
SUBSTITUTE SENATE BILL 5483

State of Washington

67th Legislature

2021 Regular Session

By Senate Transportation (originally sponsored by Senators Hobbs, Cleveland, Das, Keiser, Kuderer, Randall, Sheldon, and Wilson, C.)

READ FIRST TIME 04/15/21.

1 AN ACT Relating to transportation revenue; amending RCW
2 82.38.030, 46.68.090, 46.09.520, 46.10.530, 79A.25.070, 82.42.020,
3 82.42.055, 82.08.020, 82.12.020, 46.17.355, 46.17.365, 46.17.400,
4 46.68.455, 46.17.200, 46.17.100, 46.17.160, 46.68.025, 46.17.120,
5 46.17.015, 46.17.025, 46.17.345, 46.17.350, 46.68.035, 46.12.635,
6 46.12.630, 46.68.415, 46.20.202, 46.20.161, 46.20.161, 46.20.181,
7 46.20.117, 46.68.041, 46.68.041, 46.52.130, 46.20.200, 47.60.315,
8 47.60.322, 82.21.030, 46.70.180, 82.32.385, 47.56.850, and 47.46.100;
9 reenacting and amending RCW 46.20.117, 43.84.092, and 43.84.092;
10 adding a new section to chapter 36.01 RCW; adding a new section to
11 chapter 46.01 RCW; adding a new section to chapter 82.02 RCW; adding
12 new sections to chapter 46.68 RCW; adding a new section to chapter
13 47.46 RCW; repealing RCW 47.46.190 and 47.46.200; repealing 2018 c
14 195 s 3; prescribing penalties; providing effective dates; providing
15 expiration dates; and declaring an emergency.

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

17 **Part I**
18 **Motor Vehicle Fuel & Aircraft Fuel Taxes**

19 **Sec. 101.** RCW 82.38.030 and 2015 3rd sp.s. c 44 s 103 are each
20 amended to read as follows:

1 (1) There is levied and imposed upon fuel licensees a tax at the
2 rate of twenty-three cents per gallon of fuel.

3 (2) Beginning July 1, 2003, an additional and cumulative tax rate
4 of five cents per gallon of fuel is imposed on fuel licensees. This
5 subsection (2) expires when the bonds issued for transportation 2003
6 projects are retired.

7 (3) Beginning July 1, 2005, an additional and cumulative tax rate
8 of three cents per gallon of fuel is imposed on fuel licensees.

9 (4) Beginning July 1, 2006, an additional and cumulative tax rate
10 of three cents per gallon of fuel is imposed on fuel licensees.

11 (5) Beginning July 1, 2007, an additional and cumulative tax rate
12 of two cents per gallon of fuel is imposed on fuel licensees.

13 (6) Beginning July 1, 2008, an additional and cumulative tax rate
14 of one and one-half cents per gallon of fuel is imposed on fuel
15 licensees.

16 (7) Beginning August 1, 2015, an additional and cumulative tax
17 rate of seven cents per gallon of fuel is imposed on fuel licensees.

18 (8) Beginning July 1, 2016, an additional and cumulative tax rate
19 of four and nine-tenths cents per gallon of fuel is imposed on fuel
20 licensees.

21 (9) Beginning July 1, 2021, an additional and cumulative tax rate
22 of nine and eight-tenths cents per gallon of fuel is imposed on fuel
23 licensees.

24 (10) Taxes are imposed when:

25 (a) Fuel is removed in this state from a terminal if the fuel is
26 removed at the rack unless the removal is by a licensed supplier or
27 distributor for direct delivery to a destination outside of the
28 state, or the removal is by a fuel supplier for direct delivery to an
29 international fuel tax agreement licensee under RCW 82.38.320;

30 (b) Fuel is removed in this state from a refinery if either of
31 the following applies:

32 (i) The removal is by bulk transfer and the refiner or the owner
33 of the fuel immediately before the removal is not a licensed
34 supplier; or

35 (ii) The removal is at the refinery rack unless the removal is to
36 a licensed supplier or distributor for direct delivery to a
37 destination outside of the state, or the removal is to a licensed
38 supplier for direct delivery to an international fuel tax agreement
39 licensee under RCW 82.38.320;

1 (c) Fuel enters into this state for sale, consumption, use, or
2 storage, unless the fuel enters this state for direct delivery to an
3 international fuel tax agreement licensee under RCW 82.38.320, if
4 either of the following applies:

5 (i) The entry is by bulk transfer and the importer is not a
6 licensed supplier; or

7 (ii) The entry is not by bulk transfer;

8 (d) Fuel enters this state by means outside the bulk transfer-
9 terminal system and is delivered directly to a licensed terminal
10 unless the owner is a licensed distributor or supplier;

11 (e) Fuel is sold or removed in this state to an unlicensed entity
12 unless there was a prior taxable removal, entry, or sale of the fuel;

13 (f) Blended fuel is removed or sold in this state by the blender
14 of the fuel. The number of gallons of blended fuel subject to tax is
15 the difference between the total number of gallons of blended fuel
16 removed or sold and the number of gallons of previously taxed fuel
17 used to produce the blended fuel;

18 (g) Dyed special fuel is used on a highway, as authorized by the
19 internal revenue code, unless the use is exempt from the fuel tax;

20 (h) Dyed special fuel is held for sale, sold, used, or is
21 intended to be used in violation of this chapter;

22 (i) Special fuel purchased by an international fuel tax agreement
23 licensee under RCW 82.38.320 is used on a highway; and

24 (j) Fuel is sold by a licensed fuel supplier to a fuel
25 distributor or fuel blender and the fuel is not removed from the bulk
26 transfer-terminal system.

27 **Sec. 102.** RCW 46.68.090 and 2015 3rd sp.s. c 44 s 105 are each
28 amended to read as follows:

29 (1) All moneys that have accrued or may accrue to the motor
30 vehicle fund from the fuel tax must be first expended for purposes
31 enumerated in (a) and (b) of this subsection. The remaining net tax
32 amount must be distributed monthly by the state treasurer in
33 accordance with subsections (2) through (~~(8)~~) (9) of this section.

34 (a) For payment of refunds of fuel tax that has been paid and is
35 refundable as provided by law;

36 (b) For payment of amounts to be expended pursuant to
37 appropriations for the administrative expenses of the offices of
38 state treasurer, state auditor, and the department of licensing of

1 the state of Washington in the administration of the fuel tax, which
2 sums must be distributed monthly.

3 (2) All of the remaining net tax amount collected under RCW
4 82.38.030(1) must be distributed as set forth in (a) through (j) of
5 this subsection.

6 (a) For distribution to the motor vehicle fund an amount equal to
7 44.387 percent to be expended for highway purposes of the state as
8 defined in RCW 46.68.130;

9 (b)(i) For distribution to the special category C account, hereby
10 created in the motor vehicle fund, an amount equal to 3.2609 percent
11 to be expended for special category C projects. Special category C
12 projects are category C projects that, due to high cost only, will
13 require bond financing to complete construction.

14 (ii) The following criteria, listed in order of priority, must be
15 used in determining which special category C projects have the
16 highest priority:

17 (A) Accident experience;

18 (B) Fatal accident experience;

19 (C) Capacity to move people and goods safely and at reasonable
20 speeds without undue congestion; and

21 (D) Continuity of development of the highway transportation
22 network.

23 (iii) Moneys deposited in the special category C account in the
24 motor vehicle fund may be used for payment of debt service on bonds
25 the proceeds of which are used to finance special category C projects
26 under this subsection (2)(b);

27 (c) For distribution to the Puget Sound ferry operations account
28 in the motor vehicle fund an amount equal to 2.3283 percent;

29 (d) For distribution to the Puget Sound capital construction
30 account in the motor vehicle fund an amount equal to 2.3726 percent;

31 (e) For distribution to the transportation improvement account in
32 the motor vehicle fund an amount equal to 7.5597 percent;

33 (f) For distribution to the transportation improvement account in
34 the motor vehicle fund an amount equal to 5.6739 percent and expended
35 in accordance with RCW 47.26.086;

36 (g) For distribution to the cities and towns from the motor
37 vehicle fund an amount equal to 10.6961 percent in accordance with
38 RCW 46.68.110;

39 (h) For distribution to the counties from the motor vehicle fund
40 an amount equal to 19.2287 percent: (i) Out of which there must be

1 distributed from time to time, as directed by the department of
2 transportation, those sums as may be necessary to carry out the
3 provisions of RCW 47.56.725; and (ii) less any amounts appropriated
4 to the county road administration board to implement the provisions
5 of RCW 47.56.725(4), with the balance of such county share to be
6 distributed monthly as the same accrues for distribution in
7 accordance with RCW 46.68.120;

8 (i) For distribution to the county arterial preservation account,
9 hereby created in the motor vehicle fund an amount equal to 1.9565
10 percent. These funds must be distributed by the county road
11 administration board to counties in proportions corresponding to the
12 number of paved arterial lane miles in the unincorporated area of
13 each county and must be used for improvements to sustain the
14 structural, safety, and operational integrity of county arterials.
15 The county road administration board must adopt reasonable rules and
16 develop policies to implement this program and to assure that a
17 pavement management system is used;

18 (j) For distribution to the rural arterial trust account in the
19 motor vehicle fund an amount equal to 2.5363 percent and expended in
20 accordance with RCW 36.79.020.

21 (3) The remaining net tax amount collected under RCW 82.38.030(2)
22 must be distributed to the transportation 2003 account (nickel
23 account).

24 (4) The remaining net tax amount collected under RCW 82.38.030(3)
25 must be distributed as follows:

26 (a) 8.3333 percent must be distributed to the incorporated cities
27 and towns of the state in accordance with RCW 46.68.110;

28 (b) 8.3333 percent must be distributed to counties of the state
29 in accordance with RCW 46.68.120; and

30 (c) The remainder must be distributed to the transportation
31 partnership account created in RCW 46.68.290.

32 (5) The remaining net tax amount collected under RCW 82.38.030(4)
33 must be distributed as follows:

34 (a) 8.3333 percent must be distributed to the incorporated cities
35 and towns of the state in accordance with RCW 46.68.110;

36 (b) 8.3333 percent must be distributed to counties of the state
37 in accordance with RCW 46.68.120; and

38 (c) The remainder must be distributed to the transportation
39 partnership account created in RCW 46.68.290.

1 (6) The remaining net tax amount collected under RCW 82.38.030
2 (5) and (6) must be distributed to the transportation partnership
3 account created in RCW 46.68.290.

4 (7) The remaining net tax amount collected under RCW 82.38.030
5 (7) and (8) must be distributed to the connecting Washington account
6 created in RCW 46.68.395.

7 (8) The remaining net tax amount collected under RCW 82.38.030(9)
8 must be distributed to the forward Washington account created in
9 section 701 of this act.

10 (9) Nothing in this section or in RCW 46.68.130 may be construed
11 so as to violate any terms or conditions contained in any highway
12 construction bond issues now or hereafter authorized by statute and
13 whose payment is by such statute pledged to be paid from any excise
14 taxes on fuel.

15 **Sec. 103.** RCW 46.09.520 and 2015 3rd sp.s. c 44 s 110 are each
16 amended to read as follows:

17 (1) From time to time, but at least once each year, the state
18 treasurer must refund from the motor vehicle fund one percent of the
19 motor vehicle fuel tax revenues collected under chapter 82.38 RCW,
20 based on: (a) A tax rate of: (i) Nineteen cents per gallon of motor
21 vehicle fuel from July 1, 2003, through June 30, 2005; (ii) twenty
22 cents per gallon of motor vehicle fuel from July 1, 2005, through
23 June 30, 2007; (iii) twenty-one cents per gallon of motor vehicle
24 fuel from July 1, 2007, through June 30, 2009; (iv) twenty-two cents
25 per gallon of motor vehicle fuel from July 1, 2009, through June 30,
26 2011; (v) twenty-three cents per gallon of motor vehicle fuel from
27 July 1, 2011, through July 31, 2015; (vi) thirty cents per gallon of
28 motor vehicle fuel from August 1, 2015, through June 30, 2016;
29 (~~and~~) (vii) thirty-four and nine-tenths cents per gallon of motor
30 vehicle fuel from July 1, 2016, through June 30, 2021; (viii) forty-
31 four and seven-tenths cents per gallon of motor vehicle fuel from
32 July 1, 2021, through June 30, 2031; and (b) beginning July 1, 2031,
33 and thereafter, the state's motor vehicle fuel tax rate in existence
34 at the time of the fuel purchase, less proper deductions for refunds
35 and costs of collection as provided in RCW 46.68.090.

36 (2) The treasurer must place these funds in the general fund as
37 follows:

38 (a) Thirty-six percent must be credited to the ORV and nonhighway
39 vehicle account and administered by the department of natural

1 resources solely for acquisition, planning, development, maintenance,
2 and management of ORV, nonmotorized, and nonhighway road recreation
3 facilities, and information programs and maintenance of nonhighway
4 roads;

5 (b) Three and one-half percent must be credited to the ORV and
6 nonhighway vehicle account and administered by the department of fish
7 and wildlife solely for the acquisition, planning, development,
8 maintenance, and management of ORV, nonmotorized, and nonhighway road
9 recreation facilities and the maintenance of nonhighway roads;

10 (c) Two percent must be credited to the ORV and nonhighway
11 vehicle account and administered by the parks and recreation
12 commission solely for the acquisition, planning, development,
13 maintenance, and management of ORV, nonmotorized, and nonhighway road
14 recreation facilities; and

15 (d) Fifty-eight and one-half percent must be credited to the
16 nonhighway and off-road vehicle activities program account to be
17 administered by the board for planning, acquisition, development,
18 maintenance, and management of ORV, nonmotorized, and nonhighway road
19 recreation facilities and for education, information, and law
20 enforcement programs. The funds under this subsection must be
21 expended in accordance with the following limitations:

22 (i) Not more than thirty percent may be expended for education,
23 information, and law enforcement programs under this chapter;

24 (ii) Not less than seventy percent may be expended for ORV,
25 nonmotorized, and nonhighway road recreation facilities. Except as
26 provided in (d)(iii) of this subsection, of this amount:

27 (A) Not less than thirty percent, together with the funds the
28 board receives under RCW 46.68.045, may be expended for ORV
29 recreation facilities;

30 (B) Not less than thirty percent may be expended for nonmotorized
31 recreation facilities. Funds expended under this subsection
32 (2)(d)(ii)(B) are known as Ira Spring outdoor recreation facilities
33 funds; and

34 (C) Not less than thirty percent may be expended for nonhighway
35 road recreation facilities;

36 (iii) The board may waive the minimum percentage cited in (d)(ii)
37 of this subsection due to insufficient requests for funds or projects
38 that score low in the board's project evaluation. Funds remaining
39 after such a waiver must be allocated in accordance with board
40 policy.

1 (3) On a yearly basis an agency may not, except as provided in
2 RCW 46.68.045, expend more than ten percent of the funds it receives
3 under this chapter for general administration expenses incurred in
4 carrying out this chapter.

5 (4) During the 2009-2011 fiscal biennium, the legislature may
6 appropriate such amounts as reflect the excess fund balance in the
7 NOVA account to the department of natural resources to install
8 consistent off-road vehicle signage at department-managed recreation
9 sites, and to implement the recreation opportunities on department-
10 managed lands in the Reiter block and Ahtanum state forest, and to
11 the state parks and recreation commission. The legislature finds that
12 the appropriation of funds from the NOVA account during the 2009-2011
13 fiscal biennium for maintenance and operation of state parks or to
14 improve accessibility for boaters and off-road vehicle users at state
15 parks will benefit boaters and off-road vehicle users and others who
16 use nonhighway and nonmotorized recreational facilities. The
17 appropriations under this subsection are not required to follow the
18 specific distribution specified in subsection (2) of this section.

19 **Sec. 104.** RCW 46.10.530 and 2015 3rd sp.s. c 44 s 112 are each
20 amended to read as follows:

21 From time to time, but at least once each four years, the
22 department shall determine the amount of moneys paid to it as motor
23 vehicle fuel tax that is tax on snowmobile fuel. Such determination
24 shall use one hundred thirty-five gallons as the average yearly fuel
25 usage per snowmobile, the number of registered snowmobiles during the
26 calendar year under determination, and: (1) A fuel tax rate of: (a)
27 Nineteen cents per gallon of motor vehicle fuel from July 1, 2003,
28 through June 30, 2005; (b) twenty cents per gallon of motor vehicle
29 fuel from July 1, 2005, through June 30, 2007; (c) twenty-one cents
30 per gallon of motor vehicle fuel from July 1, 2007, through June 30,
31 2009; (d) twenty-two cents per gallon of motor vehicle fuel from July
32 1, 2009, through June 30, 2011; (e) twenty-three cents per gallon of
33 motor vehicle fuel from July 1, 2011, through July 31, 2015; (f)
34 thirty cents per gallon of motor vehicle fuel from August 1, 2015,
35 through June 30, 2016; (~~and~~) (g) thirty-four and nine-tenths cents
36 per gallon of motor vehicle fuel from July 1, 2016, through June 30,
37 2021; (h) forty-four and seven-tenths cents per gallon of motor
38 vehicle fuel from July 1, 2021, through June 30, 2031; and (2)

1 beginning July 1, 2031, and thereafter, the state's motor vehicle
2 fuel tax rate in existence at the time of the fuel purchase.

3 **Sec. 105.** RCW 79A.25.070 and 2015 3rd sp.s. c 44 s 113 are each
4 amended to read as follows:

5 Upon expiration of the time limited by RCW 82.36.330 for claiming
6 of refunds of tax on marine fuel, the state of Washington shall
7 succeed to the right to such refunds. The director of licensing,
8 after taking into account past and anticipated claims for refunds
9 from and deposits to the marine fuel tax refund account, shall
10 request the state treasurer to transfer monthly from the marine fuel
11 tax refund account an amount equal to the proportion of the moneys in
12 the account representing: (1) A motor vehicle fuel tax rate of: (a)
13 Nineteen cents per gallon of motor vehicle fuel from July 1, 2003,
14 through June 30, 2005; (b) twenty cents per gallon of motor vehicle
15 fuel from July 1, 2005, through June 30, 2007; (c) twenty-one cents
16 per gallon of motor vehicle fuel from July 1, 2007, through June 30,
17 2009; (d) twenty-two cents per gallon of motor vehicle fuel from July
18 1, 2009, through June 30, 2011; (e) twenty-three cents per gallon of
19 motor vehicle fuel from July 1, 2011, through July 31, 2015; (f)
20 thirty cents per gallon of motor vehicle fuel from August 1, 2015,
21 through June 30, 2016; (~~and~~) (g) thirty-four and nine-tenths cents
22 per gallon of motor vehicle fuel from July 1, 2016, through June 30,
23 2021; and (h) forty-four and seven-tenths cents per gallon of motor
24 vehicle fuel from July 1, 2021, through June 30, 2031; and (2)
25 beginning July 1, 2031, and thereafter, the state's motor vehicle
26 fuel tax rate in existence at the time of the fuel purchase, to the
27 recreation resource account and the remainder to the motor vehicle
28 fund.

29 **Sec. 106.** RCW 82.42.020 and 2013 c 225 s 302 are each amended to
30 read as follows:

31 There is levied upon every distributor of aircraft fuel, an
32 excise tax at the rate of (~~eleven~~) 16 cents on each gallon of
33 aircraft fuel sold, delivered, or used in this state. There must be
34 collected from every user of aircraft fuel either the use tax imposed
35 by RCW 82.12.020 or the retail sales tax imposed by RCW 82.08.020.
36 The taxes imposed by this chapter must be collected and paid to the
37 state but once in respect to any aircraft fuel.

1 this state, equal to (~~five~~) six and nine-tenths percent of the
2 selling price. 14.5 percent of the revenues collected under this
3 subsection must be deposited into the forward flexible account
4 created in section 702 of this act and the remainder of the revenue
5 collected under this subsection must be deposited in the multimodal
6 transportation account created in RCW 47.66.070.

7 (3) (a) Beginning July 1, 2003, there is levied and collected an
8 additional tax of three-tenths of one percent of the selling price on
9 each retail sale of a motor vehicle in this state, other than retail
10 car rentals taxed under subsection (2) of this section. The revenue
11 collected under this subsection must be deposited in the multimodal
12 transportation account created in RCW 47.66.070.

13 (~~(4)~~) (b) For purposes of this subsection (3) (~~(of this~~
14 ~~section)~~), "motor vehicle" has the meaning provided in RCW 46.04.320,
15 but does not include:

16 (~~(a)~~) (i) Farm tractors or farm vehicles as defined in RCW
17 46.04.180 and 46.04.181, unless the farm tractor or farm vehicle is
18 for use in the production of marijuana;

19 (~~(b)~~) (ii) Off-road vehicles as defined in RCW 46.04.365;

20 (~~(c)~~) (iii) Nonhighway vehicles as defined in RCW 46.09.310;
21 and

22 (~~(d)~~) (iv) Snowmobiles as defined in RCW 46.04.546.

23 (4) (a) Beginning October 1, 2021, there is levied and collected
24 an additional tax equal to one percent of the selling price on each
25 retail sale in this state of automobile parts and accessories. All
26 revenues collected under this subsection must be deposited into the
27 forward flexible account created in section 702 of this act.

28 (b) For the purposes of this subsection (4), "automobile parts
29 and accessories" means any tangible personal property primarily used
30 to improve, repair, replace, or serve as a component part of a motor
31 vehicle, as defined in RCW 46.04.320. "Automobile parts and
32 accessories" includes any tangible personal property designed to be
33 attached to or used in connection with a motor vehicle to add to its
34 utility or ornamentation, regardless of whether the tangible personal
35 property is essential to the motor vehicles operation or use.

