
SENATE BILL 5061

State of Washington 62nd Legislature 2011 Regular Session

By Senators Swecker, Haugen, King, and Shin

Read first time 01/12/11. Referred to Committee on Transportation.

1 AN ACT Relating to reconciling changes made to vehicle and vessel
2 registration and title provisions during the 2010 legislative sessions;
3 amending RCW 4.24.210, 7.68.035, 18.27.100, 19.116.020, 19.118.170,
4 43.21A.667, 43.43.400, 43.121.100, 46.01.040, 46.04.1945, 46.04.1951,
5 46.04.249, 46.04.265, 46.04.3815, 46.04.429, 46.04.62260, 46.04.671,
6 46.04.691, 46.04.692, 46.04.705, 46.09.320, 46.09.400, 46.09.420,
7 46.09.450, 46.09.470, 46.09.490, 46.10.440, 46.10.470, 46.10.490,
8 46.10.500, 46.10.510, 46.12.550, 46.12.600, 46.12.630, 46.12.700,
9 46.12.730, 46.12.735, 46.12.740, 46.12.745, 46.16A.070, 46.16A.080,
10 46.16A.200, 46.16A.210, 46.16A.215, 46.16A.455, 46.16A.510, 46.16A.530,
11 46.16A.540, 46.16A.545, 46.17.040, 46.17.210, 46.17.220, 46.17.230,
12 46.17.355, 46.17.400, 46.18.010, 46.18.020, 46.18.200, 46.18.220,
13 46.18.255, 46.18.285, 46.18.295, 46.19.050, 46.19.060, 46.30.020,
14 46.32.080, 46.32.120, 46.37.010, 46.61.582, 46.61.710, 46.61.723,
15 46.61.725, 46.68.020, 46.68.030, 46.68.380, 46.68.420, 46.68.425,
16 46.68.455, 46.70.027, 46.70.101, 46.71.011, 46.71.080, 46.85.100,
17 46.87.010, 46.87.023, 46.87.080, 46.87.140, 46.87.230, 46.87.294,
18 46.87.296, 46.93.020, 47.01.440, 50.40.071, 64.44.050, 70.107.030,
19 70.120.010, 70.120.160, 70.120.170, 70.285.020, 77.12.170, 77.12.879,
20 79A.05.020, 79A.05.065, 79A.05.225, 79A.60.510, 79A.60.630, 79A.60.670,
21 82.08.020, 82.12.800, 82.12.801, 82.14.430, 82.50.250, 82.80.100,

1 84.36.080, 88.02.530, 88.02.560, 88.02.560, 88.02.590, 88.02.595,
2 88.02.610, 88.02.620, 88.02.640, and 88.02.650; amending 2010 c 161 s
3 438 (uncodified); reenacting and amending RCW 46.01.140, 46.04.670,
4 46.16A.030, 46.18.050, 46.18.060, 46.18.110, 46.18.130, and 48.110.020;
5 creating a new section; recodifying RCW 46.04.391 and 46.16.900;
6 repealing RCW 46.04.1961, 46.04.7051, 46.10.405, 46.16.30922,
7 46.18.030, and 88.02.655; providing effective dates; providing an
8 expiration date; and declaring an emergency.

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

10 NEW SECTION. **Sec. 1.** This act is intended to reconcile and
11 conform amendments made in chapter 161, Laws of 2010 with other
12 legislation passed during the 2010 legislative sessions, as well as
13 provide technical amendments to codified sections affected by chapter
14 161, Laws of 2010. Any statutory changes made by this act should be
15 interpreted as technical in nature and not be interpreted to have any
16 substantive policy or legal implications.

17 **Sec. 2.** RCW 4.24.210 and 2006 c 212 s 6 are each amended to read
18 as follows:

19 (1) Except as otherwise provided in subsection (3) or (4) of this
20 section, any public or private landowners or others in lawful
21 possession and control of any lands whether designated resource, rural,
22 or urban, or water areas or channels and lands adjacent to such areas
23 or channels, who allow members of the public to use them for the
24 purposes of outdoor recreation, which term includes, but is not limited
25 to, the cutting, gathering, and removing of firewood by private persons
26 for their personal use without purchasing the firewood from the
27 landowner, hunting, fishing, camping, picnicking, swimming, hiking,
28 bicycling, skateboarding or other nonmotorized wheel-based activities,
29 hanggliding, paragliding, rock climbing, the riding of horses or other
30 animals, clam digging, pleasure driving of off-road vehicles,
31 snowmobiles, and other vehicles, boating, nature study, winter or water
32 sports, viewing or enjoying historical, archaeological, scenic, or
33 scientific sites, without charging a fee of any kind therefor, shall
34 not be liable for unintentional injuries to such users.

