takes
8 effect immediately.

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