

Chapter 308-99 WAC

VEHICLE RECIPROCITY

WAC	
308-99-020	Definitions.
308-99-040	Restrictions and conditions.
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-99-010	Applications. [Statutory Authority: RCW 46.01.110, 46.16.276 and 46.85.060 as amended by 1987 c 142 § 4. WSR 87-21-013 (Order TL/RG 37), § 308-99-010, filed 10/9/87. Statutory Authority: RCW 46.85.060. WSR 85-20-080 (Order TL/RG 17), § 308-99-010, filed 9/30/85. Statutory Authority: 1982 c 227 § 18 et seq. WSR 83-19-009 (Order 729-DOL), § 308-99-010, filed 9/9/83. Formerly WAC 410-20-010.] Repealed by WSR 00-20-064, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110.
308-99-021	"Washington public assistance programs" criteria. [Statutory Authority: RCW 46.01.110, 46.16.276 and 46.85.060 as amended by 1987 c 142 § 4. WSR 87-21-013 (Order TL/RG 37), § 308-99-021, filed 10/9/87. Statutory Authority: RCW 46.85.060, 46.16.028 and 46.01.110. WSR 86-14-016 (Order TL/RG 26), § 308-99-021, filed 6/24/86.] Repealed by WSR 00-20-064, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110.
308-99-025	Registration required. [Statutory Authority: RCW 46.01.110, 46.16.287 [46.16.276] and 46.87.010. WSR 89-20-043, § 308-99-025, filed 10/2/89, effective 11/2/89. Statutory Authority: RCW 46.01.110, 46.16.276 and 46.85.060 as amended by 1987 c 142 § 4. WSR 87-21-013 (Order TL/RG 37), § 308-99-025, filed 10/9/87. Statutory Authority: RCW 46.85.060. WSR 85-20-080 (Order TL/RG 17), § 308-99-025, filed 9/30/85.] Repealed by WSR 00-20-064, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110.
308-99-030	Basic policy defined. [Statutory Authority: 1982 c 227 § 18 et seq. WSR 83-19-009 (Order 729-DOL), § 308-99-030, filed 9/9/83. Formerly WAC 410-20-030.] Repealed by WSR 00-20-064, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110.
308-99-050	Commercial vehicle reciprocity. [Statutory Authority: RCW 46.01.110, 46.16.287 [46.16.276] and 46.87.010. WSR 89-20-043, § 308-99-050, filed 10/2/89, effective 11/2/89.] Repealed by WSR 00-20-064, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110.

WAC 308-99-020 Definitions. (1) What is a resident?

For the purposes of this section, a resident is a natural person who lives or shows intent to live in this state on more than a temporary or transient basis.

You will be presumed a resident if you meet one of the following:

- You are a registered voter in this state; or
- You receive benefits under one of the Washington public assistance programs; or
- You declare that you are a resident for the purpose of obtaining a state driver's license, a hunting or fishing license or tuition fees at resident rates.

A natural person may be a resident of this state even though that person has or claims residency or domicile in another state or intends to leave this state at some future time. A natural person will be presumed a resident if at least two of the following conditions are met:

- You maintain a residence in this state for personal use;
- You have a Washington state driver's license or a Washington state resident hunting or fishing license;
- You use a Washington state address for federal income tax or state tax purposes;
- You have previously maintained a residence in this state for personal use and have not established a permanent residence outside the state of Washington (for example, a person who retires and lives in a motor home or vessel which is not permanently attached to any property);
- You claim this state as residence for obtaining eligibility to hold a public office or for judicial actions;
- You are a custodial parent with a child attending public schools in this state.

The department may consider factors other than those listed in this subsection to determine that a person intends to be located in or be a resident of this state. However, the department may not consider those factors alone to presume residency.

A natural person who is a resident of Washington may not form a corporation, trust or other entity in another jurisdiction for the purpose of evading Washington vehicle registration.

(2) **Who are "military personnel"?** "Military personnel" means active duty members of the United States armed forces including the United States Coast Guard, Army, Navy, Marines, Air Force, commissioned officers of the public health service, personnel from National Oceanographic and Atmospheric Agency, and members of foreign military organizations assigned to this state on official duty. Coast guard personnel living in Washington and assigned to duty in the Portland area are also entitled to a nonresident military exemption.

(3) **What is a "jurisdiction"?** "Jurisdiction" means a state, territory, or possession of the United States, the District of Columbia, or a state or province of a country.

(4) **What is "reciprocity"?** "Reciprocity" means an agreement with another jurisdiction granting mutual benefits, privileges, or exemptions from payment of vehicle registration fees. Reciprocity will only be extended to vehicles that are properly registered in another jurisdiction.

(5) **What is a "Washington public assistance program"?** "Washington public assistance program" is defined in RCW 46.16.028.

(6) **What is a "natural person"?** For the purpose of this section, a "natural person" is a human being, as distinguished from an artificial person created by law.

[Statutory Authority: RCW 46.01.110. WSR 05-01-048, § 308-99-020, filed 12/7/04, effective 1/7/05; WSR 00-20-064, § 308-99-020, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110, 46.16.276 and 46.85.060 as amended by 1987 c 142 § 4. WSR 87-21-013 (Order TL/RG 37), § 308-99-020, filed 10/9/87. Statutory Authority: RCW 46.85.060, 46.16.028 and 46.01.110. WSR 86-14-016 (Order TL/RG 26), § 308-99-020,

filed 6/24/86. Statutory Authority: RCW 46.85.060. WSR 85-20-080 (Order TL/RG 17), § 308-99-020, filed 9/30/85. Statutory Authority: 1982 c 227 § 18 et seq. WSR 83-19-009 (Order 729-DOL), § 308-99-020, filed 9/9/83. Formerly WAC 410-20-020.]