1 (2) Except as otherwise provided in subsection (3) or (4) of this
2 section, any public or private landowner or others in lawful possession
3 and control of any lands whether rural or urban, or water areas or
4 channels and lands adjacent to such areas or channels, who offer or
5 allow such land to be used for purposes of a fish or wildlife
6 cooperative project, or allow access to such land for cleanup of litter
7 or other solid waste, shall not be liable for unintentional injuries to
8 any volunteer group or to any other users.

9 (3) Any public or private landowner, or others in lawful possession
10 and control of the land, may charge an administrative fee of up to
11 twenty-five dollars for the cutting, gathering, and removing of
12 firewood from the land.

13 (4) Nothing in this section shall prevent the liability of a
14 landowner or others in lawful possession and control for injuries
15 sustained to users by reason of a known dangerous artificial latent
16 condition for which warning signs have not been conspicuously posted.
17 A fixed anchor used in rock climbing and put in place by someone other
18 than a landowner is not a known dangerous artificial latent condition
19 and a landowner under subsection (1) of this section shall not be
20 liable for unintentional injuries resulting from the condition or use
21 of such an anchor. Nothing in RCW 4.24.200 and this section limits or
22 expands in any way the doctrine of attractive nuisance. Usage by
23 members of the public, volunteer groups, or other users is permissive
24 and does not support any claim of adverse possession.

25 (5) For purposes of this section, the following are not fees:

26 (a) A license or permit issued for statewide use under authority of
27 chapter 79A.05 RCW or Title 77 RCW; and

28 (b) A daily charge not to exceed twenty dollars per person, per
29 day, for access to a publicly owned ORV sports park, as defined in RCW
30 (~~(46.09.020)~~) 46.09.310, or other public facility accessed by a
31 highway, street, or nonhighway road for the purposes of off-road
32 vehicle use.

33 **Sec. 3.** RCW 7.68.035 and 2009 c 479 s 8 are each amended to read
34 as follows:

35 (1)(a) When any person is found guilty in any superior court of
36 having committed a crime, except as provided in subsection (2) of this
37 section, there shall be imposed by the court upon such convicted person

1 a penalty assessment. The assessment shall be in addition to any other
2 penalty or fine imposed by law and shall be five hundred dollars for
3 each case or cause of action that includes one or more convictions of
4 a felony or gross misdemeanor and two hundred fifty dollars for any
5 case or cause of action that includes convictions of only one or more
6 misdemeanors.

7 (b) When any juvenile is adjudicated of any offense in any juvenile
8 offense disposition under Title 13 RCW, except as provided in
9 subsection (2) of this section, there shall be imposed upon the
10 juvenile offender a penalty assessment. The assessment shall be in
11 addition to any other penalty or fine imposed by law and shall be one
12 hundred dollars for each case or cause of action that includes one or
13 more adjudications for a felony or gross misdemeanor and seventy-five
14 dollars for each case or cause of action that includes adjudications of
15 only one or more misdemeanors.

16 (2) The assessment imposed by subsection (1) of this section shall
17 not apply to motor vehicle crimes defined in Title 46 RCW except those
18 defined in the following sections: RCW 46.61.520, 46.61.522,
19 46.61.024, 46.52.090, 46.70.140, 46.61.502, 46.61.504, 46.52.101,
20 46.20.410, 46.52.020, (~~46.10.130, 46.09.130,~~) 46.10.495, 46.09.480,
21 46.61.5249, 46.61.525, 46.61.685, 46.61.530, 46.61.500, 46.61.015,
22 46.52.010, 46.44.180, (~~46.10.090(2)~~) 46.10.490(2), and
23 (~~46.09.120(2)~~) 46.09.470(2).

24 (3) When any person accused of having committed a crime posts bail
25 in superior court pursuant to the provisions of chapter 10.19 RCW and
26 such bail is forfeited, there shall be deducted from the proceeds of
27 such forfeited bail a penalty assessment, in addition to any other
28 penalty or fine imposed by law, equal to the assessment which would be
29 applicable under subsection (1) of this section if the person had been
30 convicted of the crime.

