

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1190

Chapter 170, Laws of 1995

54th Legislature
1995 Regular Session

TRANSPORTATION FUND--TRANSFER OF ACCOUNTS FROM GENERAL FUND TO

EFFECTIVE DATE: 7/23/95

Passed by the House February 17, 1995
Yeas 94 Nays 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Passed by the Senate April 10, 1995
Yeas 46 Nays 0

JOEL PRITCHARD

President of the Senate

Approved May 1, 1995

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1190** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN

Chief Clerk

FILED

May 1, 1995 - 11:11 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 1190

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Representatives K. Schmidt, R. Fisher, Mitchell and Koster; by request of Department of Transportation

Read first time 01/17/95. Referred to Committee on Transportation.

1 AN ACT Relating to transferring the aeronautics account and the
2 aircraft search and rescue, safety, and education account from the
3 general fund to the transportation fund; and amending RCW 82.42.090,
4 82.48.080, 47.68.250, and 47.68.236.

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

6 **Sec. 1.** RCW 82.42.090 and 1991 sp.s. c 13 s 37 are each amended to
7 read as follows:

8 All moneys collected by the director from the aircraft fuel excise
9 tax as provided in RCW 82.42.020 shall be transmitted to the state
10 treasurer and shall be credited to the aeronautics account hereby
11 created in the transportation fund of the state treasury. Moneys
12 collected from the consumer or user of aircraft fuel from either the
13 use tax imposed by RCW 82.12.020 or the retail sales tax imposed by RCW
14 82.08.020 shall be transmitted to the state treasurer and credited to
15 the state general fund.

16 **Sec. 2.** RCW 82.48.080 and 1987 c 220 s 8 are each amended to read
17 as follows:

1 The secretary shall regularly pay to the state treasurer the excise
2 taxes collected under this chapter, which shall be credited by the
3 state treasurer as follows: Ninety percent to the general fund and ten
4 percent to the aeronautics account in the (~~general~~) transportation
5 fund for administrative expenses.

6 **Sec. 3.** RCW 47.68.250 and 1993 c 208 s 7 are each amended to read
7 as follows:

8 Every aircraft shall be registered with the department for each
9 calendar year in which the aircraft is operated or is based within this
10 state. A fee of four dollars shall be charged for each such
11 registration and each annual renewal thereof.

12 Possession of the appropriate effective federal certificate,
13 permit, rating, or license relating to ownership and airworthiness of
14 the aircraft, and payment of the excise tax imposed by Title 82 RCW for
15 the privilege of using the aircraft within this state during the year
16 for which the registration is sought, and payment of the registration
17 fee required by this section shall be the only requisites for
18 registration of an aircraft under this section.

19 The registration fee imposed by this section shall be payable to
20 and collected by the secretary. The fee for any calendar year must be
21 paid during the month of January, and shall be collected by the
22 secretary at the time of the collection by him or her of the said
23 excise tax. If the secretary is satisfied that the requirements for
24 registration of the aircraft have been met, he or she shall thereupon
25 issue to the owner of the aircraft a certificate of registration
26 therefor. The secretary shall pay to the state treasurer the
27 registration fees collected under this section, which registration fees
28 shall be credited to the aeronautics account in the (~~general~~)
29 transportation fund.

30 It shall not be necessary for the registrant to provide the
31 secretary with originals or copies of federal certificates, permits,
32 ratings, or licenses. The secretary shall issue certificates of
33 registration, or such other evidences of registration or payment of
34 fees as he or she may deem proper; and in connection therewith may
35 prescribe requirements for the possession and exhibition of such
36 certificates or other evidences.

37 The provisions of this section shall not apply to:

1 (1) An aircraft owned by and used exclusively in the service of any
2 government or any political subdivision thereof, including the
3 government of the United States, any state, territory, or possession of
4 the United States, or the District of Columbia, which is not engaged in
5 carrying persons or property for commercial purposes;

6 (2) An aircraft registered under the laws of a foreign country;

7 (3) An aircraft which is owned by a nonresident and registered in
8 another state: PROVIDED, That if said aircraft shall remain in and/or
9 be based in this state for a period of ninety days or longer it shall
10 not be exempt under this section;

11 (4) An aircraft engaged principally in commercial flying
12 constituting an act of interstate or foreign commerce;

13 (5) An aircraft owned by the commercial manufacturer thereof while
14 being operated for test or experimental purposes, or for the purpose of
15 training crews for purchasers of the aircraft;

16 (6) An aircraft being held for sale, exchange, delivery, test, or
17 demonstration purposes solely as stock in trade of an aircraft dealer
18 licensed under Title 14 RCW;

19 (7) An aircraft based within the state that is in an unairworthy
20 condition, is not operated within the registration period, and has
21 obtained a written exemption issued by the secretary.

22 The secretary shall be notified within one week of any change in
23 ownership of a registered aircraft. The notification shall contain the
24 N, NC, NR, NL, or NX number of the aircraft, the full name and address
25 of the former owner, and the full name and address of the new owner.
26 For failure to so notify the secretary, the registration of that
27 aircraft may be canceled by the secretary, subject to reinstatement
28 upon application and payment of a reinstatement fee of ten dollars by
29 the new owner.

30 **Sec. 4.** RCW 47.68.236 and 1991 sp.s. c 13 s 38 are each amended to
31 read as follows:

32 There is hereby created in the transportation fund of the state
33 treasury an account to be known as the aircraft search and rescue,
34 safety, and education account. All moneys received by the department
35 under RCW 47.68.233 shall be deposited in such account.

Passed the House February 17, 1995.

Passed the Senate April 10, 1995.

Approved by the Governor May 1, 1995.

Filed in Office of Secretary of State May 1, 1995.