36 (5) (a) Beginning July 1, 2025, all revenue collected under
37 subsection (1) of this section on each new and used retail sales in
38 this state of an electric or hybrid vehicle that is a passenger car
39 or light truck, including private-party sales, but excluding retail
40 car rentals taxed under subsection (2) of this section, must be

1 deposited in the forward flexible account created in section 702 of
2 this act.

3 (b) For purposes of this subsection (5):

4 (i) "Electric or hybrid vehicle" means:

5 (A) A light truck or passenger car that uses at least one method
6 of propulsion that is capable of being reenergized by an external
7 source of electricity; or

8 (B) A hybrid electric and gasoline vehicle that is not a plug-in
9 hybrid; or

10 (C) An alternative fuel vehicle, including those powered by an
11 electric fuel cell.

12 (ii) "Light truck" has the same meaning provided in RCW
13 46.04.271.

14 (iii) "Passenger car" has the same meaning provided in RCW
15 46.04.382.

16 (6) Beginning on December 8, 2005, 0.16 percent of the taxes
17 collected under subsection (1) of this section must be dedicated to
18 funding comprehensive performance audits required under RCW
19 43.09.470. The revenue identified in this subsection must be
20 deposited in the performance audits of government account created in
21 RCW 43.09.475.

22 ~~((+6))~~ (7) There is levied and collected an additional tax on
23 personal vehicle sharing transactions equal to five percent of the
24 selling price. The revenue collected under this subsection must be
25 deposited in the forward flexible account created in section 702 of
26 this act. For purposes of this subsection, "personal vehicle sharing"
27 has the same meaning as in RCW 48.175.005 and does not mean a "retail
28 car rental" as defined in RCW 82.08.011.

29 (8) The taxes imposed under this chapter apply to successive
30 retail sales of the same property.

31 ~~((+7))~~ (9) The rates provided in this section apply to taxes
32 imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

33 **Sec. 202.** RCW 82.12.020 and 2017 c 323 s 520 are each amended to
34 read as follows:

35 (1) There is levied and collected from every person in this state
36 a tax or excise for the privilege of using within this state as a
37 consumer any:

38 (a) Article of tangible personal property acquired by the user in
39 any manner, including tangible personal property acquired at a casual

1 or isolated sale, and including by-products used by the manufacturer
2 thereof, except as otherwise provided in this chapter, irrespective
3 of whether the article or similar articles are manufactured or are
4 available for purchase within this state;

5 (b) Prewritten computer software, regardless of the method of
6 delivery, but excluding prewritten computer software that is either
7 provided free of charge or is provided for temporary use in viewing
8 information, or both;

9 (c) Services defined as a retail sale in RCW 82.04.050 (2) (a) or
10 (g) or (6)(c), excluding services defined as a retail sale in RCW
11 82.04.050(6)(c) that are provided free of charge;

12 (d) Extended warranty; or

13 (e)(i) Digital good, digital code, or digital automated service,
14 including the use of any services provided by a seller exclusively in
15 connection with digital goods, digital codes, or digital automated
16 services, whether or not a separate charge is made for such services.

17 (ii) With respect to the use of digital goods, digital automated
18 services, and digital codes acquired by purchase, the tax imposed in
19 this subsection (1)(e) applies in respect to:

20 (A) Sales in which the seller has granted the purchaser the right
21 of permanent use;

22 (B) Sales in which the seller has granted the purchaser a right
23 of use that is less than permanent;

24 (C) Sales in which the purchaser is not obligated to make
25 continued payment as a condition of the sale; and

26 (D) Sales in which the purchaser is obligated to make continued
27 payment as a condition of the sale.

28 (iii) With respect to digital goods, digital automated services,
29 and digital codes acquired other than by purchase, the tax imposed in
30 this subsection (1)(e) applies regardless of whether or not the
31 consumer has a right of permanent use or is obligated to make
32 continued payment as a condition of use.

33 (2) The provisions of this chapter do not apply in respect to the
34 use of any article of tangible personal property, extended warranty,
35 digital good, digital code, digital automated service, or service
36 taxable under RCW 82.04.050 (2) (a) or (g) or (6)(c), if the sale to,
37 or the use by, the present user or the present user's bailor or donor
38 has already been subjected to the tax under chapter 82.08 RCW or this
39 chapter and the tax has been paid by the present user or by the
40 present user's bailor or donor.

1 (3) (a) Except as provided in this section, payment of the tax
2 imposed by this chapter or chapter 82.08 RCW by one purchaser or user
3 of tangible personal property, extended warranty, digital good,
4 digital code, digital automated service, or other service does not
5 have the effect of exempting any other purchaser or user of the same
6 property, extended warranty, digital good, digital code, digital
7 automated service, or other service from the taxes imposed by such
8 chapters.

9 (b) The tax imposed by this chapter does not apply:

10 (i) If the sale to, or the use by, the present user or his or her
11 bailor or donor has already been subjected to the tax under chapter
12 82.08 RCW or this chapter and the tax has been paid by the present
13 user or by his or her bailor or donor;

14 (ii) In respect to the use of any article of tangible personal
15 property acquired by bailment and the tax has once been paid based on
16 reasonable rental as determined by RCW 82.12.060 measured by the
17 value of the article at time of first use multiplied by the tax rate
18 imposed by chapter 82.08 RCW or this chapter as of the time of first
19 use;

20 (iii) In respect to the use of any article of tangible personal
21 property acquired by bailment, if the property was acquired by a
22 previous bailee from the same bailor for use in the same general
23 activity and the original bailment was prior to June 9, 1961; or

24 (iv) To the use of digital goods or digital automated services,
25 which were obtained through the use of a digital code, if the sale of
26 the digital code to, or the use of the digital code by, the present
27 user or the present user's bailor or donor has already been subjected
28 to the tax under chapter 82.08 RCW or this chapter and the tax has
29 been paid by the present user or by the present user's bailor or
30 donor.

31 (4) (a) Except as provided in (b) of this subsection (4), the tax
32 is levied and must be collected in an amount equal to the value of
33 the article used, value of the digital good or digital code used,
34 value of the extended warranty used, or value of the service used by
35 the taxpayer, multiplied by the applicable rates in effect for the
36 retail sales tax under RCW 82.08.020.

37 (b) In the case of a seller required to collect use tax from the
38 purchaser, the tax must be collected in an amount equal to the
39 purchase price multiplied by the applicable rate in effect for the
40 retail sales tax under RCW 82.08.020.

1 (5) For purposes of the tax imposed in this section, "person"
2 includes anyone within the definition of "buyer," "purchaser," and
3 "consumer" in RCW 82.08.010.

4 (6)(a) Beginning July 1, 2026, all use tax revenue collected
5 under subsection (1) of this section on the use of each new and used
6 electric or hybrid vehicle in this state that is a passenger car or
7 light truck, including private-party sales, but excluding retail car
8 rentals taxed under RCW 82.08.020, must be deposited in the forward
9 flexible account created in section 702 of this act.

10 (b) For purposes of this subsection (6):

11 (i) "Electric or hybrid vehicle" means:

12 (A) A light truck or passenger car that uses at least one method
13 of propulsion that is capable of being reenergized by an external
14 source of electricity; or

15 (B) A hybrid electric and gasoline vehicle that is not a plug-in
16 hybrid; or

17 (C) An alternative fuel vehicle, including those powered by an
18 electric fuel cell.

19 (ii) "Light truck" has the same meaning provided in RCW
20 46.04.271.

21 (iii) "Passenger car" has the same meaning provided in RCW
22 46.04.382.

23 **Part III**

24 **Special Transportation Benefit Assessment**

25 NEW SECTION. Sec. 301. A new section is added to chapter 36.01
26 RCW to read as follows:

27 (1) A statewide special transportation benefit assessment is
28 imposed on developed parcels for the purposes of mitigating the
29 impacts of growth on state transportation infrastructure throughout
30 the state. The amount of the transportation benefit assessment is the
31 increase in assessed value from the prior year for the parcel
32 resulting from new construction multiplied by the applicable rate:

33 (a) For residential developed parcels the rate is \$1.50 per
34 \$1,000 of assessed value resulting from new construction;

35 (b) For manufacturing developed parcels the rate is one dollar
36 per \$1,000 of assessed value resulting from new construction; and

1 (c) For all other developed parcels not otherwise described in
2 (a) or (b) of this subsection (1), the rate is \$3 per \$1,000 of
3 assessed value resulting from new construction.

4 (2) Parcels that are classified as designated forestland under
5 chapter 84.33 RCW or designated agriculture land or timberland under
6 chapter 84.34 RCW are exempt from the transportation benefit
7 assessment imposed in this section.

8 (3) To determine the appropriate designation of the parcel for
9 purposes of applying the rate under subsection (1) of this section,
10 county assessors may use land use codes or data collected from parcel
11 investigations, or both, obtained in their normal course of business
12 with respect to administering property taxes. The amount of the
13 transportation benefit assessment constitutes a lien against the
14 property. The assessment is subject to the same provisions as those
15 for property tax collections, as provided in RCW 84.56.020 and must
16 be collected by the county treasurer under the authority in RCW
17 84.56.035. The transportation benefit assessment fee must be
18 collected concurrently with property taxes levied for collection in
19 calendar year 2023 and thereafter.

20 (4) All revenues generated under this section must be transferred
21 to the state treasurer to be deposited into the forward flexible
22 account created in section 702 of this act.

23 (5) For the purposes of this section:

24 (a) "Developed parcel" means any parcel altered from the natural
25 state by the construction, creation, or addition of structures or
26 other impervious surfaces.

27 (b) "Land use code" means restrictions on the type of development
28 for a specific parcel of land as identified by records maintained by
29 the assessor or supplemented by information resulting from
30 investigation and generally conforming with the department of
31 revenue's two-digit land use codes in WAC 458-53-030.

32 (c) "Manufacturing developed parcel" means any developed parcel
33 used for manufacturing purposes.

34 (d) "Parcel" means the smallest separately segregated unit or
35 plot of land having an identified owner, boundaries, and surface area
36 that is documented for property tax purposes and given a tax lot
37 number by the assessor.

38 (e) "Residence" means a building or structure or portion thereof,
39 designed for and used to provide a place of abode for human beings.

1 "Residence" includes "residential" or "residential unit" as referring
2 to the type of or intended use of a building or structure.

3 (f) "Residential parcel" means any developed parcel that contains
4 no more than four residences or four residential units within a
5 single structure and used primarily for residential purposes.

6 **Part IV**

7 **Vehicle and Other Related Fees**

8 **Sec. 401.** RCW 46.17.355 and 2015 3rd sp.s. c 44 s 201 are each
9 amended to read as follows:

10 (1)(a) For vehicle registrations that are due or become due
11 before July 1, 2016, in lieu of the vehicle license fee required
12 under RCW 46.17.350 and before accepting an application for a vehicle
13 registration for motor vehicles described in RCW 46.16A.455, the
14 department, county auditor or other agent, or subagent appointed by
15 the director (~~shall~~) must require the applicant, unless
16 specifically exempt, to pay the following license fee by weight:

17	WEIGHT	SCHEDULE	SCHEDULE
18		A	B
19	4,000 pounds	\$ 38.00	\$ 38.00
20	6,000 pounds	\$ 48.00	\$ 48.00
21	8,000 pounds	\$ 58.00	\$ 58.00
22	10,000 pounds	\$ 60.00	\$ 60.00
23	12,000 pounds	\$ 77.00	\$ 77.00
24	14,000 pounds	\$ 88.00	\$ 88.00
25	16,000 pounds	\$ 100.00	\$ 100.00
26	18,000 pounds	\$ 152.00	\$ 152.00
27	20,000 pounds	\$ 169.00	\$ 169.00
28	22,000 pounds	\$ 183.00	\$ 183.00
29	24,000 pounds	\$ 198.00	\$ 198.00
30	26,000 pounds	\$ 209.00	\$ 209.00
31	28,000 pounds	\$ 247.00	\$ 247.00
32	30,000 pounds	\$ 285.00	\$ 285.00
33	32,000 pounds	\$ 344.00	\$ 344.00
34	34,000 pounds	\$ 366.00	\$ 366.00

1	36,000 pounds	\$ 397.00	\$ 397.00
2	38,000 pounds	\$ 436.00	\$ 436.00
3	40,000 pounds	\$ 499.00	\$ 499.00
4	42,000 pounds	\$ 519.00	\$ 609.00
5	44,000 pounds	\$ 530.00	\$ 620.00
6	46,000 pounds	\$ 570.00	\$ 660.00
7	48,000 pounds	\$ 594.00	\$ 684.00
8	50,000 pounds	\$ 645.00	\$ 735.00
9	52,000 pounds	\$ 678.00	\$ 768.00
10	54,000 pounds	\$ 732.00	\$ 822.00
11	56,000 pounds	\$ 773.00	\$ 863.00
12	58,000 pounds	\$ 804.00	\$ 894.00
13	60,000 pounds	\$ 857.00	\$ 947.00
14	62,000 pounds	\$ 919.00	\$ 1,009.00
15	64,000 pounds	\$ 939.00	\$ 1,029.00
16	66,000 pounds	\$ 1,046.00	\$ 1,136.00
17	68,000 pounds	\$ 1,091.00	\$ 1,181.00
18	70,000 pounds	\$ 1,175.00	\$ 1,265.00
19	72,000 pounds	\$ 1,257.00	\$ 1,347.00
20	74,000 pounds	\$ 1,366.00	\$ 1,456.00
21	76,000 pounds	\$ 1,476.00	\$ 1,566.00
22	78,000 pounds	\$ 1,612.00	\$ 1,702.00
23	80,000 pounds	\$ 1,740.00	\$ 1,830.00
24	82,000 pounds	\$ 1,861.00	\$ 1,951.00
25	84,000 pounds	\$ 1,981.00	\$ 2,071.00
26	86,000 pounds	\$ 2,102.00	\$ 2,192.00
27	88,000 pounds	\$ 2,223.00	\$ 2,313.00
28	90,000 pounds	\$ 2,344.00	\$ 2,434.00
29	92,000 pounds	\$ 2,464.00	\$ 2,554.00
30	94,000 pounds	\$ 2,585.00	\$ 2,675.00
31	96,000 pounds	\$ 2,706.00	\$ 2,796.00
32	98,000 pounds	\$ 2,827.00	\$ 2,917.00

1	100,000 pounds	\$ 2,947.00	\$ 3,037.00
2	102,000 pounds	\$ 3,068.00	\$ 3,158.00
3	104,000 pounds	\$ 3,189.00	\$ 3,279.00
4	105,500 pounds	\$ 3,310.00	\$ 3,400.00

5 (b) For vehicle registrations that are due or become due on or
6 after July 1, 2016, in lieu of the vehicle license fee required under
7 RCW 46.17.350 and before accepting an application for a vehicle
8 registration for motor vehicles described in RCW 46.16A.455, the
9 department, county auditor or other agent, or subagent appointed by
10 the director (~~shall~~) must require the applicant, unless
11 specifically exempt, to pay the following license fee by weight:

12	WEIGHT	SCHEDULE	SCHEDULE
13		A	B
14	4,000 pounds	\$ 53.00	\$ 53.00
15	6,000 pounds	\$ 73.00	\$ 73.00
16	8,000 pounds	\$ 93.00	\$ 93.00
17	10,000 pounds	\$ 93.00	\$ 93.00
18	12,000 pounds	\$ 81.00	\$ 81.00
19	14,000 pounds	\$ 88.00	\$ 88.00
20	16,000 pounds	\$ 100.00	\$ 100.00
21	18,000 pounds	\$ 152.00	\$ 152.00
22	20,000 pounds	\$ 169.00	\$ 169.00
23	22,000 pounds	\$ 183.00	\$ 183.00
24	24,000 pounds	\$ 198.00	\$ 198.00
25	26,000 pounds	\$ 209.00	\$ 209.00
26	28,000 pounds	\$ 247.00	\$ 247.00
27	30,000 pounds	\$ 285.00	\$ 285.00
28	32,000 pounds	\$ 344.00	\$ 344.00
29	34,000 pounds	\$ 366.00	\$ 366.00
30	36,000 pounds	\$ 397.00	\$ 397.00
31	38,000 pounds	\$ 436.00	\$ 436.00
32	40,000 pounds	\$ 499.00	\$ 499.00
33	42,000 pounds	\$ 519.00	\$ 609.00

1	44,000 pounds	\$ 530.00	\$ 620.00
2	46,000 pounds	\$ 570.00	\$ 660.00
3	48,000 pounds	\$ 594.00	\$ 684.00
4	50,000 pounds	\$ 645.00	\$ 735.00
5	52,000 pounds	\$ 678.00	\$ 768.00
6	54,000 pounds	\$ 732.00	\$ 822.00
7	56,000 pounds	\$ 773.00	\$ 863.00
8	58,000 pounds	\$ 804.00	\$ 894.00
9	60,000 pounds	\$ 857.00	\$ 947.00
10	62,000 pounds	\$ 919.00	\$ 1,009.00
11	64,000 pounds	\$ 939.00	\$ 1,029.00
12	66,000 pounds	\$ 1,046.00	\$ 1,136.00
13	68,000 pounds	\$ 1,091.00	\$ 1,181.00
14	70,000 pounds	\$ 1,175.00	\$ 1,265.00
15	72,000 pounds	\$ 1,257.00	\$ 1,347.00
16	74,000 pounds	\$ 1,366.00	\$ 1,456.00
17	76,000 pounds	\$ 1,476.00	\$ 1,566.00
18	78,000 pounds	\$ 1,612.00	\$ 1,702.00
19	80,000 pounds	\$ 1,740.00	\$ 1,830.00
20	82,000 pounds	\$ 1,861.00	\$ 1,951.00
21	84,000 pounds	\$ 1,981.00	\$ 2,071.00
22	86,000 pounds	\$ 2,102.00	\$ 2,192.00
23	88,000 pounds	\$ 2,223.00	\$ 2,313.00
24	90,000 pounds	\$ 2,344.00	\$ 2,434.00
25	92,000 pounds	\$ 2,464.00	\$ 2,554.00
26	94,000 pounds	\$ 2,585.00	\$ 2,675.00
27	96,000 pounds	\$ 2,706.00	\$ 2,796.00
28	98,000 pounds	\$ 2,827.00	\$ 2,917.00
29	100,000 pounds	\$ 2,947.00	\$ 3,037.00
30	102,000 pounds	\$ 3,068.00	\$ 3,158.00
31	104,000 pounds	\$ 3,189.00	\$ 3,279.00
32	105,500 pounds	\$ 3,310.00	\$ 3,400.00

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

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

7 (4) The license fees provided in subsection (1) of this section
8 and the freight project ~~((fee provided in subsection (6)))~~ fees
9 provided in subsections (6) and (7) of this section are in addition
10 to the filing fee required under RCW 46.17.005 and any other fee or
11 tax required by law.

12 (5) The license fee based on declared gross weight as provided in
13 subsection (1) of this section must be distributed under RCW
14 46.68.035.

15 (6) For vehicle registrations that are due or become due on or
16 after July 1, 2016, in addition to the license fee based on declared
17 gross weight as provided in subsection (1) of this section, the
18 department, county auditor or other agent, or subagent appointed by
19 the director must require an applicant with a vehicle with a declared
20 gross weight of more than 10,000 pounds, unless specifically exempt,
21 to pay a freight project fee equal to fifteen percent of the license
22 fee provided in subsection (1) of this section, rounded to the
23 nearest whole dollar, which must be distributed under RCW 46.68.035.

24 (7)(a) For vehicle registrations that are due or become due on or
25 after October 1, 2021, in addition to the license fee based on
26 declared gross weight as provided in subsection (1) of this section
27 and the freight project fee as provided in subsection (6) of this
28 section, the department, county auditor or other agent, or subagent
29 appointed by the director must require an applicant with a vehicle
30 with a declared gross weight of more than 10,000 pounds, unless
31 specifically exempt, to pay a freight project fee equal to five
32 percent of the license fee provided in subsection (1) of this
33 section, rounded to the nearest whole dollar.

34 (b) All proceeds from the freight project fee imposed pursuant to
35 this subsection (7) must be deposited in the forward Washington
36 account created in section 701 of this act.

37 (8) For vehicle registrations that are due or become due on or
38 after July 1, ((2022)) 2021, in addition to the license fee based on
39 declared gross weight as provided in subsection (1) of this section,
40 the department, county auditor or other agent, or subagent appointed

1 by the director must require an applicant with a vehicle with a
2 declared gross weight of less than or equal to 12,000 pounds, unless
3 specifically exempt, to pay an additional weight fee of ten dollars,
4 which (~~must be distributed under RCW 46.68.035~~) until June 30,
5 2022, must be deposited in the forward Washington account created in
6 section 701 of this act and must be distributed under RCW 46.68.035
7 after June 30, 2023.

8 **Sec. 402.** RCW 46.17.365 and 2015 3rd sp.s. c 44 s 202 are each
9 amended to read as follows:

10 (1) A person applying for a motor vehicle registration and paying
11 the vehicle license fee required in RCW 46.17.350(1) (a), (d), (e),
12 (h), (j), (n), and (o) (~~shall~~) must pay a motor vehicle weight fee
13 in addition to all other fees and taxes required by law.

14 (a) For vehicle registrations that are due or become due before
15 July 1, 2016, the motor vehicle weight fee:

- 16 (i) Must be based on the motor vehicle scale weight;
- 17 (ii) Is the difference determined by subtracting the vehicle
18 license fee required in RCW 46.17.350 from the license fee in
19 Schedule B of RCW 46.17.355, plus two dollars; and
- 20 (iii) Must be distributed under RCW 46.68.415.