31 (4) Such penalty assessments shall be paid by the clerk of the
32 superior court to the county treasurer who shall monthly transmit the
33 money as provided in RCW 10.82.070. Each county shall deposit fifty
34 percent of the money it receives per case or cause of action under
35 subsection (1) of this section and retains under RCW 10.82.070, not
36 less than one and seventy-five one-hundredths percent of the remaining
37 money it retains under RCW 10.82.070 and the money it retains under
38 chapter 3.62 RCW, and all money it receives under subsection (7) of

1 this section into a fund maintained exclusively for the support of
2 comprehensive programs to encourage and facilitate testimony by the
3 victims of crimes and witnesses to crimes. A program shall be
4 considered "comprehensive" only after approval of the department upon
5 application by the county prosecuting attorney. The department shall
6 approve as comprehensive only programs which:

7 (a) Provide comprehensive services to victims and witnesses of all
8 types of crime with particular emphasis on serious crimes against
9 persons and property. It is the intent of the legislature to make
10 funds available only to programs which do not restrict services to
11 victims or witnesses of a particular type or types of crime and that
12 such funds supplement, not supplant, existing local funding levels;

13 (b) Are administered by the county prosecuting attorney either
14 directly through the prosecuting attorney's office or by contract
15 between the county and agencies providing services to victims of crime;

16 (c) Make a reasonable effort to inform the known victim or his or
17 her surviving dependents of the existence of this chapter and the
18 procedure for making application for benefits;

19 (d) Assist victims in the restitution and adjudication process; and

20 (e) Assist victims of violent crimes in the preparation and
21 presentation of their claims to the department of labor and industries
22 under this chapter.

23 Before a program in any county west of the Cascade mountains is
24 submitted to the department for approval, it shall be submitted for
25 review and comment to each city within the county with a population of
26 more than one hundred fifty thousand. The department will consider if
27 the county's proposed comprehensive plan meets the needs of crime
28 victims in cases adjudicated in municipal, district or superior courts
29 and of crime victims located within the city and county.

30 (5) Upon submission to the department of a letter of intent to
31 adopt a comprehensive program, the prosecuting attorney shall retain
32 the money deposited by the county under subsection (4) of this section
33 until such time as the county prosecuting attorney has obtained
34 approval of a program from the department. Approval of the
35 comprehensive plan by the department must be obtained within one year
36 of the date of the letter of intent to adopt a comprehensive program.
37 The county prosecuting attorney shall not make any expenditures from
38 the money deposited under subsection (4) of this section until approval

1 of a comprehensive plan by the department. If a county prosecuting
2 attorney has failed to obtain approval of a program from the department
3 under subsection (4) of this section or failed to obtain approval of a
4 comprehensive program within one year after submission of a letter of
5 intent under this section, the county treasurer shall monthly transmit
6 one hundred percent of the money deposited by the county under
7 subsection (4) of this section to the state treasurer for deposit in
8 the state general fund.

9 (6) County prosecuting attorneys are responsible to make every
10 reasonable effort to insure that the penalty assessments of this
11 chapter are imposed and collected.

12 (7) Every city and town shall transmit monthly one and seventy-five
13 one-hundredths percent of all money, other than money received for
14 parking infractions, retained under RCW 3.50.100 and 35.20.220 to the
15 county treasurer for deposit as provided in subsection (4) of this
16 section.

17 **Sec. 4.** RCW 18.27.100 and 2008 c 120 s 2 are each amended to read
18 as follows:

19 (1) Except as provided in RCW 18.27.065 for partnerships and joint
20 ventures, no person who has registered under one name as provided in
21 this chapter shall engage in the business, or act in the capacity, of
22 a contractor under any other name unless such name also is registered
23 under this chapter.

24 (2) All advertising and all contracts, correspondence, cards,
25 signs, posters, papers, and documents which show a contractor's name or
26 address shall show the contractor's name or address as registered under
27 this chapter.

