
HOUSE BILL 2879

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Wood, Schmidt, Finkbeiner, Johanson, Backlund, Shin, Silver and Fuhrman

Read first time 01/28/94. Referred to Committee on Environmental Affairs.

1 AN ACT Relating to motor vehicles; amending RCW 46.16.015 and
2 70.120.010; and creating a new section.

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

4 **Sec. 1.** RCW 46.16.015 and 1991 c 199 s 209 are each amended to
5 read as follows:

6 (1) Neither the department of licensing nor its agents may issue or
7 renew a motor vehicle license for any vehicle or change the registered
8 owner of a licensed vehicle, for any vehicle that is required to be
9 inspected under chapter 70.120 RCW, unless the application for issuance
10 or renewal is: (a) Accompanied by a valid certificate of compliance or
11 a valid certificate of acceptance issued pursuant to chapter 70.120
12 RCW; or (b) exempted from this requirement pursuant to subsection (2)
13 of this section. The certificates must have a date of validation which
14 is within six months of the date of application for the vehicle license
15 or license renewal. Certificates for fleet or owner tested diesel
16 vehicles may have a date of validation which is within twelve months of
17 the assigned license renewal date.

18 (2) Subsection (1) of this section does not apply to the following
19 vehicles:

1 (a) New motor vehicles whose equitable or legal title has never
2 been transferred to a person who in good faith purchases the vehicle
3 for purposes other than resale;

4 (b) Motor vehicles with a model year of (~~1967~~) 1975 or earlier;

5 (c) Motor vehicles that use propulsion units powered exclusively by
6 electricity;

7 (d) Motor vehicles fueled by propane, compressed natural gas, or
8 liquid petroleum gas, unless it is determined that federal sanctions
9 will be imposed as a result of this exemption;

10 (e) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles
11 as defined in RCW 46.04.332;

12 (f) Farm vehicles as defined in RCW 46.04.181;

13 (g) Used vehicles which are offered for sale by a motor vehicle
14 dealer licensed under chapter 46.70 RCW; or

15 (h) Motor vehicles exempted by the director of the department of
16 ecology.

17 The provisions of subparagraph (a) of this subsection may not be
18 construed as exempting from the provisions of subsection (1) of this
19 section applications for the renewal of licenses for motor vehicles
20 that are or have been leased.

21 (3) The department of ecology shall provide information to motor
22 vehicle owners regarding the boundaries of emission contributing areas
23 and restrictions established under this section that apply to vehicles
24 registered in such areas. In addition the department of ecology shall
25 provide information to motor vehicle owners on the relationship between
26 motor vehicles and air pollution and steps motor vehicle owners should
27 take to reduce motor vehicle related air pollution. The department of
28 licensing shall send to all registered motor vehicle owners affected by
29 the emission testing program notice that they must have an emission
30 test to renew their registration.

31 **Sec. 2.** RCW 70.120.010 and 1991 c 199 s 201 are each amended to
32 read as follows:

33 Unless the context clearly requires otherwise, the definitions in
34 this section apply throughout this chapter.

35 (1) "Department" means the department of ecology.

36 (2) "Director" means the director of the department of ecology.

1 (3) "Fleet" means a group of fifteen or more motor vehicles
2 registered in the same name and whose owner has been assigned a fleet
3 identifier code by the department of licensing.

4 (4) "Motor vehicle" means any self-propelled vehicle required to be
5 licensed pursuant to chapter 46.16 RCW that was manufactured in 1975 or
6 later.

7 (5) "Motor vehicle dealer" means a motor vehicle dealer, as defined
8 in RCW 46.70.011, that is licensed pursuant to chapter 46.70 RCW.

9 (6) "Person" means an individual, firm, public or private
10 corporation, association, partnership, political subdivision of the
11 state, municipality, or governmental agency.

12 (7) The terms "air contaminant," "air pollution," "air quality
13 standard," "ambient air," "emission," and "emission standard" have the
14 meanings given them in RCW 70.94.030.

15 NEW SECTION. **Sec. 3.** If any part of this act is found to be in
16 conflict with federal requirements that are a prescribed condition to
17 the allocation of federal funds to the state, the conflicting part of
18 this act is inoperative solely to the extent of the conflict and with
19 respect to the agencies directly affected, and this finding does not
20 affect the operation of the remainder of this act in its application to
21 the agencies concerned. The rules under this act shall meet federal
22 requirements that are a necessary condition to the receipt of federal
23 funds by the state.

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