21 (b) For vehicle registrations that are due or become due on or
22 after July 1, 2016, the motor vehicle weight fee:

23 (i) Must be based on the motor vehicle scale weight as follows:

24	WEIGHT	FEE
25	4,000 pounds	\$ 25.00
26	6,000 pounds	\$ 45.00
27	8,000 pounds	\$ 65.00
28	16,000 pounds and over	\$ 72.00;

29 (ii) If the resultant motor vehicle scale weight is not listed in
30 the table provided in (b)(i) of this subsection, must be increased to
31 the next highest weight; and

32 (iii) Must be distributed under RCW 46.68.415 unless prior to
33 July 1, 2023, the actions described in (b)(iii)(A) or (B) of this
34 subsection occur, in which case the portion of the revenue that is
35 the result of the fee increased in this subsection must be
36 distributed to the connecting Washington account created under RCW
37 46.68.395.

1 (A) Any state agency files a notice of rule making under chapter
2 34.05 RCW for a rule regarding a fuel standard based upon or defined
3 by the carbon intensity of fuel, including a low carbon fuel standard
4 or clean fuel standard.

5 (B) Any state agency otherwise enacts, adopts, orders, or in any
6 way implements a fuel standard based upon or defined by the carbon
7 intensity of fuel, including a low carbon fuel standard or clean fuel
8 standard.

9 (C) Nothing in this subsection acknowledges, establishes, or
10 creates legal authority for the department of ecology or any other
11 state agency to enact, adopt, order, or in any way implement a fuel
12 standard based upon or defined by the carbon intensity of fuel,
13 including a low carbon fuel standard or clean fuel standard.

14 (2) A person applying for a motor home vehicle registration
15 (~~shall~~) must, in lieu of the motor vehicle weight fee required in
16 subsection (1) of this section, pay a motor home vehicle weight fee
17 of (~~seventy-five dollars~~) \$75 until October 1, 2021, and \$95 after
18 October 1, 2021, in addition to all other fees and taxes required by
19 law. The motor home vehicle weight fee must be distributed under RCW
20 46.68.415.

21 (3) Beginning July 1, (~~2022~~) 2021, in addition to the motor
22 vehicle weight fee as provided in subsection (1) of this section, the
23 department, county auditor or other agent, or subagent appointed by
24 the director must require an applicant to pay an additional weight
25 fee of ten dollars, which must be distributed to the multimodal
26 transportation account under RCW 47.66.070 unless prior to July 1,
27 2023, the actions described in (a) or (b) of this subsection occur,
28 in which case the portion of the revenue that is the result of the
29 fee increased in this subsection must be distributed to the
30 (~~connecting Washington account created under RCW 46.68.395~~) forward
31 Washington account created under section 701 of this act.

32 (a) Any state agency files a notice of rule making under chapter
33 34.05 RCW for a rule regarding a fuel standard based upon or defined
34 by the carbon intensity of fuel, including a low carbon fuel standard
35 or clean fuel standard.

36 (b) Any state agency otherwise enacts, adopts, orders, or in any
37 way implements a fuel standard based upon or defined by the carbon
38 intensity of fuel, including a low carbon fuel standard or clean fuel
39 standard.

1 (c) Nothing in this subsection acknowledges, establishes, or
2 creates legal authority for the department of ecology or any other
3 state agency to enact, adopt, order, or in any way implement a fuel
4 standard based upon or defined by the carbon intensity of fuel,
5 including a low carbon fuel standard or clean fuel standard.

6 (4) The department (~~shall~~) must:

7 (a) Rely on motor vehicle empty scale weights provided by vehicle
8 manufacturers, or other sources defined by the department, to
9 determine the weight of each motor vehicle; and

10 (b) Adopt rules for determining weight for vehicles without
11 manufacturer empty scale weights.

12 **Sec. 403.** RCW 46.17.400 and 2011 c 171 s 62 are each amended to
13 read as follows:

14 (1) Before accepting an application for one of the following
15 permits, the department, county auditor or other agent, or subagent
16 appointed by the director (~~shall~~) must require the applicant to pay
17 the following permit fee by permit type in addition to any other fee
18 or tax required by law:

PERMIT TYPE	FEE	AUTHORITY	DISTRIBUTION
(a) Dealer temporary	\$ 15.00	RCW 46.16A.300	RCW 46.68.030
(b) Department temporary	\$.50	RCW 46.16A.305	RCW 46.68.450
(c) Farm vehicle trip	\$ 6.25	RCW 46.16A.330	RCW 46.68.035
(d) Nonresident military	\$ 10.00	RCW 46.16A.340	RCW 46.68.070
(e) Nonresident temporary snowmobile	\$ 5.00	RCW 46.10.450	RCW 46.68.350
(f) Special fuel trip	\$ 30.00	RCW 82.38.100	RCW 46.68.460
(g) Temporary ORV use	\$ 7.00	RCW 46.09.430	RCW 46.68.045
(h) Vehicle trip	((25.00)) \$ <u>45.00</u>	RCW 46.16A.320	RCW 46.68.455

32 (2) Permit fees as provided in subsection (1) of this section are
33 in addition to the filing fee required under RCW 46.17.005, except an
34 additional filing fee may not be charged for:

- 35 (a) Dealer temporary permits;
36 (b) Special fuel trip permits; and

1 (c) Vehicle trip permits.

2 (3) Five dollars of the fifteen dollar dealer temporary permit
3 fee provided in subsection (1)(a) of this section must be credited to
4 the payment of vehicle license fees at the time application for
5 registration is made. The remainder must be deposited to the state
6 patrol highway account created in RCW 46.68.030.

7 **Sec. 404.** RCW 46.68.455 and 2011 c 171 s 89 are each amended to
8 read as follows:

9 (1) The vehicle trip permit fee imposed under RCW 46.17.400(1)(h)
10 must be distributed as follows:

11 ~~((1))~~ (a) Five dollars to the state patrol highway account for
12 commercial motor vehicle inspections;

13 ~~((2))~~ (b) Five dollars to the motor vehicle fund created in RCW
14 46.68.070 to be distributed as follows:

15 ~~((a))~~ (i) If paid by motor carriers, to be used for supporting
16 vehicle weigh stations, weigh-in-motion programs, and the commercial
17 vehicle information systems and networks programs; and

18 ~~((b))~~ (ii) If paid by a person other than a motor carrier, to
19 be used for supporting congestion relief programs;

20 ~~((3))~~ (c) A one dollar excise tax to the state general fund;

21 ~~((4))~~ (d) The amount of the filing fee imposed under RCW
22 46.17.005(1) to be credited as required under RCW 46.68.400; ~~(and~~

23 ~~(5))~~ (e) \$20 to the forward Washington account created in
24 section 701 of this act; and

25 (f) The remainder to the credit of the motor vehicle fund created
26 in RCW 46.68.070 as an administrative fee.

27 (2) The administrative fee must be increased or decreased in an
28 equal amount if the amount of the filing fee imposed under RCW
29 46.17.005(1) increases or decreases, so that the total trip permit
30 fee is adjusted equally to compensate.

31 **Sec. 405.** RCW 46.17.200 and 2014 c 80 s 4 are each amended to
32 read as follows:

33 (1) In addition to all other fees and taxes required by law, the
34 department, county auditor or other agent, or subagent appointed by
35 the director shall charge:

36 (a) The following license plate fees for each license plate,
37 unless the owner or type of vehicle is exempt from payment:

	FEE TYPE	FEE	DISTRIBUTION
1			
2	Original issue	((40.00))	RCW 46.68.070
3		\$ <u>15.00</u>	
4	Reflectivity	\$ 2.00	RCW 46.68.070
5	Replacement	((40.00))	RCW 46.68.070
6		\$ <u>15.00</u>	
7	Original issue,	((4.00))	RCW 46.68.070
8	motorcycle	\$ <u>6.00</u>	
9	Replacement,	((4.00))	RCW 46.68.070
10	motorcycle	\$ <u>6.00</u>	
11	Original issue,	\$ 1.50	RCW 46.68.070
12	moped		

13 (b) A license plate retention fee, as required under RCW
14 46.16A.200(9)(a), of twenty dollars if the owner wishes to retain the
15 current license plate number upon license plate replacement, unless
16 the owner or type of vehicle is exempt from payment. The twenty
17 dollar fee must be deposited in the multimodal transportation account
18 created in RCW 47.66.070.

19 (c) A ten dollar license plate transfer fee, as required under
20 RCW 46.16A.200(8)(a), when transferring standard issue license plates
21 from one vehicle to another, unless the owner or type of vehicle is
22 exempt from payment. The ten dollar license plate transfer fee must
23 be deposited in the motor vehicle fund created in RCW 46.68.070.

24 (d) Former prisoner of war license plates, as described in RCW
25 46.18.235, may be transferred to a replacement vehicle upon payment
26 of a five dollar license plate fee, in addition to any other fee
27 required by law.

28 (2) The department may, upon request, provide license plates that
29 have been used and returned to the department to individuals for
30 nonvehicular use. The department may charge a fee of up to five
31 dollars per license plate to cover costs or recovery for postage and
32 handling. The department may waive the fee for license plates used in
33 educational projects and may, by rule, provide standards for the fee
34 waiver and restrictions on the number of license plates provided to
35 any one person. The fee must be deposited in the motor vehicle fund
36 created in RCW 46.68.070.

1 (3) \$5 of the original issue and replacement license plate fees
2 imposed under RCW 46.17.200(1)(a) and \$2 of the original issue
3 motorcycle and replacement motorcycle license plate fees imposed
4 under RCW 46.17.200(1)(a) must be deposited in the forward Washington
5 account created under section 701 of this act.

6 **Sec. 406.** RCW 46.17.100 and 2012 c 74 s 1 are each amended to
7 read as follows:

8 Before accepting an application for a certificate of title as
9 required in this title, the department, county auditor or other
10 agent, or subagent appointed by the director shall require the
11 applicant to pay a (~~fifteen-dollar~~) \$16 application fee in addition
12 to any other fees and taxes required by law.

13 (1) Five dollars of the certificate of title application fee must
14 be distributed under RCW 46.68.020.

15 (2) Ten dollars of the certificate of title application fee must
16 be credited to the transportation 2003 account (nickel account)
17 created in RCW 46.68.280.

18 (3) \$1 must be deposited in the forward Washington account
19 created in section 701 of this act.

20 **Sec. 407.** RCW 46.17.160 and 2011 c 326 s 2 are each amended to
21 read as follows:

22 Before accepting an application for a quick title of a vehicle
23 under RCW 46.12.555, the department, participating county auditor or
24 other agent, or subagent appointed by the director shall require the
25 applicant to pay a (~~fifty-dollar~~) \$55 quick title service fee in
26 addition to any other fees and taxes required by law. The quick title
27 service fee must be distributed under RCW 46.68.025.

28 **Sec. 408.** RCW 46.68.025 and 2015 2nd sp.s. c 1 s 1 are each
29 amended to read as follows:

30 (1) The quick title service fee imposed under RCW 46.17.160 must
31 be distributed as follows: The first \$5 must be deposited in the
32 forward Washington account created in section 701 of this act with
33 the remaining amounts distributed as follows:

34 (a) If the fee is paid to the director, the fee must be deposited
35 to the motor vehicle fund established under RCW 46.68.070.

36 (b) If the fee is paid to the participating county auditor or
37 other agent appointed by the director, twenty-five dollars must be

1 deposited to the motor vehicle fund established under RCW 46.68.070.
2 The remainder must be retained by the county treasurer in the same
3 manner as other fees collected by the county auditor.

4 (c) If the fee is paid to a subagent appointed by the director,
5 twenty-five dollars must be deposited to the motor vehicle fund
6 established under RCW 46.68.070. The remaining twenty-five dollars
7 must be distributed as follows: Twelve dollars and fifty cents must
8 be retained by the county treasurer in the same manner as other fees
9 collected by the county auditor and twelve dollars and fifty cents
10 must be retained by the subagent.

11 (2) For the purposes of this section, "quick title" has the same
12 meaning as in RCW 46.12.555.

13 **Sec. 409.** RCW 46.17.120 and 2020 c 239 s 1 are each amended to
14 read as follows:

15 (1) Before accepting an application for a certificate of title
16 for a vehicle previously registered in any other state or country,
17 the department, county auditor or other agent, or subagent appointed
18 by the director shall require the applicant to pay a fee of (~~fifteen~~
19 ~~dollars. The fifteen dollar fee~~) \$25.

20 (a) \$15 of the fee required by this section must be distributed
21 under RCW 46.68.020.

22 (b) \$10 of the fee required by this section must be deposited in
23 the forward Washington account created in section 701 of this act.

24 (2) An applicant is exempt from the (~~fifteen dollar~~) \$25 fee if
25 the applicant previously registered the vehicle in Washington state
26 and maintained ownership of the vehicle while registered in another
27 state or country.

28 **Sec. 410.** RCW 46.17.015 and 2010 c 161 s 502 are each amended to
29 read as follows:

30 (1) A person who applies for a vehicle registration or for any
31 other right to operate a vehicle on the highways of this state shall
32 pay a twenty-five cent license plate technology fee in addition to
33 any other fees and taxes required by law. The license plate
34 technology fee must be distributed under RCW 46.68.370.

35 (2) A vehicle registered under RCW 46.16A.455 or 46.17.330 is not
36 subject to the license plate technology fee, except for a vehicle
37 registered under RCW 46.16A.455(3).

1 (3) The revenue from the license plate technology fee imposed on
2 vehicles registered under RCW 46.16A.455(3) must be deposited in the
3 forward flexible account created in section 702 of this act.

4 **Sec. 411.** RCW 46.17.025 and 2010 c 161 s 503 are each amended to
5 read as follows:

6 (1) A person who applies for a vehicle registration or for any
7 other right to operate a vehicle on the highways of this state shall
8 pay a fifty cent license service fee in addition to any other fees
9 and taxes required by law. The license service fee must be
10 distributed under RCW 46.68.220.

11 (2) A vehicle registered under RCW 46.16A.455 or 46.17.330 is not
12 subject to the license service fee, except for a vehicle registered
13 under RCW 46.16A.455(3).

14 (3) The revenue from the license service fee imposed on vehicles
15 registered under RCW 46.16A.455(3) must be deposited into the forward
16 Washington account created in section 701 of this act.

17 **Sec. 412.** RCW 46.17.345 and 2015 c 200 s 2 are each amended to
18 read as follows:

19 Before accepting an application for a permanent registration
20 authorized under RCW 46.16A.428, the department, county auditor or
21 other agent, or subagent appointed by the director must require an
22 applicant to pay a ~~((one hundred eighty-seven dollar and fifty cent))~~
23 \$200 fee, of which \$12.50 must be deposited in the forward Washington
24 account created in section 701 of this act, and with the remainder
25 deposited and distributed under RCW 46.68.030.

26 **Sec. 413.** RCW 46.17.350 and 2019 c 44 s 4 are each amended to
27 read as follows:

28 (1) Before accepting an application for a vehicle registration,
29 the department, county auditor or other agent, or subagent appointed
30 by the director shall require the applicant, unless specifically
31 exempt, to pay the following vehicle license fee by vehicle type:

VEHICLE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
(a) Auto stage, six seats or less	\$ 30.00	\$ 30.00	RCW 46.68.030

1	(b) Camper	\$ 4.90	\$ 3.50	RCW 46.68.030
2	(c) Commercial trailer	\$ 34.00	\$ 34.00	RCW 46.68.035
3	(d) For hire vehicle, six	\$ 30.00	\$ 30.00	RCW 46.68.030
4	seats or less			
5	(e) Mobile home (if	\$ 30.00	\$ 30.00	RCW 46.68.030
6	registered)			
7	(f) Moped	\$ 30.00	\$ 30.00	RCW 46.68.030
8	(g) Motor home	\$ 30.00	\$ 30.00	RCW 46.68.030
9	(h) Motorcycle	\$ 30.00	\$ 30.00	RCW 46.68.030
10	(i) Off-road vehicle	\$ 18.00	\$ 18.00	RCW 46.68.045
11	(j) Passenger car	\$ 30.00	\$ 30.00	RCW 46.68.030
12	(k) Private use single-axle	(\$15.00)	(\$15.00)	RCW 46.68.035
13	trailer	<u>\$20.00</u>	<u>\$20.00</u>	
14	(l) Snowmobile	\$ 50.00	\$ 50.00	RCW 46.68.350
15	(m) Snowmobile, vintage	\$ 12.00	\$ 12.00	RCW 46.68.350
16	(n) Sport utility vehicle	\$ 30.00	\$ 30.00	RCW 46.68.030
17	(o) Tow truck	\$ 30.00	\$ 30.00	RCW 46.68.030
18	(p) Trailer, over 2000	\$ 30.00	\$ 30.00	RCW 46.68.030
19	pounds			
20	(q) Travel trailer	\$ 30.00	\$ 30.00	RCW 46.68.030
21	(r) Wheeled all-terrain	\$ 12.00	\$ 12.00	RCW 46.09.540
22	vehicle, on-road use			
23	(s) Wheeled all-terrain	\$ 18.00	\$ 18.00	RCW 46.09.510
24	vehicle, off-road use			

25 (2) The vehicle license fee required in subsection (1) of this
26 section is in addition to the filing fee required under RCW
27 46.17.005, and any other fee or tax required by law.

28 **Sec. 414.** RCW 46.68.035 and 2017 c 147 s 10 are each amended to
29 read as follows:

30 ((The)) Except as otherwise provided in subsection (6) of this
31 section, the director shall forward all proceeds from vehicle license
32 fees received by the director for vehicles registered under RCW
33 46.17.330, 46.17.350(1) (c) and (k), 46.17.355, and 46.17.400(1) (c)

1 to the state treasurer to be distributed into accounts according to
2 the following method:

3 (1) 22.36 percent must be deposited into the state patrol highway
4 account of the motor vehicle fund;

5 (2) 1.375 percent must be deposited into the Puget Sound ferry
6 operations account of the motor vehicle fund;

7 (3) 5.237 percent must be deposited into the transportation 2003
8 account (nickel account);

9 (4) 11.533 percent must be deposited into the transportation
10 partnership account created in RCW 46.68.290; and

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

13 (6) \$5 of the private use single-axle trailer initial and renewal
14 vehicle license fees imposed under RCW 46.17.350 must be deposited in
15 the forward Washington account created in section 701 of this act,
16 with the remainder distributed in accordance with this section.

17 **Sec. 415.** RCW 46.12.635 and 2019 c 278 s 1 are each amended to
18 read as follows:

19 (1) Notwithstanding the provisions of chapter 42.56 RCW, the name
20 or address of an individual vehicle or vessel owner shall not be
21 released by the department, county auditor, or agency or firm
22 authorized by the department except under the following
23 circumstances:

24 (a) The requesting party is a business entity that requests the
25 information for use in the course of business;

26 (b) The request is a written request that is signed by the person
27 requesting disclosure that contains the full legal name and address
28 of the requesting party, that specifies the purpose for which the
29 information will be used; and

30 (c) The requesting party enters into a disclosure agreement with
31 the department in which the party promises that the party will use
32 the information only for the purpose stated in the request for the
33 information; and that the party does not intend to use, or facilitate
34 the use of, the information for the purpose of making any unsolicited
35 business contact with a person named in the disclosed information.
36 The term "unsolicited business contact" means a contact that is
37 intended to result in, or promote, the sale of any goods or services
38 to a person named in the disclosed information. The term does not
39 apply to situations where the requesting party and such person have

1 been involved in a business transaction prior to the date of the
2 disclosure request and where the request is made in connection with
3 the transaction.

4 (2) Where both a mailing address and residence address are
5 recorded on the vehicle or vessel record and are different, only the
6 mailing address will be disclosed. Both addresses will be disclosed
7 in response to requests for disclosure from courts, law enforcement
8 agencies, or government entities with enforcement, investigative, or
9 taxing authority and only for use in the normal course of conducting
10 their business.

11 (3) The disclosing entity shall retain the request for disclosure
12 for three years.

13 (4) (a) Whenever the disclosing entity grants a request for
14 information under this section by an attorney or private
15 investigator, the disclosing entity shall provide notice to the
16 vehicle or vessel owner, to whom the information applies, that the
17 request has been granted. The notice must only include: (i) That the
18 disclosing entity has disclosed the vehicle or vessel owner's name
19 and address pursuant to a request made under this section; (ii) the
20 date that the disclosure was made; and (iii) that the vehicle or
21 vessel owner has five days from receipt of the notice to contact the
22 disclosing entity to determine the occupation of the requesting
23 party.

24 (b) Except as provided in (c) of this subsection, the only
25 information about the requesting party that the disclosing entity may
26 disclose in response to a request made by a vehicle or vessel owner
27 under (a) of this subsection is whether the requesting party was an
28 attorney or private investigator. The request by the vehicle or
29 vessel owner must be submitted to the disclosing entity within five
30 days of receipt of the original notice.

31 (c) In the case of a vehicle or vessel owner who submits to the
32 disclosing entity a copy of a valid court order restricting another
33 person from contacting the vehicle or vessel owner or his or her
34 family or household member, the disclosing entity shall provide the
35 vehicle or vessel owner with the name and address of the requesting
36 party.

37 (5) Any person who is furnished vehicle or vessel owner
38 information under this section shall be responsible for assuring that
39 the information furnished is not used for a purpose contrary to the
40 agreement between the person and the department.

1 (6) This section shall not apply to requests for information by
2 governmental entities or requests that may be granted under any other
3 provision of this title expressly authorizing the disclosure of the
4 names or addresses of vehicle or vessel owners. Requests from law
5 enforcement officers for vessel record information must be granted.
6 The disclosure agreement with law enforcement entities must provide
7 that law enforcement may redisclose a vessel owner's name or address
8 when trying to locate the owner of or otherwise deal with a vessel
9 that has become a hazard.

10 (7) The department shall disclose vessel records for any vessel
11 owned by a governmental entity upon request.

12 (8) This section shall not apply to title history information
13 under RCW 19.118.170.

14 (9) The department shall charge a fee of (~~two dollars~~) \$4 for
15 each record returned pursuant to a request made by a business entity
16 under subsection (1) of this section and deposit 50 percent of the
17 fee revenue into the highway safety (~~account~~ ~~[fund]~~) fund and 50
18 percent in the forward flexible account created in section 702 of
19 this act.