28 (3)(a) All advertising that shows the contractor's name or address
29 shall show the contractor's current registration number. The
30 registration number may be omitted in an alphabetized listing of
31 registered contractors stating only the name, address, and telephone
32 number: PROVIDED, That signs on motor vehicles subject to RCW
33 (~~(46.16.010)~~) 46.16A.030 and on-premise signs shall not constitute
34 advertising as provided in this section. All materials used to
35 directly solicit business from retail customers who are not businesses
36 shall show the contractor's current registration number. A contractor
37 shall not use a false or expired registration number in purchasing or

1 offering to purchase an advertisement for which a contractor
2 registration number is required. Advertising by airwave transmission
3 shall not be subject to this subsection (3)(a).

4 (b) The director may issue a subpoena to any person or entity
5 selling any advertising subject to this section for the name, address,
6 and telephone number provided to the seller of the advertising by the
7 purchaser of the advertising. The subpoena must have enclosed a
8 stamped, self-addressed envelope and blank form to be filled out by the
9 seller of the advertising. If the seller of the advertising has the
10 information on file, the seller shall, within a reasonable time, return
11 the completed form to the department. The subpoena must be issued no
12 more than two days after the expiration of the issue or publication
13 containing the advertising or after the broadcast of the advertising.
14 The good-faith compliance by a seller of advertising with a written
15 request of the department for information concerning the purchaser of
16 advertising shall constitute a complete defense to any civil or
17 criminal action brought against the seller of advertising arising from
18 such compliance. Advertising by airwave or electronic transmission is
19 subject to this subsection (3)(b).

20 (4) No contractor shall advertise that he or she is bonded and
21 insured because of the bond required to be filed and sufficiency of
22 insurance as provided in this chapter.

23 (5) A contractor shall not falsify a registration number and use
24 it, or use an expired registration number, in connection with any
25 solicitation or identification as a contractor. All individual
26 contractors and all partners, associates, agents, salesmen, solicitors,
27 officers, and employees of contractors shall use their true names and
28 addresses at all times while engaged in the business or capacity of a
29 contractor or activities related thereto.

30 (6) Any advertising by a person, firm, or corporation soliciting
31 work as a contractor when that person, firm, or corporation is not
32 registered pursuant to this chapter is a violation of this chapter.

33 (7) An applicant or registrant who falsifies information on an
34 application for registration commits a violation under this section.

35 (8)(a) The finding of a violation of this section by the director
36 at a hearing held in accordance with the Administrative Procedure Act,
37 chapter 34.05 RCW, shall subject the person committing the violation to

1 a penalty of not more than ten thousand dollars as determined by the
2 director.

3 (b) Penalties under this section shall not apply to a violation
4 determined to be an inadvertent error.

5 **Sec. 5.** RCW 19.116.020 and 1990 c 44 s 3 are each amended to read
6 as follows:

7 The definitions set forth in this section apply throughout this
8 chapter, unless the context requires otherwise:

9 (1) "Debtor" has the meaning set forth in RCW (~~(62A.9-105(1)(d))~~)
10 62A.9A-102.

11 (2) "Motor vehicle" means a vehicle required to be registered under
12 chapter (~~(46.16)~~) 46.16A RCW.

13 (3) "Person" means an individual, company, firm, association,
14 partnership, trust, corporation, or other legal entity.

15 (4) "Security agreement" has the meaning set forth in RCW (~~(62A.9-~~
16 ~~105(1)(1))~~) 62A.9A-102.

17 (5) "Security interest" has the meaning set forth in RCW 62A.1-
18 201(37).

19 (6) "Secured party" has the meaning set forth in RCW (~~(62A.9-~~
20 ~~105(1)(m))~~) 62A.9A-102.

21 **Sec. 6.** RCW 19.118.170 and 1995 c 254 s 9 are each amended to read
22 as follows:

23 Notwithstanding RCW (~~(46.12.380)~~) 46.12.635, the department of
24 licensing shall make available to the registered owner all title
25 history information regarding the vehicle upon request of the
26 registered owner and receipt of a statement that he or she is
27 investigating or pursuing rights under this chapter.

28 **Sec. 7.** RCW 43.21A.667 and 2009 c 564 s 933 are each amended to
29 read as follows:

30 (1) The freshwater aquatic algae control account is created in the
31 state treasury. Moneys directed to the account from RCW (~~(88.02.050)~~)
32 88.02.640 must be deposited in the account. Expenditures from the
33 account may only be used as provided in this section. Moneys in the
34 account may be spent only after appropriation.