WAC 308-99-040 Restrictions and conditions. May a vehicle properly licensed or registered in another jurisdiction be operated in Washington without further registration requirements? Yes, as provided in RCW 46.85.060 and 46.85.080 the following conditions and restrictions apply:

(1) Nonresident students: The student must be in full-time attendance at a college or university in Washington accredited by the Northwest Association of Schools and Colleges or at a private vocational school as that term is defined by RCW 28C.10.020(7) and maintain their legal home of record at a location outside the state of Washington. Vehicles must be registered in the student's or in the name of their parent or legal guardian in the resident state of record. The student must carry documentation issued by the college, university or vocational school that readily establishes the nonresident status. Employment incidental to the full-time student status is permitted. The spouse of a nonresident student has the same licensing privilege as long as the vehicle is registered to the student or jointly to the student and spouse, regardless of the spouse's legal residence or employment.

(2) Nonresident military personnel: Vehicles must be currently registered in the name of the military person at their official home of record. A vehicle licensed at the last duty station may be operated until the current registration expires at which time the vehicle must be licensed in the military person's home of record or in Washington. The spouse of a nonresident military person has the same licensing privilege as long as the vehicle is registered to the military person or jointly to the military person and spouse, regardless of the spouse's legal residence or employment.

(3) Borrowed vehicle: A borrowed vehicle currently licensed in another jurisdiction may be operated by a Washington resident for a period not to exceed ten days in any one calendar year. If the period of use exceeds ten days the vehicle must be registered and licensed in Washington. This provision does not apply to business vehicles.

(4) Vehicles undergoing repairs: Commercial vehicles having a gross weight or combined gross weight of over 26,000 pounds and properly registered and licensed in another state or Canadian Province may enter Washington for purposes of repair under the following conditions:

(a) The vehicle must enter the state unladen and proceed immediately to the repair facility.

(b) The vehicle must immediately leave the state, unladen, upon completion of repairs.

(c) The vehicle cannot be used for any commercial activity while in Washington.

(d) The repair facility must be located within fifteen miles of the Washington border.

(e) While in Washington, the vehicle must carry the following documentation:

(i) An "out-of-state vehicle repair statement of fact." Blank forms are available from the department of licensing internet site at www.gov.wa/dol.

(ii) A copy of the vehicle repair work order issued by the repair facility before the vehicle enters Washington.

(f) The repair facility must maintain a copy of the "out-of-state vehicle repair statement of fact" and vehicle repair work order for a period of five years. The repair facility must make the forms available for inspection by state agency representatives.

[Statutory Authority: RCW 46.01.110. WSR 05-01-048, § 308-99-040, filed 12/7/04, effective 1/7/05. Statutory Authority: RCW 46.85.060. WSR 03-04-092, § 308-99-040, filed 2/4/03, effective 3/7/03. Statutory Authority: RCW 46.01.110. WSR 00-20-064, § 308-99-040, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110, 46.16.276 and 46.85.060 as amended by 1987 c 142 § 4. WSR 87-21-013 (Order TL/RG 37), § 308-99-040, filed 10/9/87. Statutory Authority: RCW 46.01.110. WSR 87-01-029 (Order 800-DOL), § 308-99-040, filed 12/11/86. Statutory Authority: RCW 46.85.060. WSR 86-02-056 (Order TL-RG-22), § 308-99-040, filed 12/31/85; WSR 85-20-080 (Order TL/RG 17), § 308-99-040, filed 9/30/85. Statutory Authority: 1982 c 227 § 18 et seq. WSR 83-19-009 (Order 729-DOL), § 308-99-040, filed 9/9/83. Formerly WAC 410-20-040.]

WAC 308-99-060 Reciprocity for leased and rented vehicles. Is there vehicle license reciprocity for rental or leased vehicles? Yes, unless there is an agreement or arrangement to the contrary. The classes of vehicles and circumstances indicated below are eligible for reciprocity:

(1) Passenger cars and motor homes currently and properly registered in another jurisdiction will be granted vehicle license reciprocity in this state if:

(a) The vehicle was rented by the vehicle operator from a location outside of the state of Washington;

(b) The vehicle was dropped off in Washington by the previous renter and is being rented for a one-way trip out of Washington; or

(c) The vehicle is registered under the provisions of Article XI, Section 1116 of the International Registration Plan.

(2) Trailers and semi-trailers with a gross vehicle weight in excess of 6,000 pounds, trucks, truck tractors, tractors, and road tractors that are currently and properly registered in other jurisdictions will be granted vehicle license reciprocity in this state if:

(a) The vehicle is rented from a location within another jurisdiction; and

(b) The actual vehicle registration certificate (cab card) or a photo copy of the vehicle registration certificate and a copy of the rental agreement is carried in the rental vehicle or in the vehicle providing the motive power for a combination of vehicles.

[Statutory Authority: RCW 46.01.110. WSR 05-01-048, § 308-99-060, filed 12/7/04, effective 1/7/05; WSR 00-20-064, § 308-99-060, filed 10/3/00, effective 11/3/00.]