20 (10) The department, county auditor, or agency or firm authorized
21 by the department shall not release the name, any address, vehicle
22 make, vehicle model, vehicle year, vehicle identification number,
23 vessel make and model, vessel model year, hull identification number,
24 vessel document number, vessel registration number, vessel decal
25 number, or license plate number associated with an individual vehicle
26 or vessel owner who is a participant in the address confidentiality
27 program under chapter 40.24 RCW except as allowed in subsection (6)
28 of this section and RCW 40.24.075.

29 **Sec. 416.** RCW 46.12.630 and 2016 c 80 s 1 are each amended to
30 read as follows:

31 (1) The department of licensing must furnish lists of registered
32 and legal owners of: (a) Motor vehicles only for the purposes
33 specified in this subsection (1)(a) to the manufacturers of motor
34 vehicles or motor vehicle components, or their authorized agents, to
35 enable those manufacturers to carry out the provisions of Titles I
36 and IV of the anti car theft act of 1992, the automobile information
37 disclosure act (15 U.S.C. Sec. 1231 et seq.), the clean air act (42
38 U.S.C. Sec. 7401 et seq.), and 49 U.S.C. Secs. 30101-30183,
39 30501-30505, and 32101-33118, as these acts existed on January 1,

1 2014, or such subsequent date as may be provided by the department by
2 rule, consistent with the purposes of this section. However, the
3 department may only provide a vehicle or vehicle component
4 manufacturer, or its authorized agent, lists of registered or legal
5 owners who purchased or leased a vehicle manufactured by that
6 manufacturer or a vehicle containing a component manufactured by that
7 component manufacturer. Manufacturers or authorized agents receiving
8 information on behalf of one manufacturer must not disclose this
9 information to any other third party that is not necessary to carry
10 out the purposes of this section; and (b) vessels only for the
11 purposes of this subsection (1)(b) to the manufacturers of vessels,
12 or their authorized agents, to enable those manufacturers to carry
13 out the provisions of 46 U.S.C. Sec. 4310 and any relevant Code of
14 Federal ~~(Regulation[s])~~ Regulations adopted by the United States
15 coast guard, as these provisions and rules existed on January 1,
16 2015, or such subsequent date as may be provided by the department by
17 rule, consistent with the purposes of this section.

18 (2) The department of licensing may furnish lists of registered
19 and legal owners of motor vehicles or vessels, only to the entities
20 and only for the purposes specified in this section, to:

21 (a) The manufacturers of motor vehicles or vessels, legitimate
22 businesses as defined by the department in rule, or their authorized
23 agents, for purposes of using lists of registered and legal owner
24 information to conduct research activities and produce statistical
25 reports, as long as the entity does not allow personal information
26 received under this section to be published, redisclosed, or used to
27 contact individuals. For purposes of this subsection (2)(a), the
28 department of licensing may only provide the manufacturer of a motor
29 vehicle or vessel, or the manufacturer of components contained in a
30 motor vehicle or vessel, the lists of registered or legal owners who
31 purchased or leased a vehicle or vessel manufactured by that
32 manufacturer or a vehicle or vessel containing components
33 manufactured by that component manufacturer;

34 (b) Any governmental agency of the United States or Canada, or
35 political subdivisions thereof, to be used by it or by its authorized
36 commercial agents or contractors only in connection with the
37 enforcement of: (i) Motor vehicle or traffic laws by, or programs
38 related to traffic safety of, that government agency; or (ii) the
39 laws governing vessels, vessel operation, or vessel safety programs
40 administered by that government agency or as otherwise provided by

1 law. Only such parts of the list under (b)(i) and (ii) of this
2 subsection (2) ~~((b))~~ as are required for completion of the work
3 required of the agent or contractor shall be provided to such agent
4 or contractor;

5 (c) Any insurer or insurance support organization, a self-insured
6 entity, or its agents, employees, or contractors for use in
7 connection with claims investigation activities, antifraud
8 activities, rating, or underwriting;

9 (d) Any local governmental entity or its agents for use in
10 providing notice to owners of towed and impounded vehicles, or to any
11 law enforcement entity for use, as may be necessary, in locating the
12 owner of or otherwise dealing with a vessel that has become a hazard;

13 (e) A government agency, commercial parking company, or its
14 agents requiring the names and addresses of registered owners to
15 notify them of outstanding parking violations. Subject to the
16 disclosure agreement provisions of RCW 46.12.635 and the requirements
17 of Executive Order 97-01, the department may provide only the parts
18 of the list that are required for completion of the work required of
19 the company;

20 (f) An authorized agent or contractor of the department, to be
21 used only in connection with providing motor vehicle or vessel excise
22 tax, licensing, title, and registration information to motor vehicle
23 or vessel dealers;

24 (g) Any business regularly making loans to other persons to
25 finance the purchase of motor vehicles or vessels, to be used to
26 assist the person requesting the list to determine ownership of
27 specific vehicles or vessels for the purpose of determining whether
28 or not to provide such financing; or

29 (h) A company or its agents operating a toll facility under
30 chapter 47.46 RCW or other applicable authority requiring the names,
31 addresses, and vehicle information of motor vehicle registered owners
32 to identify toll violators.

33 (3) Personal information received by an entity listed in
34 subsection (1) or (2) of this section may not be released for direct
35 marketing purposes.

36 (4) Prior to the release of any lists of vehicle or vessel owners
37 under subsection (1) or (2) of this section, the department must
38 enter into a contract with the entity authorized to receive the data.
39 The contract must include:

1 (a) A requirement that the department or its agent conduct both
2 regular permissible use and data security audits subject to the
3 following conditions and limitations:

4 (i) The data security audits must demonstrate compliance with the
5 data security standards adopted by the office of the chief
6 information officer.

7 (ii) When determining whether to conduct an audit under this
8 subsection, the department must first take into consideration any
9 independent third-party audit a data recipient has had before
10 requiring that any additional audits be performed. If the independent
11 third-party audit is a data security audit and it meets both
12 recognized national or international standards and the standards
13 adopted by the office of the chief information officer pursuant to
14 (a)(i) of this subsection, the department must accept the audit and
15 the audit is deemed to satisfy the conditions set out in this
16 subsection (4)(a). If the independent third-party audit is a
17 permissible use audit and it meets recognized national or
18 international standards, the department must accept the audit and the
19 audit is deemed to satisfy the conditions set out in this subsection
20 (4)(a); and

21 (b) A provision that the cost of the audits performed pursuant to
22 this subsection must be borne by the data recipient. A new data
23 recipient must bear the initial cost to set up a system to disburse
24 the data to the data recipient.

25 (5)(a)(i) Beginning January 1, 2015, the department must collect
26 a fee of ten dollars per one thousand individual registered or legal
27 owners included on a list requested by a private entity under
28 subsection (1) or (2) of this section.

29 (ii) Beginning January 1, 2016, the department must collect a fee
30 of twenty dollars per one thousand individual registered or legal
31 vehicle or vessel owners included on a list requested by a private
32 entity under subsection (1) or (2) of this section.

33 (iii) Beginning January 1, 2021, the department must collect a
34 fee of twenty-five dollars per one thousand individual registered or
35 legal owners included on a list requested by a private entity under
36 subsection (1) or (2) of this section.

37 (iv) Beginning July 1, 2025, the department must collect a fee of
38 \$50 per 1,000 individual registered or legal owners included on a
39 list requested by a private entity under subsection (1) or (2) of
40 this section.

1 (v) The department must prorate the fee imposed by this
2 subsection when the request is for less than a full one thousand
3 records.

4 (b) In lieu of the fee specified in (a) of this subsection, if
5 the request requires a daily, weekly, monthly, or other regular
6 update of those vehicle or vessel records that have changed:

7 (i) Beginning January 1, 2015, the department must collect a fee
8 of one cent per individual registered or legal vehicle or vessel
9 owner record provided to the private entity;

10 (ii) Beginning January 1, 2016, the department must collect a fee
11 of two cents per individual registered or legal vehicle or vessel
12 owner record provided to the private entity;

13 (iii) Beginning January 1, 2021, the department must collect a
14 fee of two and one-half cents per individual registered or legal
15 vehicle or vessel owner record provided to the private entity.

16 (iv) Beginning July 1, 2025, the department must collect a fee of
17 5 cents per individual registered or legal vehicle or vessel owner
18 record provided to the private entity.

19 (c) The department must deposit 50 percent of any moneys
20 collected under this subsection to the department of licensing
21 technology improvement and data management account created in RCW
22 46.68.063 and the remainder to the forward flexible account created
23 in section 702 of this act.

24 (6) Where both a mailing address and residence address are
25 recorded on the vehicle or vessel record and are different, only the
26 mailing address will be disclosed. Both addresses will be disclosed
27 in response to requests for disclosure from courts, law enforcement
28 agencies, or government entities with enforcement, investigative, or
29 taxing authority and only for use in the normal course of conducting
30 their business.

31 (7) If a list of registered and legal owners of motor vehicles or
32 vessels is used for any purpose other than that authorized in this
33 section, the manufacturer, governmental agency, commercial parking
34 company, contractor, financial institution, insurer, insurance
35 support organization, self-insured entity, legitimate business
36 entity, toll facility operator, or any authorized agent or contractor
37 responsible for the unauthorized disclosure or use will be denied
38 further access to such information by the department of licensing.

39 (8) For purposes of this section, "personal information" means
40 information that identifies an individual, including an individual's

1 photograph, social security number, driver identification number,
2 name, address (but not the five-digit zip code), telephone number, or
3 medical or disability information. However, an individual's
4 photograph, social security number, and any medical or disability-
5 related information is considered highly restricted personal
6 information and may not be released under this section.

7 **Sec. 417.** RCW 46.68.415 and 2010 c 161 s 813 are each amended to
8 read as follows:

9 (1) The motor vehicle weight fee imposed under RCW 46.17.365(1)
10 must be deposited every July 1st as follows:

11 (a) Three million dollars to the freight mobility multimodal
12 account created in RCW 46.68.310; and

13 (b) The remainder to the multimodal transportation account
14 created in RCW 47.66.070.

15 (2) The motor vehicle weight fee:

16 (a) Must be used for transportation purposes;

17 (b) May not be used for the general support of state government;
18 and

19 (c) Is imposed to provide funds to mitigate the impact of vehicle
20 loads on the state roads and highways and is separate and distinct
21 from other vehicle license fees. Proceeds from the fee may be used
22 for transportation purposes, or for facilities and activities that
23 reduce the number of vehicles or load weights on the state roads and
24 highways.

25 (3) ~~((The))~~ (a) Until October 1, 2021, the motor home vehicle
26 weight fee imposed under RCW 46.17.365(2) must be deposited in the
27 multimodal transportation account created in RCW 47.66.070.

28 (b) After October 1, 2021, \$20 of the motor home vehicle weight
29 fee imposed under RCW 46.17.365(2) must be deposited in the forward
30 flexible account created in section 702 of this act, and the
31 remainder must be deposited in the multimodal transportation account
32 created in RCW 47.66.070.

33 **Part V**
34 **Driver's License and Identocard Fees and Other Driver Fees,**
35 **For Hire Vehicle Per Trip Fees, Third-Party Food Delivery Fees**

36 **Sec. 501.** RCW 46.20.202 and 2017 c 310 s 3 are each amended to
37 read as follows:

1 (1) The department may enter into a memorandum of understanding
2 with any federal agency for the purposes of facilitating the crossing
3 of the border between the state of Washington and the Canadian
4 province of British Columbia.

5 (2) The department may enter into an agreement with the Canadian
6 province of British Columbia for the purposes of implementing a
7 border-crossing initiative.

8 (3)(a) The department may issue an enhanced driver's license or
9 identicard for the purposes of crossing the border between the state
10 of Washington and the Canadian province of British Columbia to an
11 applicant who provides the department with proof of: United States
12 citizenship, identity, and state residency. The department (~~shall~~)
13 must continue to offer a standard driver's license and identicard. If
14 the department chooses to issue an enhanced driver's license, the
15 department must allow each applicant to choose between a standard
16 driver's license or identicard, or an enhanced driver's license or
17 identicard.

18 (b) The department (~~shall~~) must implement a one-to-many
19 biometric matching system for the enhanced driver's license or
20 identicard. An applicant for an enhanced driver's license or
21 identicard (~~shall~~) must submit a biometric identifier as designated
22 by the department. The biometric identifier must be used solely for
23 the purpose of verifying the identity of the holders and for any
24 purpose set out in RCW 46.20.037. Applicants are required to sign a
25 declaration acknowledging their understanding of the one-to-many
26 biometric match.

27 (c) The enhanced driver's license or identicard must include
28 reasonable security measures to protect the privacy of Washington
29 state residents, including reasonable safeguards to protect against
30 unauthorized disclosure of data about Washington state residents. If
31 the enhanced driver's license or identicard includes a radio
32 frequency identification chip, or similar technology, the department
33 (~~shall~~) must ensure that the technology is encrypted or otherwise
34 secure from unauthorized data access.

35 (d) The requirements of this subsection are in addition to the
36 requirements otherwise imposed on applicants for a driver's license
37 or identicard. The department (~~shall~~) must adopt such rules as
38 necessary to meet the requirements of this subsection. From time to
39 time the department (~~shall~~) must review technological innovations
40 related to the security of identity cards and amend the rules related

1 to enhanced driver's licenses and identicards as the director deems
2 consistent with this section and appropriate to protect the privacy
3 of Washington state residents.

4 (e) Notwithstanding RCW 46.20.118, the department may make images
5 associated with enhanced drivers' licenses or identicards from the
6 negative file available to United States customs and border agents
7 for the purposes of verifying identity.

8 (4) Beginning on July 23, 2017, and until September 30, 2021, the
9 fee for an enhanced driver's license or enhanced identicard is
10 twenty-four dollars, which is in addition to the fees for any regular
11 driver's license or identicard. Beginning October 1, 2021, the fee
12 for an enhanced driver's license or enhanced identicard is \$42, which
13 is in addition to the fees for any regular driver's license or
14 identicard. Beginning July 23, 2017, and until September 30, 2021, if
15 the enhanced driver's license or enhanced identicard is issued,
16 renewed, or extended for a period other than six years, the fee for
17 each class is four dollars for each year that the enhanced driver's
18 license or enhanced identicard is issued, renewed, or extended.
19 Beginning October 1, 2021, if the enhanced driver's license or
20 enhanced identicard is issued, renewed, or extended for a period less
21 than six years, the fee for each class is \$7 for each year that the
22 enhanced driver's license or enhanced identicard is issued, renewed,
23 or extended.

24 (5)(a) The first \$24 of the enhanced driver's license and
25 enhanced identicard fee under this section must be deposited into the
26 highway safety fund unless (~~prior to July 1, 2023,~~) the actions
27 described in (a)(i) or (~~(b)~~) (ii) of this subsection occur, in
28 which case the portion of the revenue that is the result of the fee
29 increased in section 209, chapter 44, Laws of 2015 3rd sp. sess. must
30 be distributed to the connecting Washington account created under RCW
31 46.68.395.

32 (~~(a)~~) (i) Any state agency files a notice of rule making under
33 chapter 34.05 RCW for a rule regarding a fuel standard based upon or
34 defined by the carbon intensity of fuel, including a low carbon fuel
35 standard or clean fuel standard.

36 (~~(b)~~) (ii) Any state agency otherwise enacts, adopts, orders,
37 or in any way implements a fuel standard based upon or defined by the
38 carbon intensity of fuel, including a low carbon fuel standard or
39 clean fuel standard.

1 (~~(e)~~) (iii) Nothing in this subsection acknowledges,
2 establishes, or creates legal authority for the department of ecology
3 or any other state agency to enact, adopt, order, or in any way
4 implement a fuel standard based upon or defined by the carbon
5 intensity of fuel, including a low carbon fuel standard or clean fuel
6 standard.

7 (b) \$18 of the enhanced driver's license and enhanced identicard
8 fee under this section must be deposited into the forward flexible
9 account created in section 702 of this act.

10 **Sec. 502.** RCW 46.20.161 and 2018 c 69 s 1 are each amended to
11 read as follows:

12 (1) The department, upon receipt of a fee of forty-five dollars
13 from October 1, 2012, to June 30, 2013, and (~~(fifty-four dollars)~~)
14 \$60 after June 30, 2013, unless the driver's license is issued for a
15 period other than five years from October 1, 2012, to June 30, 2013,
16 or six years after June 30, 2013, in which case the fee shall be
17 (~~(nine dollars)~~) \$10 for each year that the license is issued, which
18 includes the fee for the required photograph, shall issue to every
19 qualifying applicant a driver's license. A driver's license issued to
20 a person under the age of eighteen is an intermediate license,
21 subject to the restrictions imposed under RCW 46.20.075, until the
22 person reaches the age of eighteen. The license must include a
23 distinguishing number assigned to the licensee, the name of record,
24 date of birth, Washington residence address, photograph, a brief
25 description of the licensee, either a facsimile of the signature of
26 the licensee or a space upon which the licensee shall write his or
27 her usual signature with pen and ink immediately upon receipt of the
28 license, and, if applicable, the person's status as a veteran as
29 provided in subsection (2) of this section. No license is valid until
30 it has been so signed by the licensee.

31 (2) A veteran, as defined in RCW 41.04.007, or an individual who
32 otherwise meets the criteria of RCW 41.04.007 but who has received a
33 general discharge under honorable conditions, may apply to the
34 department to obtain a veteran designation on a driver's license
35 issued under this section by providing:

36 (a) A United States department of veterans affairs identification
37 card or proof of service letter;

38 (b) A United States department of defense discharge document, DD
39 Form 214 or DD Form 215, as it exists on June 7, 2018, or such

1 subsequent date as may be provided by the department by rule,
2 consistent with the purposes of this section, or equivalent or
3 successor discharge paperwork, that shows a discharge status of
4 "honorable" or "general under honorable conditions" that establishes
5 the person's service in the armed forces of the United States;

6 (c) A national guard state-issued report of separation and
7 military service, NGB Form 22, as it exists on June 7, 2018, or such
8 subsequent date as may be provided by the department by rule,
9 consistent with the purposes of this section, or equivalent or
10 successor discharge paperwork, that shows a discharge status of
11 "honorable" or "general under honorable conditions" that establishes
12 the person's active duty or reserve service in the national guard; or

13 (d) A United States uniformed services identification card, DD
14 Form 2, that displays on its face that it has been issued to a
15 retired member of any of the armed forces of the United States,
16 including the national guard and armed forces reserves.

17 The department may permit a veteran, as defined in RCW 41.04.007,
18 or an individual who otherwise meets the criteria of RCW 41.04.007
19 but who has received a general discharge under honorable conditions,
20 to submit an alternate form of documentation to apply to obtain a
21 veteran designation on a driver's license, as specified by rule, that
22 requires a discharge status of "honorable" or "general under
23 honorable conditions" and that establishes the person's service as
24 required under RCW 41.04.007.

25 **Sec. 503.** RCW 46.20.161 and 2020 c 261 s 3 are each amended to
26 read as follows:

27 (1) The department, upon receipt of a fee of forty-five dollars
28 from October 1, 2012, to June 30, 2013, and (~~(fifty-four dollars)~~)
29 \$60 after June 30, 2013, unless the driver's license is issued for a
30 period other than five years from October 1, 2012, to June 30, 2013,
31 or six years after June 30, 2013, in which case the fee shall be
32 (~~(nine dollars)~~) \$10 for each year that the license is issued, which
33 includes the fee for the required photograph, shall issue to every
34 qualifying applicant a driver's license. A driver's license issued to
35 a person under the age of eighteen is an intermediate license,
36 subject to the restrictions imposed under RCW 46.20.075, until the
37 person reaches the age of eighteen.

38 (2) The license must include:

39 (a) A distinguishing number assigned to the licensee;

1 (b) The name of record;
2 (c) Date of birth;
3 (d) Washington residence address;
4 (e) Photograph;
5 (f) A brief description of the licensee;
6 (g) Either a facsimile of the signature of the licensee or a
7 space upon which the licensee shall write his or her usual signature
8 with pen and ink immediately upon receipt of the license;
9 (h) If applicable, the person's status as a veteran as provided
10 in subsection (4) of this section; and
11 (i) If applicable, a medical alert designation as provided in
12 subsection (5) of this section.
13 (3) No license is valid until it has been signed by the licensee.
14 (4) (a) A veteran, as defined in RCW 41.04.007, or an individual
15 who otherwise meets the criteria of RCW 41.04.007 but who has
16 received a general discharge under honorable conditions, may apply to
17 the department to obtain a veteran designation on a driver's license
18 issued under this section by providing:
19 (i) A United States department of veterans affairs identification
20 card or proof of service letter;
21 (ii) A United States department of defense discharge document, DD
22 Form 214 or DD Form 215, as it exists on June 7, 2018, or such
23 subsequent date as may be provided by the department by rule,
24 consistent with the purposes of this section, or equivalent or
25 successor discharge paperwork, that shows a discharge status of
26 "honorable" or "general under honorable conditions" that establishes
27 the person's service in the armed forces of the United States;
28 (iii) A national guard state-issued report of separation and
29 military service, NGB Form 22, as it exists on June 7, 2018, or such
30 subsequent date as may be provided by the department by rule,
31 consistent with the purposes of this section, or equivalent or
32 successor discharge paperwork, that shows a discharge status of
33 "honorable" or "general under honorable conditions" that establishes
34 the person's active duty or reserve service in the national guard; or
35 (iv) A United States uniformed services identification card, DD
36 Form 2, that displays on its face that it has been issued to a
37 retired member of any of the armed forces of the United States,
38 including the national guard and armed forces reserves.
39 (b) The department may permit a veteran, as defined in RCW
40 41.04.007, or an individual who otherwise meets the criteria of RCW

1 41.04.007 but who has received a general discharge under honorable
2 conditions, to submit an alternate form of documentation to apply to
3 obtain a veteran designation on a driver's license, as specified by
4 rule, that requires a discharge status of "honorable" or "general
5 under honorable conditions" and that establishes the person's service
6 as required under RCW 41.04.007.