1 (2) Funds in the freshwater aquatic algae control account may be
2 appropriated to the department to develop a freshwater aquatic algae
3 control program. Funds must be expended as follows:

4 (a) As grants to cities, counties, tribes, special purpose
5 districts, and state agencies to manage excessive freshwater algae,
6 with priority for the treatment of lakes in which harmful algal blooms
7 have occurred within the past three years; and during the 2009-2011
8 fiscal biennium to provide grants for sea lettuce research and removal
9 to assist Puget Sound communities that are impacted by hyperblooms of
10 sea lettuce; and

11 (b) To provide technical assistance to applicants and the public
12 about aquatic algae control.

13 (3) The department shall submit a biennial report to the
14 appropriate legislative committees describing the actions taken to
15 implement this section along with suggestions on how to better fulfill
16 the intent of chapter 464, Laws of 2005. The first report is due
17 December 1, 2007.

18 **Sec. 8.** RCW 43.43.400 and 2007 c 350 s 1 are each amended to read
19 as follows:

20 (1) The definitions in this subsection apply throughout this
21 section unless the context clearly requires otherwise:

22 (a) "Aquatic invasive species" means any invasive, prohibited,
23 regulated, unregulated, or unlisted aquatic animal or plant species as
24 defined under RCW 77.08.010 (~~((49) through (54))~~) (28), (40), (44),
25 (58), and (59), aquatic noxious weeds as defined under RCW
26 17.26.020(5)(c), and aquatic nuisance species as defined under RCW
27 77.60.130(1).

28 (b) "Recreational and commercial watercraft" includes the boat, as
29 well as equipment used to transport the boat, and any auxiliary
30 equipment such as attached or detached outboard motors.

31 (2) The aquatic invasive species enforcement account is created in
32 the state treasury. Moneys directed to the account from RCW
33 (~~((88.02.050))~~) 88.02.640 must be deposited in the account. Expenditures
34 from the account may only be used as provided in this section. Moneys
35 in the account may be spent only after appropriation.

36 (3) Funds in the aquatic invasive species enforcement account may
37 be appropriated to the Washington state patrol and the department of

1 fish and wildlife to develop an aquatic invasive species enforcement
2 program for recreational and commercial watercraft, which includes
3 equipment used to transport the watercraft and auxiliary equipment such
4 as attached or detached outboard motors. Funds must be expended as
5 follows:

6 (a) By the Washington state patrol, to inspect recreational and
7 commercial watercraft that are required to stop at port of entry weigh
8 stations managed by the Washington state patrol. The watercraft must
9 be inspected for the presence of aquatic invasive species; and

10 (b) By the department of fish and wildlife to:

11 (i) Establish random check stations, to inspect recreational and
12 commercial watercraft as provided for in RCW 77.12.879(3);

13 (ii) Inspect or delegate inspection of recreational and commercial
14 watercraft. If the department conducts the inspection, there will be
15 no cost to the person requesting the inspection;

16 (iii) Provide training to all department employees that are
17 deployed in the field to inspect recreational and commercial
18 watercraft; and

19 (iv) Provide an inspection receipt verifying that the watercraft is
20 not contaminated after the watercraft has been inspected at a check
21 station or has been inspected at the request of the owner of the
22 recreational or commercial watercraft. The inspection receipt is valid
23 until the watercraft is used again.

24 (4) The Washington state patrol and the department of fish and
25 wildlife shall submit a biennial report to the appropriate legislative
26 committees describing the actions taken to implement this section along
27 with suggestions on how to better fulfill the intent of chapter 464,
28 Laws of 2005. The first report is due December 1, 2007.

29 **Sec. 9.** RCW 43.121.100 and 2005 c 53 s 4 are each amended to read
30 as follows:

31 The council may accept contributions, grants, or gifts in cash or
32 otherwise, including funds generated by the sale of "heirloom" birth
33 certificates under chapter 70.58 RCW from persons, associations, or
34 corporations and funds generated through the issuance of the "Keep Kids
35 Safe" license plate under chapter (~~46.16~~) 46.18 RCW. All moneys
36 received by the council or any employee thereof from contributions,
37 grants, or gifts and not through appropriation by the legislature shall

1 be deposited in a depository approved by the state treasurer to be
2 known as the children's trust fund. Disbursements of such funds shall
3 be on the authorization of the council or a duly authorized
4 representative thereof and only for the purposes stated in RCW
5 43.121.050. In order to maintain an effective expenditure and revenue
6 control, such funds shall be subject in all respects to chapter 43.88
7 RCW, but no appropriation shall be required to permit expenditure of
8 such funds.