7 (5) Any person may apply to the department to obtain a medical
8 alert designation, a developmental disability designation, or a
9 deafness designation on a driver's license issued under this chapter
10 by providing:

11 (a) Self-attestation that the individual:

12 (i) Has a medical condition that could affect communication or
13 account for a driver health emergency;

14 (ii) Is deaf or hard of hearing; or

15 (iii) Has a developmental disability as defined in RCW
16 71A.10.020;

17 (b) A statement from the person that they have voluntarily
18 provided the self-attestation and other information verifying the
19 condition; and

20 (c) For persons under eighteen years of age or who have a
21 developmental disability, the signature of a parent or legal
22 guardian.

23 (6) A self-attestation or data contained in a self-attestation
24 provided under this section:

25 (a) Shall not be disclosed;

26 (b) Is for the confidential use of the director, the chief of the
27 Washington state patrol, and law enforcement and emergency medical
28 service providers as designated by law; and

29 (c) Is subject to the privacy protections of the driver's privacy
30 protection act, 18 U.S.C. Sec. 2725.

31 **Sec. 504.** RCW 46.20.181 and 2012 c 80 s 9 are each amended to
32 read as follows:

33 (1) Except as provided in subsection (4) or (5) of this section,
34 every driver's license expires on the sixth anniversary of the
35 licensee's birthdate following the issuance of the license.

36 (2) A person may renew his or her license on or before the
37 expiration date by submitting an application as prescribed by the
38 department and paying a fee of forty-five dollars from October 1,

1 2012, to June 30, 2013, and (~~fifty-four dollars~~) \$60 after June 30,
2 2013. This fee includes the fee for the required photograph.

3 (3) A person renewing his or her driver's license more than sixty
4 days after the license has expired shall pay a penalty fee of ten
5 dollars in addition to the renewal fee, unless his or her license
6 expired when:

7 (a) The person was outside the state and he or she renews the
8 license within sixty days after returning to this state; or

9 (b) The person was incapacitated and he or she renews the license
10 within sixty days after the termination of the incapacity.

11 (4) The department may issue or renew a driver's license for a
12 period other than five years from October 1, 2012, to June 30, 2013,
13 or six years after June 30, 2013, or may extend by mail or electronic
14 commerce a license that has already been issued, in order to evenly
15 distribute, as nearly as possible, the yearly renewal rate of
16 licensed drivers. The fee for a driver's license issued or renewed
17 for a period other than five years from October 1, 2012, to June 30,
18 2013, or six years after June 30, 2013, or that has been extended by
19 mail or electronic commerce, is (~~nine dollars~~) \$10 for each year
20 that the license is issued, renewed, or extended. The department may
21 adopt any rules as are necessary to carry out this subsection.

22 (5) A driver's license that includes a hazardous materials
23 endorsement under chapter 46.25 RCW may expire on an anniversary of
24 the licensee's birthdate other than the sixth year following issuance
25 or renewal of the license in order to match, as nearly as possible,
26 the validity of certification from the federal transportation
27 security administration that the licensee has been determined not to
28 pose a security risk. The fee for a driver's license issued or
29 renewed for a period other than five years from October 1, 2012, to
30 June 30, 2013, or six years after June 30, 2013, is (~~nine dollars~~)
31 \$10 for each year that the license is issued or renewed, not
32 including any endorsement fees. The department may adjust the
33 expiration date of a driver's license that has previously been issued
34 to conform to the provisions of this subsection if a hazardous
35 materials endorsement is added to the license subsequent to its
36 issuance. If the validity of the driver's license is extended, the
37 licensee must pay a fee of (~~nine dollars~~) \$10 for each year that
38 the license is extended.

39 (6) The department may adopt any rules as are necessary to carry
40 out this section.

1 **Sec. 505.** RCW 46.20.117 and 2020 c 124 s 2 are each amended to
2 read as follows:

3 (1) **Issuance.** The department shall issue an identicard,
4 containing a picture, if the applicant:

5 (a) Does not hold a valid Washington driver's license;

6 (b) Proves his or her identity as required by RCW 46.20.035; and

7 (c) Pays the required fee. Except as provided in subsection (5)
8 of this section, the fee is (~~(fifty-four dollars)~~) \$60, unless an
9 applicant is:

10 (i) A recipient of continuing public assistance grants under
11 Title 74 RCW, who is referred in writing by the secretary of social
12 and health services;

13 (ii) Under the age of twenty-five and does not have a permanent
14 residence address as determined by the department by rule; or

15 (iii) An individual who is scheduled to be released from an
16 institution as defined in RCW 13.40.020, a community facility as
17 defined in RCW 72.05.020, or other juvenile rehabilitation facility
18 operated by the department of social and health services or the
19 department of children, youth, and families; or an individual who has
20 been released from such an institution or facility within thirty
21 calendar days before the date of the application.

22 For those persons under (c)(i) through (iii) of this subsection,
23 the fee must be the actual cost of production of the identicard.

24 (2)(a) **Design and term.** The identicard must:

25 (i) Be distinctly designed so that it will not be confused with
26 the official driver's license; and

27 (ii) Except as provided in subsection (5) of this section, expire
28 on the sixth anniversary of the applicant's birthdate after issuance.

29 (b) The identicard may include the person's status as a veteran,
30 consistent with RCW 46.20.161(2).

31 (3) **Renewal.** An application for identicard renewal may be
32 submitted by means of:

33 (a) Personal appearance before the department; or

34 (b) Mail or electronic commerce, if permitted by rule of the
35 department and if the applicant did not renew his or her identicard
36 by mail or by electronic commerce when it last expired.

37 An identicard may not be renewed by mail or by electronic
38 commerce unless the renewal issued by the department includes a
39 photograph of the identicard holder.

1 (4) **Cancellation.** The department may cancel an identicard if the
2 holder of the identicard used the card or allowed others to use the
3 card in violation of RCW 46.20.0921.

4 (5) **Alternative issuance/renewal/extension.** The department may
5 issue or renew an identicard for a period other than six years, or
6 may extend by mail or electronic commerce an identicard that has
7 already been issued, in order to evenly distribute, as nearly as
8 possible, the yearly renewal rate of identicard holders. The fee for
9 an identicard issued or renewed for a period other than six years, or
10 that has been extended by mail or electronic commerce, is nine
11 dollars for each year that the identicard is issued, renewed, or
12 extended. The department may adopt any rules as are necessary to
13 carry out this subsection.

14 **Sec. 506.** RCW 46.20.117 and 2020 c 261 s 2 and 2020 c 124 s 2
15 are each reenacted and amended to read as follows:

16 (1) **Issuance.** The department shall issue an identicard,
17 containing a picture, if the applicant:

18 (a) Does not hold a valid Washington driver's license;

19 (b) Proves his or her identity as required by RCW 46.20.035; and

20 (c) Pays the required fee. Except as provided in subsection (7)
21 of this section, the fee is (~~(fifty-four dollars)~~) \$60, unless an
22 applicant is:

23 (i) A recipient of continuing public assistance grants under
24 Title 74 RCW, who is referred in writing by the secretary of social
25 and health services;

26 (ii) Under the age of twenty-five and does not have a permanent
27 residence address as determined by the department by rule; or

28 (iii) An individual who is scheduled to be released from an
29 institution as defined in RCW 13.40.020, a community facility as
30 defined in RCW 72.05.020, or other juvenile rehabilitation facility
31 operated by the department of social and health services or the
32 department of children, youth, and families; or an individual who has
33 been released from such an institution or facility within thirty
34 calendar days before the date of the application.

35 For those persons under (c)(i) through (iii) of this subsection,
36 the fee must be the actual cost of production of the identicard.

37 (2)(a) **Design and term.** The identicard must:

38 (i) Be distinctly designed so that it will not be confused with
39 the official driver's license; and

1 (ii) Except as provided in subsection (7) of this section, expire
2 on the sixth anniversary of the applicant's birthdate after issuance.

3 (b) The identicard may include the person's status as a veteran,
4 consistent with RCW 46.20.161(4).

5 (c) If applicable, the identicard may include a medical alert
6 designation as provided in subsection (5) of this section.

7 (3) **Renewal.** An application for identicard renewal may be
8 submitted by means of:

9 (a) Personal appearance before the department; or

10 (b) Mail or electronic commerce, if permitted by rule of the
11 department and if the applicant did not renew his or her identicard
12 by mail or by electronic commerce when it last expired.

13 An identicard may not be renewed by mail or by electronic
14 commerce unless the renewal issued by the department includes a
15 photograph of the identicard holder.

16 (4) **Cancellation.** The department may cancel an identicard if the
17 holder of the identicard used the card or allowed others to use the
18 card in violation of RCW 46.20.0921.

19 (5) Any person may apply to the department to obtain a medical
20 alert designation, a developmental disability designation, or a
21 deafness designation on an identicard issued under this chapter by
22 providing:

23 (a) Self-attestation that the individual:

24 (i) Has a medical condition that could affect communication or
25 account for a health emergency;

26 (ii) Is deaf or hard of hearing; or

27 (iii) Has a developmental disability as defined in RCW
28 71A.10.020;

29 (b) A statement from the person that they have voluntarily
30 provided the self-attestation and other information verifying the
31 condition; and

32 (c) For persons under eighteen years of age or who have a
33 developmental disability, the signature of a parent or legal
34 guardian.

35 (6) A self-attestation or data contained in a self-attestation
36 provided under this section:

37 (a) Shall not be disclosed; and

38 (b) Is for the confidential use of the director, the chief of the
39 Washington state patrol, and law enforcement and emergency medical
40 service providers as designated by law.

1 (7) **Alternative issuance/renewal/extension.** The department may
2 issue or renew an identicard for a period other than six years, or
3 may extend by mail or electronic commerce an identicard that has
4 already been issued, in order to evenly distribute, as nearly as
5 possible, the yearly renewal rate of identicard holders. The fee for
6 an identicard issued or renewed for a period other than six years, or
7 that has been extended by mail or electronic commerce, is nine
8 dollars for each year that the identicard is issued, renewed, or
9 extended. The department may adopt any rules as are necessary to
10 carry out this subsection.

11 **Sec. 507.** RCW 46.68.041 and 2004 c 95 s 15 are each amended to
12 read as follows:

13 (1) Except as provided in (~~subsection (2)~~) subsections (2)
14 through (4) of this section and RCW 46.20.202(5), the department
15 (~~shall~~) must forward all funds accruing under the provisions of
16 chapter 46.20 RCW together with a proper identifying, detailed report
17 to the state treasurer who (~~shall~~) must deposit such moneys to the
18 credit of the highway safety fund.

19 (2) Sixty-three percent of each fee collected by the department
20 under RCW 46.20.311 (1)(e)(ii), (2)(b)(ii), and (3)(b) (~~shall~~) must
21 be deposited in the impaired driving safety account.

22 (3) \$6 of the driver's license fees collected under RCW 46.20.161
23 and 46.20.181 and \$6 of the identicard fee collected under RCW
24 46.20.117 must be deposited in the forward flexible account created
25 in section 702 of this act.

26 (4) Fifty percent of the revenue from the revenue from the fees
27 imposed under section 502(2), chapter . . ., Laws of 2021 (section
28 502(2) of this act) must be deposited in the forward flexible account
29 created in section 702 of this act.

30 **Sec. 508.** RCW 46.68.041 and 2020 c 330 s 18 are each amended to
31 read as follows:

32 (1) Except as provided in (~~subsection (2)~~) subsections (2)
33 through (4) of this section and RCW 46.20.202(5), the department
34 (~~shall~~) must forward all funds accruing under the provisions of
35 chapter 46.20 RCW together with a proper identifying, detailed report
36 to the state treasurer who (~~shall~~) must deposit such moneys to the
37 credit of the highway safety fund.

1 (2) Fifty-six percent of each fee collected by the department
2 under RCW 46.20.311 (1)(e)(ii), (2)(b)(ii), and (3)(b) (~~shall~~) must
3 be deposited in the impaired driving safety account.

4 (3) \$6 of the driver's license fees collected under RCW 46.20.161
5 and 46.20.181 and \$6 of the identicard fee collected under RCW
6 46.20.117 must be deposited into the forward flexible account created
7 in section 702 of this act with the remainder deposited in accordance
8 with this section.

9 (4) Fifty percent of the revenue from the revenue from the fees
10 imposed under section 510(2), chapter . . ., Laws of 2021 (section
11 510(2) of this act) must be deposited in the forward flexible account
12 created in section 702 of this act with the remainder deposited in
13 accordance with this section.

14 **Sec. 509.** RCW 46.52.130 and 2019 c 99 s 1 are each amended to
15 read as follows:

16 Upon a proper request, the department may furnish an abstract of
17 a person's driving record as permitted under this section. For the
18 purposes of this section, an "agent" means a representative of an
19 authorized recipient that has contracted with the recipient to
20 request driving records on its behalf and insurance pools established
21 under RCW 48.62.031 of which the authorized recipient is a member.

22 (1) **Contents of abstract of driving record.** An abstract of a
23 person's driving record, whenever possible, must include:

24 (a) An enumeration of motor vehicle accidents in which the person
25 was driving, including:

26 (i) The total number of vehicles involved;

27 (ii) Whether the vehicles were legally parked or moving;

28 (iii) Whether the vehicles were occupied at the time of the
29 accident; and

30 (iv) Whether the accident resulted in a fatality;

31 (b) Any reported convictions, forfeitures of bail, or findings
32 that an infraction was committed based upon a violation of any motor
33 vehicle law;

34 (c) The status of the person's driving privilege in this state;
35 and

36 (d) Any reports of failure to appear in response to a traffic
37 citation or failure to respond to a notice of infraction served upon
38 the named individual by an arresting officer.

1 (2) **Release of abstract of driving record.** Unless otherwise
2 required in this section, the release of an abstract does not require
3 a signed statement by the subject of the abstract. An abstract of a
4 person's driving record may be furnished to the following persons or
5 entities:

6 (a) **Named individuals.** (i) An abstract of the full driving record
7 maintained by the department may be furnished to the individual named
8 in the abstract.

9 (ii) Nothing in this section prevents a court from providing a
10 copy of the driver's abstract to the individual named in the abstract
11 or that named individual's attorney, provided that the named
12 individual has a pending or open infraction or criminal case in that
13 court. A pending case includes criminal cases that have not reached a
14 disposition by plea, stipulation, trial, or amended charge. An open
15 infraction or criminal case includes cases on probation, payment
16 agreement or subject to, or in collections. Courts may charge a
17 reasonable fee for the production and copying of the abstract for the
18 individual.

19 (b) **Employers or prospective employers.** (i) (A) An abstract of the
20 full driving record maintained by the department may be furnished to
21 an employer or prospective employer or an agent acting on behalf of
22 an employer or prospective employer of the named individual for
23 purposes related to driving by the individual as a condition of
24 employment or otherwise at the direction of the employer.

25 (B) Release of an abstract of the driving record of an employee
26 or prospective employee requires a statement signed by: (I) The
27 employee or prospective employee that authorizes the release of the
28 record; and (II) the employer attesting that the information is
29 necessary for employment purposes related to driving by the
30 individual as a condition of employment or otherwise at the direction
31 of the employer. If the employer or prospective employer authorizes
32 an agent to obtain this information on their behalf, this must be
33 noted in the statement. The statement must also note that any
34 information contained in the abstract related to an adjudication that
35 is subject to a court order sealing the juvenile record of an
36 employee or prospective employee may not be used by the employer or
37 prospective employer, or an agent authorized to obtain this
38 information on their behalf, unless required by federal regulation or
39 law. The employer or prospective employer must afford the employee or
40 prospective employee an opportunity to demonstrate that an

1 adjudication contained in the abstract is subject to a court order
2 sealing the juvenile record.

3 (C) Upon request of the person named in the abstract provided
4 under this subsection, and upon that same person furnishing copies of
5 court records ruling that the person was not at fault in a motor
6 vehicle accident, the department must indicate on any abstract
7 provided under this subsection that the person was not at fault in
8 the motor vehicle accident.

9 (D) No employer or prospective employer, nor any agent of an
10 employer or prospective employer, may use information contained in
11 the abstract related to an adjudication that is subject to a court
12 order sealing the juvenile record of an employee or prospective
13 employee for any purpose unless required by federal regulation or
14 law. The employee or prospective employee must furnish a copy of the
15 court order sealing the juvenile record to the employer or
16 prospective employer, or the agent of the employer or prospective
17 employer, as may be required to ensure the application of this
18 subsection.

19 (ii) In addition to the methods described in (b)(i) of this
20 subsection, the director may enter into a contractual agreement with
21 an employer or its agent for the purpose of reviewing the driving
22 records of existing employees for changes to the record during
23 specified periods of time. The department shall establish a fee for
24 this service, which must be deposited in the highway safety fund. The
25 fee for this service must be set at a level that will not result in a
26 net revenue loss to the state, and must be at least eight cents for
27 each record and distributed as specified in subsection (7) of this
28 section. Any information provided under this subsection must be
29 treated in the same manner and is subject to the same restrictions as
30 driving record abstracts.

31 (c) **Volunteer organizations.** (i) An abstract of the full driving
32 record maintained by the department may be furnished to a volunteer
33 organization or an agent for a volunteer organization for which the
34 named individual has submitted an application for a position that
35 would require driving by the individual at the direction of the
36 volunteer organization.

37 (ii) Release of an abstract of the driving record of a
38 prospective volunteer requires a statement signed by: (A) The
39 prospective volunteer that authorizes the release of the record; and
40 (B) the volunteer organization attesting that the information is

1 necessary for purposes related to driving by the individual at the
2 direction of the volunteer organization. If the volunteer
3 organization authorizes an agent to obtain this information on their
4 behalf, this must be noted in the statement.

5 (d) **Transit authorities.** An abstract of the full driving record
6 maintained by the department may be furnished to an employee or agent
7 of a transit authority checking prospective or existing volunteer
8 vanpool drivers for insurance and risk management needs.

9 The director may enter into a contractual agreement with a
10 transit authority or its agent for the purpose of reviewing the
11 driving records of existing vanpool drivers for changes to the record
12 during specified periods of time. The department shall establish a
13 fee for this service, which must be deposited in the highway safety
14 fund. The fee for this service must be set at a level that does not
15 result in a net revenue loss to the state, and must be at least eight
16 cents for each record and distributed as specified in subsection (7)
17 of this section. Any information provided under this subsection must
18 be treated in the same manner and is subject to the same restrictions
19 as driving record abstracts.

20 (e) **Insurance carriers.** (i) An abstract of the driving record
21 maintained by the department covering the period of not more than the
22 last three years may be furnished to an insurance company or its
23 agent:

24 (A) That has motor vehicle or life insurance in effect covering
25 the named individual;

26 (B) To which the named individual has applied; or

27 (C) That has insurance in effect covering the employer or a
28 prospective employer of the named individual.

29 (ii) The abstract provided to the insurance company must:

30 (A) Not contain any information related to actions committed by
31 law enforcement officers or firefighters, as both terms are defined
32 in RCW 41.26.030, or by Washington state patrol officers, while
33 driving official vehicles in the performance of their occupational
34 duty, or by registered tow truck operators as defined in RCW
35 46.55.010 in the performance of their occupational duties while at
36 the scene of a roadside impound or recovery so long as they are not
37 issued a citation. This does not apply to any situation where the
38 vehicle was used in the commission of a misdemeanor or felony;

39 (B) Include convictions under RCW 46.61.5249 and 46.61.525,
40 except that the abstract must report the convictions only as

1 negligent driving without reference to whether they are for first or
2 second degree negligent driving; and

3 (C) Exclude any deferred prosecution under RCW 10.05.060, except
4 that if a person is removed from a deferred prosecution under RCW
5 10.05.090, the abstract must show the deferred prosecution as well as
6 the removal.

7 (iii) Any policy of insurance may not be canceled, nonrenewed,
8 denied, or have the rate increased on the basis of information
9 regarding an accident included in the abstract of a driving record,
10 unless the policyholder was determined to be at fault.

11 (iv) Any insurance company or its agent, for underwriting
12 purposes relating to the operation of commercial motor vehicles, may
13 not use any information contained in the abstract relative to any
14 person's operation of motor vehicles while not engaged in such
15 employment. Any insurance company or its agent, for underwriting
16 purposes relating to the operation of noncommercial motor vehicles,
17 may not use any information contained in the abstract relative to any
18 person's operation of commercial motor vehicles.

19 (v) The director may enter into a contractual agreement with an
20 insurance company or its agent for the limited purpose of reviewing
21 the driving records of existing policyholders for changes to the
22 record during specified periods of time. The department shall
23 establish a fee for this service, which must be deposited in the
24 highway safety fund. The fee for this service must be set at a level
25 that will not result in a net revenue loss to the state, and must be
26 at least eight cents for each record and distributed as specified in
27 subsection (7) of this section. Any information provided under this
28 subsection must be treated in the same manner and is subject to the
29 same restrictions as driving record abstracts.

30 (f) **Alcohol/drug assessment or treatment agencies.** An abstract of
31 the driving record maintained by the department covering the period
32 of not more than the last five years may be furnished to an alcohol/
33 drug assessment or treatment agency approved by the department of
34 social and health services to which the named individual has applied
35 or been assigned for evaluation or treatment, for purposes of
36 assisting employees in making a determination as to what level of
37 treatment, if any, is appropriate, except that the abstract must:

38 (i) Also include records of alcohol-related offenses, as defined
39 in RCW 46.01.260(2), covering a period of not more than the last ten
40 years; and

1 (ii) Indicate whether an alcohol-related offense was originally
2 charged as a violation of either RCW 46.61.502 or 46.61.504.

3 (g) **Attorneys—City attorneys, county prosecuting attorneys, and**
4 **named individual's attorney of record.** An abstract of the full
5 driving record maintained by the department, including whether a
6 recorded violation is an alcohol-related offense, as defined in RCW
7 46.01.260(2), that was originally charged as a violation of either
8 RCW 46.61.502 or 46.61.504, may be furnished to city attorneys,
9 county prosecuting attorneys, or the named individual's attorney of
10 record. City attorneys, county prosecuting attorneys, or the named
11 individual's attorney of record may provide the driving record to
12 alcohol/drug assessment or treatment agencies approved by the
13 department of social and health services to which the named
14 individual has applied or been assigned for evaluation or treatment.

15 (h) **State colleges, universities, or agencies, or units of local**
16 **government.** An abstract of the full driving record maintained by the
17 department may be furnished to (i) state colleges, universities, or
18 agencies for employment and risk management purposes or (ii) units of
19 local government authorized to self-insure under RCW 48.62.031, or
20 their agents, for employment and risk management purposes. The
21 director may enter into a contractual agreement with a unit of local
22 government, or its agent, for the purpose of reviewing the driving
23 records of existing employees for changes to the record during
24 specified periods of time. The department shall establish a fee for
25 this service, which must be deposited in the highway safety fund. The
26 fee for this service must be set at a level that will not result in a
27 net revenue loss to the state, and must be at least eight cents for
28 each record and distributed as specified in subsection (7) of this
29 section. Any information provided under this subsection must be
30 treated in the same manner and is subject to the same restrictions as
31 driving record abstracts. "Unit of local government" includes an
32 insurance pool established under RCW 48.62.031.

33 (i) **Superintendent of public instruction.** An abstract of the full
34 driving record maintained by the department may be furnished to the
35 superintendent of public instruction for review of public school bus
36 driver records. The superintendent or superintendent's designee may
37 discuss information on the driving record with an authorized
38 representative of the employing school district for employment and
39 risk management purposes.

1 (3) **Release to third parties prohibited.** Any person or entity
2 receiving an abstract of a person's driving record under subsection
3 (2)(b) through (i) of this section shall use the abstract exclusively
4 for his, her, or its own purposes or as otherwise expressly permitted
5 under this section, and shall not divulge any information contained
6 in the abstract to a third party.

7 (4) **Fee.** The director shall collect a (~~thirteen-dollar~~) \$14 fee
8 for each abstract of a person's driving record furnished by the
9 department. After depositing \$1 of the driver's abstract fee in the
10 forward flexible account created in section 702 of this act, the
11 remainder shall be distributed as follows:

12 (i) Fifty percent (~~of the fee~~) must be deposited in the highway
13 safety fund(~~(7)~~); and (~~fifty~~)

14 (ii) Fifty percent (~~of the fee~~) must be deposited according to
15 RCW 46.68.038.

16 (5) **Violation.** (a) Any negligent violation of this section is a
17 gross misdemeanor.

18 (b) Any intentional violation of this section is a class C
19 felony.

20 (6) Effective July 1, 2019, the contents of a driving abstract
21 pursuant to this section shall not include any information related to
22 sealed juvenile records unless that information is required by
23 federal law or regulation.

24 (7) **Driver record monitoring fee.** Seventy-five percent of the fee
25 must be deposited in the highway safety fund and 25 percent must be
26 deposited in the forward flexible account created in section 702 of
27 this act.

28 **Sec. 510.** RCW 46.20.200 and 2012 c 80 s 10 are each amended to
29 read as follows:

30 (1) If an instruction permit, identicard, or a driver's license
31 is lost or destroyed, the person to whom it was issued may obtain a
32 duplicate of it upon furnishing proof of such fact satisfactory to
33 the department and payment of a fee of twenty dollars to the
34 department.

35 (2) A replacement permit, identicard, or driver's license may be
36 obtained to change or correct material information upon payment of a
37 fee of (~~ten-dollars~~) \$20 and surrender of the permit, identicard,
38 or driver's license being replaced.

1 NEW SECTION. **Sec. 511.** A new section is added to chapter 46.01
2 RCW to read as follows:

3 (1) The state of Washington occupies and preempts the charging of
4 per trip fees on prearranged rides by transportation network company
5 drivers operating in the state of Washington as provided in this
6 section. Local laws and ordinances that are inconsistent with this
7 subsection may not be enacted and are hereby preempted and repealed.
8 However, this subsection does not apply to local laws and ordinances
9 enacted regarding per trip fees enacted prior to January 1, 2021.

10 (2) Beginning January 1, 2023, the department must charge a 50
11 cent per trip fee on prearranged and nonprearranged rides by for hire
12 vehicles operating in the state of Washington. However, in a county
13 with a population greater than 2,000,000, the per trip fee is 25
14 cents.

15 (3) The director must adopt rules to implement this section. The
16 rules may include, but are not limited to, the:

17 (a) Administration, enforcement, and collection of the fee in the
18 most efficient manner deemed by the director;

19 (b) Imposition of audit requirements to ensure compliance;

20 (c) Establishment of penalties on drivers and companies for
21 noncompliance; and

22 (d) Implementation of cooperative arrangements with cities,
23 counties, or port districts for the collection and remittance of this
24 fee.

25 (4) All revenues generated under this section must be deposited
26 into the forward flexible account created in section 702 of this act.
27 Of the amount deposited pursuant to this subsection, 20 percent shall
28 be used to enhance department of transportation, public
29 transportation division programs as follows:

30 (a) Fifty percent must be for funding the special needs
31 transportation grant program; and

32 (b) Fifty percent must be for funding the transit coordination
33 grant program.

34 (5) The definitions in this subsection apply throughout this
35 section unless the context clearly requires otherwise.

36 (a) "For hire vehicle" means vehicles used for the transportation
37 of passengers for compensation including, taxicab transportation
38 services provided under chapter 46.72 or 81.72 RCW, or a
39 transportation network company driver providing prearranged trips
40 through a digital network. The term excludes auto stages, school

1 buses operating exclusively under a contract to a school district,
2 ride-sharing vehicles under chapter 46.74 RCW, limousine carriers
3 licensed under chapter 46.72A RCW, vehicles used by nonprofit
4 transportation providers for elderly or persons with disabilities and
5 their attendants under chapter 81.66 RCW, vehicles used by auto
6 transportation companies licensed under chapter 81.68 RCW, vehicles
7 used to provide courtesy transportation at no charge to and from
8 parking lots, hotels, and rental offices, and vehicles used by
9 charter party carriers of passengers and excursion service carriers
10 licensed under chapter 81.70 RCW.

11 (b) "Transportation network company" means a corporation,
12 partnership, sole proprietorship, or other entity that is operating
13 in Washington state and uses a digital network to connect
14 transportation network company riders to transportation network
15 company drivers who provide prearranged rides.

16 (c) "Transportation network company driver" means an individual
17 who:

18 (i) Receives connections to potential transportation network
19 company riders and related services from a transportation network
20 company; and

21 (ii) Uses a transportation network company vehicle to offer or
22 provide a prearranged ride to transportation network company riders
23 upon connection through a digital network controlled by a
24 transportation network company in exchange for compensation or
25 payment of a fee.

26 (6) (a) By August 1, 2021, the department must convene a work
27 group to negotiate and develop a comprehensive framework and
28 recommendations for:

29 (i) The regulation of transportation network companies within the
30 state of Washington; and

31 (ii) Coordinated linkages with existing systems for taxi and for
32 hire services regulated by state and local governments.

33 (b) (i) In convening this work group, the department must involve
34 relevant representatives of the utilities and transportation
35 commission, local governments involved in the regulation of
36 transportation network companies and for hire vehicles, entities
37 providing transportation network services, entities providing taxicab
38 services and other for hire services, and other relevant parties. The
39 work group must periodically provide updates to the joint

1 transportation committee and allow opportunities for interested
2 members to attend meetings of the work group and provide feedback.

3 (ii) The work group must attempt to develop a comprehensive
4 framework and recommendations for regulatory fees, the most effective
5 and efficient state and local regulatory structure or structures, the
6 most effective public safety aspects including the type of required
7 background checks, appropriate driver compensation policies, and
8 other ways to improve the consistency and overall effectiveness and
9 competitive fairness of the current regulatory systems.

10 (iii) The department must issue a report of its agreed to
11 framework and recommendations, including draft legislation, to the
12 house and senate transportation committees by December 1, 2022.

13 NEW SECTION. **Sec. 512.** A new section is added to chapter 82.02
14 RCW to read as follows:

15 (1) (a) The state of Washington occupies and preempts the charging
16 of per trip fees on prearranged food delivery trips by third-party
17 food delivery service providers operating in the state of Washington
18 as provided in this section. Local laws and ordinances that are
19 inconsistent with this subsection may not be enacted and are hereby
20 preempted and repealed.

21 (b) Beginning January 1, 2022, the department must charge a 25
22 cent per trip fee on prearranged food delivery trips operating in the
23 state of Washington. This fee shall be assessed on and paid by the
24 third-party food delivery service provider on each order processed.

25 (2) Chapter 82.32 RCW applies to the administration of the per
26 trip fee on prearranged food delivery trips in this section.

27 (3) All revenues generated under this section must be deposited
28 in the forward flexible account created in section 702 of this act.

29 (4) For the purposes of this section:

30 (a) "Food delivery contractor" means an individual who:

31 (i) Receives connections to potential food deliveries through a
32 telephonic or digital network, including a website; and

33 (ii) Uses that telephonic or digital network, including a
34 website, to offer or provide a prearranged food delivery in exchange
35 for compensation or payment of a fee.

36 (b) "Food delivery trips" means a trip by a food delivery
37 contractor where the order is placed by telephone, or website or
38 digital network provided by a third-party corporation, partnership,
39 sole proprietorship, or other entity in which the driver is connected

1 with a restaurant or other similar business requesting delivery of
2 prepared food product or meal. However, food delivery trips do not
3 include deliveries provided by delivery drivers exclusively employed
4 by a (i) grocery store, (ii) mini-market, (iii) convenience store, or
5 (iv) restaurant or other similar business actually preparing the food
6 product or meal. A trip shall be defined as drop-off or delivery of a
7 prepared food order at one geographic location.

8 (c) "Restaurant" has the same meaning as provided in RCW
9 82.08.9995, but excludes prepared food deliveries made by a nonprofit
10 organization to senior citizens.

11 (d) "Third-party food delivery service provider" means the third-
12 party corporation, partnership, sole proprietorship, or other entity
13 that connects a driver to a restaurant or other similar business
14 requesting delivery of a prepared food product or meal through a
15 website, digital network, or using a telephone.

16 Part VI

17 Capital Vessel Surcharge, Watercraft Excise Tax

18 **Sec. 601.** RCW 47.60.315 and 2019 c 431 s 3 are each amended to
19 read as follows:

20 (1) The commission (~~shall~~) must adopt fares and pricing
21 policies by rule, under chapter 34.05 RCW, according to the following
22 schedule:

23 (a) Each year the department (~~shall~~) must provide the
24 commission a report of its review of fares and pricing policies, with
25 recommendations for the revision of fares and pricing policies for
26 the ensuing year;

27 (b) By September 1st of each year, beginning in 2008, the
28 commission shall adopt by rule fares and pricing policies for the
29 ensuing year.

30 (2) The commission may adopt by rule fares that are effective for
31 more or less than one year for the purposes of transitioning to the
32 fare schedule in subsection (1) of this section.

33 (3) The commission may increase ferry fares included in the
34 schedule of charges adopted under this section by a percentage that
35 exceeds the fiscal growth factor.

36 (4) The chief executive officer of the ferry system may authorize
37 the use of promotional, discounted, and special event fares to the
38 general public and commercial enterprises for the purpose of

1 maximizing capacity use and the revenues collected by the ferry
2 system. The department shall report to the commission a summary of
3 the promotional, discounted, and special event fares offered during
4 each fiscal year and the financial results from these activities.

5 (5) Fare revenues and other revenues deposited in the Puget Sound
6 ferry operations account created in RCW 47.60.530 may not be used to
7 support the Puget Sound capital construction account created in RCW
8 47.60.505, unless the support for capital is separately identified in
9 the fare.

10 (6) The commission may not raise fares until the fare rules
11 contain pricing policies developed under RCW 47.60.290, or September
12 1, 2009, whichever is later.

13 (7) The commission shall impose a vessel replacement surcharge of
14 twenty-five cents on every one-way and round-trip ferry fare sold,
15 including multiride and monthly pass fares. This surcharge must be
16 clearly indicated to ferry passengers and drivers and, if possible,
17 on the fare media itself.

18 (8) Except as provided in subsection (10) of this section,
19 beginning May 1, 2020, the commission shall impose an additional
20 vessel replacement surcharge in an amount sufficient to fund twenty-
21 five year debt service on one 144-auto hybrid vessel taking into
22 account funds provided in chapter 417, Laws of 2019 or chapter . . .
23 (SSB 5419), Laws of 2019. The department of transportation shall
24 provide to the commission vessel and debt service cost estimates.
25 Information on vessels constructed or purchased with revenue from the
26 surcharges must be publicly posted including, but not limited to, the
27 commission website.

28 (9) The vessel replacement surcharges imposed in this section
29 must be deposited into the capital vessel replacement account created
30 in RCW 47.60.322 and may only be used for the construction or
31 purchase of ferry vessels and to pay the principal and interest on
32 bonds authorized for the construction or purchase of new ferry
33 vessels.

34 (10) The commission shall not impose the additional vessel
35 replacement surcharge in subsection (8) of this section if doing so
36 would increase fares by more than ten percent.

37 (11) Beginning October 1, 2021, the commission must impose an
38 additional vessel replacement surcharge of 25 cents on every one-way
39 and round-trip ferry fare sold, including multiride and monthly pass
40 fares.

1 **Sec. 602.** RCW 47.60.322 and 2019 c 416 s 716 are each amended to
2 read as follows:

3 (1) The capital vessel replacement account is created in the
4 motor vehicle fund. All revenues generated from the vessel
5 replacement (~~(surcharge)~~) surcharges under RCW 47.60.315(~~((7))~~) and
6 service fees collected by the department of licensing or county
7 auditor or other agent appointed by the director under RCW 46.17.040,
8 46.17.050, and 46.17.060 must be deposited into the account. Moneys
9 in the account may be spent only after appropriation. Expenditures
10 from the account may be used only for the construction or purchase of
11 ferry vessels and to pay the principal and interest on bonds
12 authorized for the construction or purchase of ferry vessels.
13 However, expenditures from the account must first be used to support
14 the construction or purchase, including any applicable financing
15 costs, of a ferry vessel with a carrying capacity of at least one
16 hundred forty-four cars.

17 (2) The state treasurer may transfer moneys from the capital
18 vessel replacement account to the transportation 2003 account (nickel
19 account) for debt service on bonds issued for the construction of
20 144-car class ferry vessels.

21 (3) The legislature may transfer from the capital vessel
22 replacement account to the connecting Washington account created
23 under RCW 46.68.395 such amounts as reflect the excess fund balance
24 of the capital vessel replacement account to be used for ferry
25 terminal construction and preservation.

26 (4) During the 2019-2021 fiscal biennium, the legislature may
27 direct the state treasurer to make transfers of moneys in the capital
28 vessel replacement account to the transportation partnership account.

29 **Part VII**

30 **Other Provisions**

31 NEW SECTION. **Sec. 701.** A new section is added to chapter 46.68
32 RCW to read as follows:

33 The forward Washington account is created in the motor vehicle
34 fund. Moneys in the account may be spent only after appropriation.
35 Expenditures from the account must be used only for projects or
36 improvements identified as forward Washington projects or
37 improvements in an omnibus transportation appropriations act,

1 including any principal and interest on bonds authorized for the
2 projects or improvements.

3 NEW SECTION. **Sec. 702.** A new section is added to chapter 46.68
4 RCW to read as follows:

5 The forward flexible account is created in the state treasury.
6 Moneys in the account may be spent only after appropriation.
7 Expenditures from the account may be used only for transportation
8 projects, programs, or activities identified as forward flexible
9 projects, programs, or activities in an omnibus transportation
10 appropriations act.

11 **Sec. 703.** RCW 82.21.030 and 2020 c 20 s 1483 are each amended to
12 read as follows:

13 (1)(a) A tax is imposed on the privilege of possession of
14 hazardous substances in this state. Except as provided in (b) of this
15 subsection, the rate of the tax is seven-tenths of one percent
16 multiplied by the wholesale value of the substance. Moneys collected
17 under this subsection (1)(a) must be deposited in the model toxics
18 control capital account.

19 (b) Beginning July 1, 2019, the rate of the tax on petroleum
20 products is one dollar and nine cents per barrel. The tax collected
21 under this subsection (1)(b) on petroleum products must be deposited
22 as follows, after first depositing the tax as provided in (c) of this
23 subsection (1):

24 (i) Sixty percent to the model toxics control operating account
25 created under RCW 70A.305.180;

26 (ii) Twenty-five percent to the model toxics control capital
27 account created under RCW 70A.305.190; and

28 (iii) Fifteen percent to the model toxics control stormwater
29 account created under RCW 70A.305.200.

30 (c) (~~Until the beginning of the ensuing biennium after the~~
31 ~~enactment of an additive transportation funding act, fifty~~) Fifty
32 million dollars per biennium to the motor vehicle fund to be used
33 exclusively for transportation stormwater activities and projects.
34 (~~For purposes of this subsection, "additive transportation funding~~
35 ~~act" means an act in which the combined total of new revenues~~
36 ~~deposited into the motor vehicle fund and the multimodal~~
37 ~~transportation account exceed two billion dollars per biennium~~

1 ~~attributable solely to an increase in revenue from the enactment of~~
2 ~~the act.~~

3 (d)) The department must compile a list of petroleum products
4 that are not easily measured on a per barrel basis. Petroleum
5 products identified on the list are subject to the rate under (a) of
6 this subsection in lieu of the volumetric rate under (b) of this
7 subsection. The list will be made in a form and manner prescribed by
8 the department and must be made available on the department's
9 internet website. In compiling the list, the department may accept
10 technical assistance from persons that sell, market, or distribute
11 petroleum products and consider any other resource the department
12 finds useful in compiling the list.

13 (2) Chapter 82.32 RCW applies to the tax imposed in this chapter.
14 The tax due dates, reporting periods, and return requirements
15 applicable to chapter 82.04 RCW apply equally to the tax imposed in
16 this chapter.

17 (3) Beginning July 1, 2020, and every July 1st thereafter, the
18 rate specified in subsection (1)(b) of this section must be adjusted
19 to reflect the percentage change in the implicit price deflator for
20 nonresidential structures as published by the United States
21 department of commerce, bureau of economic analysis for the most
22 recent twelve-month period ending December 31st of the prior year.

23 **Sec. 704.** RCW 43.84.092 and 2020 c 354 s 11, 2020 c 221 s 5,
24 2020 c 148 s 3, 2020 c 103 s 7, and 2020 c 18 s 3 are each reenacted
25 and amended to read as follows:

26 (1) All earnings of investments of surplus balances in the state
27 treasury shall be deposited to the treasury income account, which
28 account is hereby established in the state treasury.

29 (2) The treasury income account shall be utilized to pay or
30 receive funds associated with federal programs as required by the
31 federal cash management improvement act of 1990. The treasury income
32 account is subject in all respects to chapter 43.88 RCW, but no
33 appropriation is required for refunds or allocations of interest
34 earnings required by the cash management improvement act. Refunds of
35 interest to the federal treasury required under the cash management
36 improvement act fall under RCW 43.88.180 and shall not require
37 appropriation. The office of financial management shall determine the
38 amounts due to or from the federal government pursuant to the cash
39 management improvement act. The office of financial management may

1 direct transfers of funds between accounts as deemed necessary to
2 implement the provisions of the cash management improvement act, and
3 this subsection. Refunds or allocations shall occur prior to the
4 distributions of earnings set forth in subsection (4) of this
5 section.

6 (3) Except for the provisions of RCW 43.84.160, the treasury
7 income account may be utilized for the payment of purchased banking
8 services on behalf of treasury funds including, but not limited to,
9 depository, safekeeping, and disbursement functions for the state
10 treasury and affected state agencies. The treasury income account is
11 subject in all respects to chapter 43.88 RCW, but no appropriation is
12 required for payments to financial institutions. Payments shall occur
13 prior to distribution of earnings set forth in subsection (4) of this
14 section.

15 (4) Monthly, the state treasurer shall distribute the earnings
16 credited to the treasury income account. The state treasurer shall
17 credit the general fund with all the earnings credited to the
18 treasury income account except:

19 (a) The following accounts and funds shall receive their
20 proportionate share of earnings based upon each account's and fund's
21 average daily balance for the period: The abandoned recreational
22 vehicle disposal account, the aeronautics account, the Alaskan Way
23 viaduct replacement project account, the ambulance transport fund,
24 the brownfield redevelopment trust fund account, the budget
25 stabilization account, the capital vessel replacement account, the
26 capitol building construction account, the Central Washington
27 University capital projects account, the charitable, educational,
28 penal and reformatory institutions account, the Chehalis basin
29 account, the Chehalis basin taxable account, the cleanup settlement
30 account, the Columbia river basin water supply development account,
31 the Columbia river basin taxable bond water supply development
32 account, the Columbia river basin water supply revenue recovery
33 account, the common school construction fund, the community forest
34 trust account, the connecting Washington account, the county arterial
35 preservation account, the county criminal justice assistance account,
36 the deferred compensation administrative account, the deferred
37 compensation principal account, the department of licensing services
38 account, the department of retirement systems expense account, the
39 developmental disabilities community (~~trust~~) services account, the
40 diesel idle reduction account, the drinking water assistance account,

1 the administrative subaccount of the drinking water assistance
2 account, the early learning facilities development account, the early
3 learning facilities revolving account, the Eastern Washington
4 University capital projects account, the education construction fund,
5 the education legacy trust account, the election account, the
6 electric vehicle account, the energy freedom account, the energy
7 recovery act account, the essential rail assistance account, The
8 Evergreen State College capital projects account, the ferry bond
9 retirement fund, the fish, wildlife, and conservation account, the
10 forward flexible account, the forward Washington account, the freight
11 mobility investment account, the freight mobility multimodal account,
12 the grade crossing protective fund, the public health services
13 account, the state higher education construction account, the higher
14 education construction account, the higher education retirement plan
15 supplemental benefit fund, the highway bond retirement fund, the
16 highway infrastructure account, the highway safety fund, the hospital
17 safety net assessment fund, the Interstate 405 and state route number
18 167 express toll lanes account, the judges' retirement account, the
19 judicial retirement administrative account, the judicial retirement
20 principal account, the limited fish and wildlife account, the local
21 leasehold excise tax account, the local real estate excise tax
22 account, the local sales and use tax account, the marine resources
23 stewardship trust account, the medical aid account, the money-
24 purchase retirement savings administrative account, the money-
25 purchase retirement savings principal account, the motor vehicle
26 fund, the motorcycle safety education account, the multimodal
27 transportation account, the multiuse roadway safety account, the
28 municipal criminal justice assistance account, the oyster reserve
29 land account, the pension funding stabilization account, the
30 perpetual surveillance and maintenance account, the pilotage account,
31 the pollution liability insurance agency underground storage tank
32 revolving account, the public employees' retirement system plan 1
33 account, the public employees' retirement system combined plan 2 and
34 plan 3 account, the public facilities construction loan revolving
35 account, the public health supplemental account, the public works
36 assistance account, the Puget Sound capital construction account, the
37 Puget Sound ferry operations account, the Puget Sound Gateway
38 facility account, the Puget Sound taxpayer accountability account,
39 the real estate appraiser commission account, the recreational
40 vehicle account, the regional mobility grant program account, the

1 resource management cost account, the rural arterial trust account,
2 the rural mobility grant program account, the rural Washington loan
3 fund, the sexual assault prevention and response account, the site
4 closure account, the skilled nursing facility safety net trust fund,
5 the small city pavement and sidewalk account, the special category C
6 account, the special wildlife account, the state investment board
7 expense account, the state investment board commingled trust fund
8 accounts, the state patrol highway account, the state reclamation
9 revolving account, the state route number 520 civil penalties
10 account, the state route number 520 corridor account, the statewide
11 broadband account, the statewide tourism marketing account, the
12 supplemental pension account, the Tacoma Narrows toll bridge account,
13 the teachers' retirement system plan 1 account, the teachers'
14 retirement system combined plan 2 and plan 3 account, the tobacco
15 prevention and control account, the tobacco settlement account, the
16 toll facility bond retirement account, the transportation 2003
17 account (nickel account), the transportation equipment fund, the
18 transportation future funding program account, the transportation
19 improvement account, the transportation improvement board bond
20 retirement account, the transportation infrastructure account, the
21 transportation partnership account, the traumatic brain injury
22 account, the University of Washington bond retirement fund, the
23 University of Washington building account, the voluntary cleanup
24 account, the volunteer firefighters' and reserve officers' relief and
25 pension principal fund, the volunteer firefighters' and reserve
26 officers' administrative fund, the vulnerable roadway user education
27 account, the Washington judicial retirement system account, the
28 Washington law enforcement officers' and firefighters' system plan 1
29 retirement account, the Washington law enforcement officers' and
30 firefighters' system plan 2 retirement account, the Washington public
31 safety employees' plan 2 retirement account, the Washington school
32 employees' retirement system combined plan 2 and 3 account, the
33 Washington state patrol retirement account, the Washington State
34 University building account, the Washington State University bond
35 retirement fund, the water pollution control revolving administration
36 account, the water pollution control revolving fund, the Western
37 Washington University capital projects account, the Yakima integrated
38 plan implementation account, the Yakima integrated plan
39 implementation revenue recovery account, and the Yakima integrated
40 plan implementation taxable bond account. Earnings derived from

1 investing balances of the agricultural permanent fund, the normal
2 school permanent fund, the permanent common school fund, the
3 scientific permanent fund, and the state university permanent fund
4 shall be allocated to their respective beneficiary accounts.

5 (b) Any state agency that has independent authority over accounts
6 or funds not statutorily required to be held in the state treasury
7 that deposits funds into a fund or account in the state treasury
8 pursuant to an agreement with the office of the state treasurer shall
9 receive its proportionate share of earnings based upon each account's
10 or fund's average daily balance for the period.

11 (5) In conformance with Article II, section 37 of the state
12 Constitution, no treasury accounts or funds shall be allocated
13 earnings without the specific affirmative directive of this section.

14 **Sec. 705.** RCW 43.84.092 and 2020 c 221 s 5, 2020 c 148 s 3, 2020
15 c 103 s 7, and 2020 c 18 s 3 are each reenacted and amended to read
16 as follows:

17 (1) All earnings of investments of surplus balances in the state
18 treasury shall be deposited to the treasury income account, which
19 account is hereby established in the state treasury.

20 (2) The treasury income account shall be utilized to pay or
21 receive funds associated with federal programs as required by the
22 federal cash management improvement act of 1990. The treasury income
23 account is subject in all respects to chapter 43.88 RCW, but no
24 appropriation is required for refunds or allocations of interest
25 earnings required by the cash management improvement act. Refunds of
26 interest to the federal treasury required under the cash management
27 improvement act fall under RCW 43.88.180 and shall not require
28 appropriation. The office of financial management shall determine the
29 amounts due to or from the federal government pursuant to the cash
30 management improvement act. The office of financial management may
31 direct transfers of funds between accounts as deemed necessary to
32 implement the provisions of the cash management improvement act, and
33 this subsection. Refunds or allocations shall occur prior to the
34 distributions of earnings set forth in subsection (4) of this
35 section.

36 (3) Except for the provisions of RCW 43.84.160, the treasury
37 income account may be utilized for the payment of purchased banking
38 services on behalf of treasury funds including, but not limited to,
39 depository, safekeeping, and disbursement functions for the state

1 treasury and affected state agencies. The treasury income account is
2 subject in all respects to chapter 43.88 RCW, but no appropriation is
3 required for payments to financial institutions. Payments shall occur
4 prior to distribution of earnings set forth in subsection (4) of this
5 section.

6 (4) Monthly, the state treasurer shall distribute the earnings
7 credited to the treasury income account. The state treasurer shall
8 credit the general fund with all the earnings credited to the
9 treasury income account except:

10 (a) The following accounts and funds shall receive their
11 proportionate share of earnings based upon each account's and fund's
12 average daily balance for the period: The abandoned recreational
13 vehicle disposal account, the aeronautics account, the Alaskan Way
14 viaduct replacement project account, the brownfield redevelopment
15 trust fund account, the budget stabilization account, the capital
16 vessel replacement account, the capitol building construction
17 account, the Central Washington University capital projects account,
18 the charitable, educational, penal and reformatory institutions
19 account, the Chehalis basin account, the Chehalis basin taxable
20 account, the cleanup settlement account, the Columbia river basin
21 water supply development account, the Columbia river basin taxable
22 bond water supply development account, the Columbia river basin water
23 supply revenue recovery account, the common school construction fund,
24 the community forest trust account, the connecting Washington
25 account, the county arterial preservation account, the county
26 criminal justice assistance account, the deferred compensation
27 administrative account, the deferred compensation principal account,
28 the department of licensing services account, the department of
29 retirement systems expense account, the developmental disabilities
30 community (~~trust~~) services account, the diesel idle reduction
31 account, the drinking water assistance account, the administrative
32 subaccount of the drinking water assistance account, the early
33 learning facilities development account, the early learning
34 facilities revolving account, the Eastern Washington University
35 capital projects account, the education construction fund, the
36 education legacy trust account, the election account, the electric
37 vehicle account, the energy freedom account, the energy recovery act
38 account, the essential rail assistance account, The Evergreen State
39 College capital projects account, the ferry bond retirement fund, the
40 fish, wildlife, and conservation account, the forward flexible

1 account, the forward Washington account, the freight mobility
2 investment account, the freight mobility multimodal account, the
3 grade crossing protective fund, the public health services account,
4 the state higher education construction account, the higher education
5 construction account, the higher education retirement plan
6 supplemental benefit fund, the highway bond retirement fund, the
7 highway infrastructure account, the highway safety fund, the hospital
8 safety net assessment fund, the Interstate 405 and state route number
9 167 express toll lanes account, the judges' retirement account, the
10 judicial retirement administrative account, the judicial retirement
11 principal account, the limited fish and wildlife account, the local
12 leasehold excise tax account, the local real estate excise tax
13 account, the local sales and use tax account, the marine resources
14 stewardship trust account, the medical aid account, the money-
15 purchase retirement savings administrative account, the money-
16 purchase retirement savings principal account, the motor vehicle
17 fund, the motorcycle safety education account, the multimodal
18 transportation account, the multiuse roadway safety account, the
19 municipal criminal justice assistance account, the oyster reserve
20 land account, the pension funding stabilization account, the
21 perpetual surveillance and maintenance account, the pilotage account,
22 the pollution liability insurance agency underground storage tank
23 revolving account, the public employees' retirement system plan 1
24 account, the public employees' retirement system combined plan 2 and
25 plan 3 account, the public facilities construction loan revolving
26 account, the public health supplemental account, the public works
27 assistance account, the Puget Sound capital construction account, the
28 Puget Sound ferry operations account, the Puget Sound Gateway
29 facility account, the Puget Sound taxpayer accountability account,
30 the real estate appraiser commission account, the recreational
31 vehicle account, the regional mobility grant program account, the
32 resource management cost account, the rural arterial trust account,
33 the rural mobility grant program account, the rural Washington loan
34 fund, the sexual assault prevention and response account, the site
35 closure account, the skilled nursing facility safety net trust fund,
36 the small city pavement and sidewalk account, the special category C
37 account, the special wildlife account, the state investment board
38 expense account, the state investment board commingled trust fund
39 accounts, the state patrol highway account, the state reclamation
40 revolving account, the state route number 520 civil penalties

1 account, the state route number 520 corridor account, the statewide
2 broadband account, the statewide tourism marketing account, the
3 supplemental pension account, the Tacoma Narrows toll bridge account,
4 the teachers' retirement system plan 1 account, the teachers'
5 retirement system combined plan 2 and plan 3 account, the tobacco
6 prevention and control account, the tobacco settlement account, the
7 toll facility bond retirement account, the transportation 2003
8 account (nickel account), the transportation equipment fund, the
9 transportation future funding program account, the transportation
10 improvement account, the transportation improvement board bond
11 retirement account, the transportation infrastructure account, the
12 transportation partnership account, the traumatic brain injury
13 account, the University of Washington bond retirement fund, the
14 University of Washington building account, the voluntary cleanup
15 account, the volunteer firefighters' and reserve officers' relief and
16 pension principal fund, the volunteer firefighters' and reserve
17 officers' administrative fund, the vulnerable roadway user education
18 account, the Washington judicial retirement system account, the
19 Washington law enforcement officers' and firefighters' system plan 1
20 retirement account, the Washington law enforcement officers' and
21 firefighters' system plan 2 retirement account, the Washington public
22 safety employees' plan 2 retirement account, the Washington school
23 employees' retirement system combined plan 2 and 3 account, the
24 Washington state patrol retirement account, the Washington State
25 University building account, the Washington State University bond
26 retirement fund, the water pollution control revolving administration
27 account, the water pollution control revolving fund, the Western
28 Washington University capital projects account, the Yakima integrated
29 plan implementation account, the Yakima integrated plan
30 implementation revenue recovery account, and the Yakima integrated
31 plan implementation taxable bond account. Earnings derived from
32 investing balances of the agricultural permanent fund, the normal
33 school permanent fund, the permanent common school fund, the
34 scientific permanent fund, and the state university permanent fund
35 shall be allocated to their respective beneficiary accounts.

36 (b) Any state agency that has independent authority over accounts
37 or funds not statutorily required to be held in the state treasury
38 that deposits funds into a fund or account in the state treasury
39 pursuant to an agreement with the office of the state treasurer shall

1 receive its proportionate share of earnings based upon each account's
2 or fund's average daily balance for the period.

3 (5) In conformance with Article II, section 37 of the state
4 Constitution, no treasury accounts or funds shall be allocated
5 earnings without the specific affirmative directive of this section.

6 **Sec. 706.** RCW 46.70.180 and 2017 c 41 s 1 are each amended to
7 read as follows:

8 Each of the following acts or practices is unlawful:

9 (1) To cause or permit to be advertised, printed, displayed,
10 published, distributed, broadcasted, televised, or disseminated in
11 any manner whatsoever, any statement or representation with regard to
12 the sale, lease, or financing of a vehicle which is false, deceptive,
13 or misleading, including but not limited to the following:

14 (a) That no down payment is required in connection with the sale
15 of a vehicle when a down payment is in fact required, or that a
16 vehicle may be purchased for a smaller down payment than is actually
17 required;

18 (b) That a certain percentage of the sale price of a vehicle may
19 be financed when such financing is not offered in a single document
20 evidencing the entire security transaction;

21 (c) That a certain percentage is the amount of the service charge
22 to be charged for financing, without stating whether this percentage
23 charge is a monthly amount or an amount to be charged per year;

24 (d) That a new vehicle will be sold for a certain amount above or
25 below cost without computing cost as the exact amount of the factory
26 invoice on the specific vehicle to be sold;

27 (e) That a vehicle will be sold upon a monthly payment of a
28 certain amount, without including in the statement the number of
29 payments of that same amount which are required to liquidate the
30 unpaid purchase price.

31 (2)(a)(i) To incorporate within the terms of any purchase and
32 sale or lease agreement any statement or representation with regard
33 to the sale, lease, or financing of a vehicle which is false,
34 deceptive, or misleading, including but not limited to terms that
35 include as an added cost to the selling price or capitalized cost of
36 a vehicle an amount for licensing or transfer of title of that
37 vehicle which is not actually due to the state, unless such amount
38 has in fact been paid by the dealer prior to such sale.

1 (ii) However, an amount not to exceed (~~one hundred fifty~~
2 ~~dollars~~) \$200 per vehicle sale or lease may be charged by a dealer
3 to recover administrative costs for collecting motor vehicle excise
4 taxes, licensing and registration fees and other agency fees,
5 verifying and clearing titles, transferring titles, perfecting,
6 releasing, or satisfying liens or other security interests, and other
7 administrative and documentary services rendered by a dealer in
8 connection with the sale or lease of a vehicle and in carrying out
9 the requirements of this chapter or any other provisions of state
10 law.

11 (b) A dealer may charge the documentary service fee in (a) of
12 this subsection under the following conditions:

13 (i) The documentary service fee is disclosed in writing to a
14 prospective purchaser or lessee before the execution of a purchase
15 and sale or lease agreement;

16 (ii) The dealer discloses to the purchaser or lessee in writing
17 that the documentary service fee is a negotiable fee. The disclosure
18 must be written in a typeface that is at least as large as the
19 typeface used in the standard text of the document that contains the
20 disclosure and that is bold faced, capitalized, underlined, or
21 otherwise set out from the surrounding material so as to be
22 conspicuous. The dealer shall not represent to the purchaser or
23 lessee that the fee or charge is required by the state to be paid by
24 either the dealer or prospective purchaser or lessee;

25 (iii) The documentary service fee is separately designated from
26 the selling price or capitalized cost of the vehicle and from any
27 other taxes, fees, or charges; and

28 (iv) Dealers disclose in any advertisement that a documentary
29 service fee in an amount up to one hundred fifty dollars may be added
30 to the sale price or the capitalized cost.

31 For the purposes of this subsection (2), the term "documentary
32 service fee" means the optional amount charged by a dealer to provide
33 the services specified in (a) of this subsection.

34 (3) To set up, promote, or aid in the promotion of a plan by
35 which vehicles are to be sold or leased to a person for a
36 consideration and upon further consideration that the purchaser or
37 lessee agrees to secure one or more persons to participate in the
38 plan by respectively making a similar purchase and in turn agreeing
39 to secure one or more persons likewise to join in said plan, each
40 purchaser or lessee being given the right to secure money, credits,

1 goods, or something of value, depending upon the number of persons
2 joining the plan.

3 (4) To commit, allow, or ratify any act of "bushing" which is
4 defined as follows: Entering into a written contract, written
5 purchase order or agreement, retail installment sales agreement, note
6 and security agreement, or written lease agreement, hereinafter
7 collectively referred to as contract or lease, signed by the
8 prospective buyer or lessee of a vehicle, which:

9 (a) Is subject to any conditions or the dealer's or his or her
10 authorized representative's future acceptance, and the dealer fails
11 or refuses within the "bushing" period, which is four calendar days,
12 exclusive of Saturday, Sunday, or legal holiday, and prior to any
13 further negotiations with said buyer or lessee to inform the buyer or
14 lessee either: (i) That the dealer unconditionally accepts the
15 contract or lease, having satisfied, removed, or waived all
16 conditions to acceptance or performance, including, but not limited
17 to, financing, assignment, or lease approval; or (ii) that the dealer
18 rejects the contract or lease, thereby automatically voiding the
19 contract or lease, as long as such voiding does not negate
20 commercially reasonable contract or lease provisions pertaining to
21 the return of the subject vehicle and any physical damage, excessive
22 mileage after the demand for return of the vehicle, and attorneys'
23 fees authorized by law, and tenders the refund of any initial payment
24 or security made or given by the buyer or lessee, including, but not
25 limited to, any down payment, and tenders return of the trade-in
26 vehicle, key, other trade-in, or certificate of title to a trade-in.
27 Tender may be conditioned on return of the subject vehicle if
28 previously delivered to the buyer or lessee.

29 The provisions of this subsection (4)(a) do not impair,
30 prejudice, or abrogate the rights of a dealer to assert a claim
31 against the buyer or lessee for misrepresentation or breach of
32 contract and to exercise all remedies available at law or in equity,
33 including those under chapter 62A.9A RCW, if the dealer, bank, or
34 other lender or leasing company discovers that approval of the
35 contract or financing or approval of the lease was based upon
36 material misrepresentations made by the buyer or lessee, including,
37 but not limited to, misrepresentations regarding income, employment,
38 or debt of the buyer or lessee, as long as the dealer, or his or her
39 staff, has not, with knowledge of the material misrepresentation,
40 aided, assisted, encouraged, or participated, directly or indirectly,

1 in the misrepresentation. A dealer shall not be in violation of this
2 subsection (4)(a) if the buyer or lessee made a material
3 misrepresentation to the dealer, as long as the dealer, or his or her
4 staff, has not, with knowledge of the material misrepresentation,
5 aided, assisted, encouraged, or participated, directly or indirectly,
6 in the misrepresentation.

7 A dealer may inform a buyer or lessee under this subsection
8 (4)(a) regarding the unconditional acceptance or rejection of the
9 contract, lease, or financing by sending an email message to the
10 buyer's or lessee's supplied email address, by phone call, by leaving
11 a voice message or sending a text message to a phone number provided
12 by the buyer or lessee, by in-person oral communication, by mailing a
13 letter by first-class mail if the buyer or lessee expresses a
14 preference for a letter or declines to provide an email address and a
15 phone number capable of receiving a free text message, or by another
16 means agreed to by the buyer or lessee or approved by the department,
17 effective upon the execution, mailing, or sending of the
18 communication and before expiration of the "bushing" period;

19 (b) Permits the dealer to renegotiate a dollar amount specified
20 as trade-in allowance on a vehicle delivered or to be delivered by
21 the buyer or lessee as part of the purchase price or lease, for any
22 reason except:

23 (i) Failure to disclose that the vehicle's certificate of title
24 has been branded for any reason, including, but not limited to,
25 status as a rebuilt vehicle as provided in RCW 46.12.540 and
26 46.12.560; or

27 (ii) Substantial physical damage or latent mechanical defect
28 occurring before the dealer took possession of the vehicle and which
29 could not have been reasonably discoverable at the time of the taking
30 of the order, offer, or contract; or

31 (iii) Excessive additional miles or a discrepancy in the mileage.
32 "Excessive additional miles" means the addition of five hundred miles
33 or more, as reflected on the vehicle's odometer, between the time the
34 vehicle was first valued by the dealer for purposes of determining
35 its trade-in value and the time of actual delivery of the vehicle to
36 the dealer. "A discrepancy in the mileage" means (A) a discrepancy
37 between the mileage reflected on the vehicle's odometer and the
38 stated mileage on the signed odometer statement; or (B) a discrepancy
39 between the mileage stated on the signed odometer statement and the
40 actual mileage on the vehicle; or

1 (c) Fails to comply with the obligation of any written warranty
2 or guarantee given by the dealer requiring the furnishing of services
3 or repairs within a reasonable time.

4 (5) To commit any offense relating to odometers, as such offenses
5 are defined in RCW 46.37.540, 46.37.550, 46.37.560, and 46.37.570. A
6 violation of this subsection is a class C felony punishable under
7 chapter 9A.20 RCW.

8 (6) For any vehicle dealer or vehicle salesperson to refuse to
9 furnish, upon request of a prospective purchaser or lessee, for
10 vehicles previously registered to a business or governmental entity,
11 the name and address of the business or governmental entity.

12 (7) To commit any other offense under RCW 46.37.423, 46.37.424,
13 or 46.37.425.

14 (8) To commit any offense relating to a dealer's temporary
15 license permit, including but not limited to failure to properly
16 complete each such permit, or the issuance of more than one such
17 permit on any one vehicle. However, a dealer may issue a second
18 temporary permit on a vehicle if the following conditions are met:

19 (a) The lienholder fails to deliver the vehicle title to the
20 dealer within the required time period;

21 (b) The dealer has satisfied the lien; and

22 (c) The dealer has proof that payment of the lien was made within
23 two calendar days, exclusive of Saturday, Sunday, or a legal holiday,
24 after the sales contract has been executed by all parties and all
25 conditions and contingencies in the sales contract have been met or
26 otherwise satisfied.

27 (9) For a dealer, salesperson, or mobile home manufacturer,
28 having taken an instrument or cash "on deposit" from a purchaser or
29 lessee prior to the delivery of the bargained-for vehicle, to
30 commingle the "on deposit" funds with assets of the dealer,
31 salesperson, or mobile home manufacturer instead of holding the "on
32 deposit" funds as trustee in a separate trust account until the
33 purchaser or lessee has taken delivery of the bargained-for vehicle.
34 Delivery of a manufactured home shall be deemed to occur in
35 accordance with RCW 46.70.135(5). Failure, immediately upon receipt,
36 to endorse "on deposit" instruments to such a trust account, or to
37 set aside "on deposit" cash for deposit in such trust account, and
38 failure to deposit such instruments or cash in such trust account by
39 the close of banking hours on the day following receipt thereof,
40 shall be evidence of intent to commit this unlawful practice:

1 PROVIDED, HOWEVER, That a motor vehicle dealer may keep a separate
2 trust account which equals his or her customary total customer
3 deposits for vehicles for future delivery. For purposes of this
4 section, "on deposit" funds received from a purchaser of a
5 manufactured home means those funds that a seller requires a
6 purchaser to advance before ordering the manufactured home, but does
7 not include any loan proceeds or moneys that might have been paid on
8 an installment contract.

9 (10) For a dealer or manufacturer to fail to comply with the
10 obligations of any written warranty or guarantee given by the dealer
11 or manufacturer requiring the furnishing of goods and services or
12 repairs within a reasonable period of time, or to fail to furnish to
13 a purchaser or lessee, all parts which attach to the manufactured
14 unit including but not limited to the undercarriage, and all items
15 specified in the terms of a sales or lease agreement signed by the
16 seller and buyer or lessee.

17 (11) For a vehicle dealer to pay to or receive from any person,
18 firm, partnership, association, or corporation acting, either
19 directly or through a subsidiary, as a buyer's agent for consumers,
20 any compensation, fee, purchase moneys or funds that have been
21 deposited into or withdrawn out of any account controlled or used by
22 any buyer's agent, gratuity, or reward in connection with the
23 purchase, sale, or lease of a new motor vehicle.

24 (12) For a buyer's agent, acting directly or through a
25 subsidiary, to pay to or to receive from any motor vehicle dealer any
26 compensation, fee, gratuity, or reward in connection with the
27 purchase, sale, or lease of a new motor vehicle. In addition, it is
28 unlawful for any buyer's agent to engage in any of the following acts
29 on behalf of or in the name of the consumer:

30 (a) Receiving or paying any purchase moneys or funds into or out
31 of any account controlled or used by any buyer's agent;

32 (b) Signing any vehicle purchase orders, sales contracts, leases,
33 odometer statements, or title documents, or having the name of the
34 buyer's agent appear on the vehicle purchase order, sales contract,
35 lease, or title; or

36 (c) Signing any other documentation relating to the purchase,
37 sale, lease, or transfer of any new motor vehicle.

38 It is unlawful for a buyer's agent to use a power of attorney
39 obtained from the consumer to accomplish or effect the purchase,
40 sale, lease, or transfer of ownership documents of any new motor

1 vehicle by any means which would otherwise be prohibited under (a)
2 through (c) of this subsection. However, the buyer's agent may use a
3 power of attorney for physical delivery of motor vehicle license
4 plates to the consumer.

5 Further, it is unlawful for a buyer's agent to engage in any
6 false, deceptive, or misleading advertising, disseminated in any
7 manner whatsoever, including but not limited to making any claim or
8 statement that the buyer's agent offers, obtains, or guarantees the
9 lowest price on any motor vehicle or words to similar effect.

10 (13) For a buyer's agent to arrange for or to negotiate the
11 purchase, or both, of a new motor vehicle through an out-of-state
12 dealer without disclosing in writing to the customer that the new
13 vehicle would not be subject to chapter 19.118 RCW. This subsection
14 also applies to leased vehicles. In addition, it is unlawful for any
15 buyer's agent to fail to have a written agreement with the customer
16 that: (a) Sets forth the terms of the parties' agreement; (b)
17 discloses to the customer the total amount of any fees or other
18 compensation being paid by the customer to the buyer's agent for the
19 agent's services; and (c) further discloses whether the fee or any
20 portion of the fee is refundable.

21 (14) Being a manufacturer, other than a motorcycle manufacturer
22 governed by chapter 46.93 RCW, to:

23 (a) Coerce or attempt to coerce any vehicle dealer to order or
24 accept delivery of any vehicle or vehicles, parts or accessories, or
25 any other commodities which have not been voluntarily ordered by the
26 vehicle dealer: PROVIDED, That recommendation, endorsement,
27 exposition, persuasion, urging, or argument are not deemed to
28 constitute coercion;

29 (b) Cancel or fail to renew the franchise or selling agreement of
30 any vehicle dealer doing business in this state without fairly
31 compensating the dealer at a fair going business value for his or her
32 capital investment which shall include but not be limited to tools,
33 equipment, and parts inventory possessed by the dealer on the day he
34 or she is notified of such cancellation or termination and which are
35 still within the dealer's possession on the day the cancellation or
36 termination is effective, if: (i) The capital investment has been
37 entered into with reasonable and prudent business judgment for the
38 purpose of fulfilling the franchise; and (ii) the cancellation or
39 nonrenewal was not done in good faith. Good faith is defined as the
40 duty of each party to any franchise to act in a fair and equitable

1 manner towards each other, so as to guarantee one party freedom from
2 coercion, intimidation, or threats of coercion or intimidation from
3 the other party: PROVIDED, That recommendation, endorsement,
4 exposition, persuasion, urging, or argument are not deemed to
5 constitute a lack of good faith;

6 (c) Encourage, aid, abet, or teach a vehicle dealer to sell or
7 lease vehicles through any false, deceptive, or misleading sales or
8 financing practices including but not limited to those practices
9 declared unlawful in this section;

10 (d) Coerce or attempt to coerce a vehicle dealer to engage in any
11 practice forbidden in this section by either threats of actual
12 cancellation or failure to renew the dealer's franchise agreement;

13 (e) Refuse to deliver any vehicle publicly advertised for
14 immediate delivery to any duly licensed vehicle dealer having a
15 franchise or contractual agreement for the retail sale or lease of
16 new and unused vehicles sold or distributed by such manufacturer
17 within sixty days after such dealer's order has been received in
18 writing unless caused by inability to deliver because of shortage or
19 curtailment of material, labor, transportation, or utility services,
20 or by any labor or production difficulty, or by any cause beyond the
21 reasonable control of the manufacturer;

22 (f) To provide under the terms of any warranty that a purchaser
23 or lessee of any new or unused vehicle that has been sold or leased,
24 distributed for sale or lease, or transferred into this state for
25 resale or lease by the vehicle manufacturer may only make any
26 warranty claim on any item included as an integral part of the
27 vehicle against the manufacturer of that item.

28 Nothing in this section may be construed to impair the
29 obligations of a contract or to prevent a manufacturer, distributor,
30 representative, or any other person, whether or not licensed under
31 this chapter, from requiring performance of a written contract
32 entered into with any licensee hereunder, nor does the requirement of
33 such performance constitute a violation of any of the provisions of
34 this section if any such contract or the terms thereof requiring
35 performance, have been freely entered into and executed between the
36 contracting parties. This paragraph and subsection (14)(b) of this
37 section do not apply to new motor vehicle manufacturers governed by
38 chapter 46.96 RCW.

39 (15) Unlawful transfer of an ownership interest in a motor
40 vehicle as defined in RCW 19.116.050.

1 (16) To knowingly and intentionally engage in collusion with a
2 registered owner of a vehicle to repossess and return or resell the
3 vehicle to the registered owner in an attempt to avoid a suspended
4 license impound under chapter 46.55 RCW. However, compliance with
5 chapter 62A.9A RCW in repossessing, selling, leasing, or otherwise
6 disposing of the vehicle, including providing redemption rights to
7 the debtor, is not a violation of this section.

8 (17)(a) For a dealer to enter into a new motor vehicle sales
9 contract without disclosing in writing to a buyer of the new motor
10 vehicle, or to a dealer in the case of an unregistered motor vehicle,
11 any known damage and repair to the new motor vehicle if the damage
12 exceeds five percent of the manufacturer's suggested retail price as
13 calculated at the dealer's authorized warranty rate for labor and
14 parts, or one thousand dollars, whichever amount is greater. A
15 manufacturer or new motor vehicle dealer is not required to disclose
16 to a dealer or buyer that glass, tires, bumpers, or cosmetic parts of
17 a new motor vehicle were damaged at any time if the damaged item has
18 been replaced with original or comparable equipment. A replaced part
19 is not part of the cumulative damage required to be disclosed under
20 this subsection.

21 (b) A manufacturer is required to provide the same disclosure to
22 a dealer of any known damage or repair as required in (a) of this
23 subsection.

24 (c) If disclosure of any known damage or repair is not required
25 under this section, a buyer may not revoke or rescind a sales
26 contract due to the fact that the new motor vehicle was damaged and
27 repaired before completion of the sale.

28 (d) As used in this section:

29 (i) "Cosmetic parts" means parts that are attached by and can be
30 replaced in total through the use of screws, bolts, or other
31 fasteners without the use of welding or thermal cutting, and includes
32 windshields, bumpers, hoods, or trim panels.

33 (ii) "Manufacturer's suggested retail price" means the retail
34 price of the new motor vehicle suggested by the manufacturer, and
35 includes the retail delivered price suggested by the manufacturer for
36 each accessory or item of optional equipment physically attached to
37 the new motor vehicle at the time of delivery to the new motor
38 vehicle dealer that is not included within the retail price suggested
39 by the manufacturer for the new motor vehicle.

1 NEW SECTION. **Sec. 707.** The following acts or parts of acts are
2 each repealed:

3 (1) RCW 47.46.190 (Tacoma Narrows bridge facility funding—Intent
4 —State contribution loans—Private right of action not created) and
5 2018 c 195 s 1;

6 (2) RCW 47.46.200 (Reports—Determination of contribution amount
7 from nontoll sources—Maintenance of debt service plan repayment
8 schedule—Annual expected toll revenue information to be used for
9 repayment of state contribution loans—Private right of action not
10 created) and 2018 c 195 s 2; and

11 (3) 2018 c 195 s 3.

12 NEW SECTION. **Sec. 708.** A new section is added to chapter 47.46
13 RCW to read as follows:

14 (1) The legislature finds that the users of the Tacoma Narrows
15 bridge deserve toll relief and an equitable plan to address the
16 rapidly escalating costs of debt service used to finance construction
17 of the bridge. Rather than loans, the state should simply provide the
18 funds to keep the tolls at the level as of January 1, 2021, thus
19 keeping the promises that the state made regarding the term of the
20 tolls on the Tacoma Narrows bridge and providing an appropriate
21 amount of toll relief to the users of the bridge.

22 (2)(a) On July 1, 2021, for fiscal year 2022 costs, the state
23 treasurer must transfer from the forward Washington account created
24 in section 701 of this act to the Tacoma Narrows toll bridge account
25 created in RCW 47.56.165, \$28,715,000.

26 (b) On July 1, 2022, for fiscal year 2023 costs, the state
27 treasurer must transfer from the forward Washington account created
28 in section 701 of this act to the Tacoma Narrows toll bridge account
29 created in RCW 47.56.165, \$16,643,000.

30 (c) On July 1, 2023, for fiscal year 2024 costs, the state
31 treasurer must transfer from the forward Washington account created
32 in section 701 of this act to the Tacoma Narrows toll bridge account
33 created in RCW 47.56.165, \$13,334,000.

34 (d) On July 1, 2024, for fiscal year 2025 costs, the state
35 treasurer must transfer from the forward Washington account created
36 in section 701 of this act to the Tacoma Narrows toll bridge account
37 created in RCW 47.56.165, \$15,750,000.

1 (e) On July 1, 2025, for fiscal year 2026 costs, the state
2 treasurer must transfer from the forward Washington account created
3 in section 701 of this act to the Tacoma Narrows toll bridge account
4 created in RCW 47.56.165, \$11,715,000.

5 (f) On July 1, 2026, for fiscal year 2027 costs, the state
6 treasurer must transfer from the forward Washington account created
7 in section 701 of this act to the Tacoma Narrows toll bridge account
8 created in RCW 47.56.165, \$12,975,000.

9 (g) On July 1, 2027, for fiscal year 2028 costs, the state
10 treasurer must transfer from the forward Washington account created
11 in section 701 of this act to the Tacoma Narrows toll bridge account
12 created in RCW 47.56.165, \$13,421,000.

13 (h) On July 1, 2028, for fiscal year 2029 costs, the state
14 treasurer must transfer from the forward Washington account created
15 in section 701 of this act to the Tacoma Narrows toll bridge account
16 created in RCW 47.56.165, \$13,169,000.

17 (i) On July 1, 2029, for fiscal year 2030 costs, the state
18 treasurer must transfer from the forward Washington account created
19 in section 701 of this act to the Tacoma Narrows toll bridge account
20 created in RCW 47.56.165, \$7,908,000.

21 (j) On July 1, 2030, for fiscal year 2031 costs, the state
22 treasurer must transfer from the forward Washington account created
23 in section 701 of this act to the Tacoma Narrows toll bridge account
24 created in RCW 47.56.165, \$12,543,000.

25 **Sec. 709.** RCW 82.32.385 and 2020 c 219 s 703 are each amended to
26 read as follows:

27 (1) Beginning September 2019 and ending December 2019, by the
28 last day of September and December, the state treasurer must transfer
29 from the general fund to the connecting Washington account created in
30 RCW 46.68.395 thirteen million six hundred eighty thousand dollars.

31 (2) Beginning March 2020 and ending June 2021, by the last day of
32 September, December, March, and June of each year, the state
33 treasurer must transfer from the general fund to the multimodal
34 transportation account created in RCW 47.66.070 thirteen million six
35 hundred eighty thousand dollars.

36 (3) Beginning September 2021 and ending June 2023, by the last
37 day of September, December, March, and June of each year, the state
38 treasurer must transfer from the general fund to the connecting

1 Washington account created in RCW 46.68.395 thirteen million eight
2 hundred five thousand dollars.

3 (4) Beginning September 2023 and ending June 2025, by the last
4 day of September, December, March, and June of each year, the state
5 treasurer must transfer from the general fund to the connecting
6 Washington account created in RCW 46.68.395 thirteen million nine
7 hundred eighty-seven thousand dollars.

8 (5) Beginning September 2025 and ending June 2027, by the last
9 day of September, December, March, and June of each year, the state
10 treasurer must transfer from the general fund to the connecting
11 Washington account created in RCW 46.68.395 eleven million six
12 hundred fifty-eight thousand dollars.

13 (6) Beginning September 2027 and ending June 2029, by the last
14 day of September, December, March, and June of each year, the state
15 treasurer must transfer from the general fund to the connecting
16 Washington account created in RCW 46.68.395 seven million five
17 hundred sixty-four thousand dollars.

18 (7) Beginning September 2029 and ending June 2031, by the last
19 day of September, December, March, and June of each year, the state
20 treasurer must transfer from the general fund to the connecting
21 Washington account created in RCW 46.68.395 four million fifty-six
22 thousand dollars.

23 (8) For fiscal year 2026 through fiscal year 2037, the state
24 treasurer must transfer from the general fund to the forward flexible
25 account created in section 702 of this act \$46,969,000 each fiscal
26 year in four equal quarterly transfers.

27 **Sec. 710.** RCW 47.56.850 and 2009 c 498 s 15 are each amended to
28 read as follows:

29 (1) Unless these powers are otherwise delegated by the
30 legislature, the transportation commission is the tolling authority
31 for the state. The tolling authority shall:

32 (a) (i) Set toll rates, (ii) establish appropriate exemptions, if
33 any, except as provided otherwise in this section, and (iii) make
34 adjustments as conditions warrant on eligible toll facilities;

35 (b) Review toll collection policies, toll operations policies,
36 and toll revenue expenditures on the eligible toll facilities and
37 report annually on this review to the legislature.

38 (2) The tolling authority, in determining toll rates, shall
39 consider the policy guidelines established in RCW 47.56.830.

1 (3) Unless otherwise directed by the legislature, in setting and
2 periodically adjusting toll rates, the tolling authority must ensure
3 that toll rates will generate revenue sufficient to:

4 (a) Meet the operating costs of the eligible toll facilities,
5 including necessary maintenance, preservation, renewal, replacement,
6 administration, and toll enforcement by public law enforcement;

7 (b) Meet obligations for the timely payment of debt service on
8 bonds issued for eligible toll facilities, and any other associated
9 financing costs including, but not limited to, required reserves,
10 minimum debt coverage or other appropriate contingency funding,
11 insurance, and compliance with all other financial and other
12 covenants made by the state in the bond proceedings;

13 (c) Meet obligations to reimburse the motor vehicle fund for
14 excise taxes on motor vehicle and special fuels applied to the
15 payment of bonds issued for eligible toll facilities; and

16 (d) Meet any other obligations of the tolling authority to
17 provide its proportionate share of funding contributions for any
18 projects or operations of the eligible toll facilities.

19 (4) The established toll rates may include variable pricing, and
20 should be set to optimize system performance, recognizing necessary
21 trade-offs to generate revenue for the purposes specified in
22 subsection (3) of this section. Tolls may vary for type of vehicle,
23 time of day, traffic conditions, or other factors designed to improve
24 performance of the system.

25 (5) In fixing and adjusting toll rates under this section, the
26 only toll revenue to be taken into account must be toll revenue
27 pledged to bonds that includes toll receipts, and the only debt
28 service requirements to be taken into account must be debt service on
29 bonds payable from and secured by toll revenue that includes toll
30 receipts.

31 (6) The legislature pledges to appropriate toll revenue as
32 necessary to carry out the purposes of this section. When the
33 legislature has specifically identified and designated an eligible
34 toll facility and authorized the issuance of bonds for the financing
35 of the eligible toll facility that are payable from and secured by a
36 pledge of toll revenue, the legislature further agrees for the
37 benefit of the owners of outstanding bonds issued by the state for
38 eligible toll facilities to continue in effect and not to impair or
39 withdraw the authorization of the tolling authority to fix and adjust
40 tolls as provided in this section. The state finance committee shall

1 pledge the state's obligation to impose and maintain tolls, together
2 with the application of toll revenue as described in this section, to
3 the owners of any bonds.

4 (7) The tolling authority may not exempt the following vehicles
5 from tolls on toll bridges:

6 (a) Publicly owned or operated transit buses;

7 (b) Passenger motor vehicles licensed for ride sharing as
8 described in RCW 46.18.285;

9 (c) School buses; and

10 (d) Privately owned and operated passenger buses meeting annual
11 certification requirements of the department.

12 **Sec. 711.** RCW 47.46.100 and 2002 c 114 s 7 are each amended to
13 read as follows:

14 (1) The commission shall fix the rates of toll and other charges
15 for all toll bridges built under this chapter that are financed
16 primarily by bonds issued by the state. Subject to RCW 47.46.090, the
17 commission may impose and modify toll charges from time to time as
18 conditions warrant. However, the commission may not exempt the
19 following vehicles from tolls:

20 (a) Publicly owned or operated transit buses;

21 (b) Passenger motor vehicles licensed for ride sharing as
22 described in RCW 46.18.285;

23 (c) School buses; and

24 (d) Privately owned and operated passenger buses meeting annual
25 certification requirements of the department.

26 (2) In establishing toll charges, the commission shall give due
27 consideration to any required costs for operating and maintaining the
28 toll bridge or toll bridges, including the cost of insurance, and to
29 any amount required by law to meet the redemption of bonds and
30 interest payments on them.

31 (3) The toll charges must be imposed in amounts sufficient to:

32 (a) Provide annual revenue sufficient to provide for annual
33 operating and maintenance expenses, except as provided in RCW
34 47.56.245;

35 (b) Make payments required under RCW 47.56.165 and 47.46.140,
36 including insurance costs and the payment of principal and interest
37 on bonds issued for any particular toll bridge or toll bridges; and

38 (c) Repay the motor vehicle fund under RCW 47.46.110, 47.56.165,
39 and 47.46.140.

1 (4) The bond principal and interest payments, including repayment
2 of the motor vehicle fund for amounts transferred from that fund to
3 provide for such principal and interest payments, constitute a first
4 direct and exclusive charge and lien on all tolls and other revenues
5 from the toll bridge concerned, subject to operating and maintenance
6 expenses.

7 **Part VIII**
8 **Miscellaneous Provisions**

9 NEW SECTION. **Sec. 801.** Sections 101 through 105, 401, 402, 511,
10 512, 601, 602, and 701 through 711 of this act are necessary for the
11 immediate preservation of the public peace, health, or safety, or
12 support of the state government and its existing public institutions,
13 and take effect July 1, 2021.

14 NEW SECTION. **Sec. 802.** Section 704 of this act expires July 1,
15 2024.

16 NEW SECTION. **Sec. 803.** Section 705 of this act takes effect
17 July 1, 2024.

18 NEW SECTION. **Sec. 804.** Sections 502, 505, and 507 of this act
19 expire January 1, 2022.

20 NEW SECTION. **Sec. 805.** Sections 503, 506, and 508 of this act
21 take effect January 1, 2022.

22 NEW SECTION. **Sec. 806.** Sections 106, 201 through 301, 403
23 through 502, 504, 505, 507, 509, and 510 of this act take effect
24 October 1, 2021.

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