9 **Sec. 10.** RCW 46.01.040 and 2010 c 161 s 1108 are each amended to
10 read as follows:

11 The department is vested with all powers, functions, and duties
12 with respect to and including the following:

13 (1) The motor vehicle fuel excise tax as provided in chapter 82.36
14 RCW;

15 (2) The special fuel tax as provided in chapter 82.38 RCW;

16 (3) The motor vehicle excise tax as provided in chapter 82.44 RCW;

17 (4) The travel trailers and campers excise tax as provided in
18 chapter 82.50 RCW;

19 (5) All general powers and duties relating to motor vehicles as
20 provided in chapter 46.08 RCW;

21 (6) Certificates of title and registration certificates as provided
22 in chapters 46.12 and (~~46.16~~) 46.16A RCW;

23 (7) The registration of motor vehicles as provided in chapter
24 (~~46.16~~) 46.16A RCW;

25 (8) Dealers' licenses as provided in chapter 46.70 RCW;

26 (9) The licensing of motor vehicle transporters as provided in
27 chapter 46.76 RCW;

28 (10) The licensing of vehicle wreckers as provided in chapter 46.80
29 RCW;

30 (11) The administration of the laws relating to reciprocal or
31 proportional registration of motor vehicles as provided in chapter
32 46.85 RCW;

33 (12) The licensing of passenger vehicles for hire as provided in
34 chapter 46.72 RCW;

35 (13) Drivers' licenses as provided in chapter 46.20 RCW;

36 (14) Commercial driver training schools as provided in chapter
37 46.82 RCW;

- 1 (15) Financial responsibility as provided in chapter 46.29 RCW;
2 (16) Accident reporting as provided in chapter 46.52 RCW;
3 (17) Disposition of revenues as provided in chapter 46.68 RCW; and
4 (18) The administration of all other laws relating to motor
5 vehicles vested in the director of licenses on June 30, 1965.

6 **Sec. 11.** RCW 46.01.140 and 2010 1st sp.s. c 7 s 139, 2010 c 221 s
7 1, and 2010 c 161 s 204 are each reenacted and amended to read as
8 follows:

9 (1) **County auditor/agent duties.** A county auditor or other agent
10 appointed by the director shall:

11 (a) Enter into a standard contract provided by the director(~~(, as~~
12 ~~developed in consultation with the advice of the title and registration~~
13 ~~advisory committee));~~

14 (b) Provide all services authorized by the director for vehicle
15 certificates of title and vehicle registration applications and
16 issuance under the direction and supervision of the director including,
17 but not limited to:

18 (i) Processing reports of sale;

19 (ii) Processing transitional ownership transactions;

20 (iii) Processing mail-in vehicle registration renewals until
21 directed otherwise by legislative authority;

22 (iv) Issuing registrations and temporary ORV use permits for
23 off-road vehicles as required under chapter 46.09 RCW;

24 (v) Issuing registrations for snowmobiles as required under chapter
25 46.10 RCW; and

26 (vi) Collecting fees and taxes as required.

27 (2) **County auditor/agent assistants and subagents.** A county
28 auditor or other agent appointed by the director may, with approval of
29 the director:

30 (a) Appoint assistants as special deputies to accept applications
31 for vehicle certificates of title and to issue vehicle registrations;
32 and

33 (b) Recommend and request that the director appoint subagencies
34 within the county to accept applications for vehicle certificates of
35 title and vehicle registration application issuance.

36 (3) **Appointing subagents.** A county auditor or other agent

1 appointed by the director who requests a subagency shall, with approval
2 of the director:

3 (a) Use an open competitive process including, but not limited to,
4 a written business proposal and oral interview to determine the
5 qualifications of all interested applicants; and

6 (b) Submit all proposals to the director with a recommendation for
7 appointment of one or more subagents who have applied through the open
8 competitive process. If a qualified successor who is an existing
9 subagent's sibling, spouse, or child, or a subagency employee has
10 applied, the county auditor shall provide the name of the qualified
11 successor and the name of one other applicant who is qualified and was
12 chosen through the open competitive process.

13 (4) **Subagent duties.** A subagent appointed by the director shall:

14 (a) Enter into a standard contract with the county auditor or agent
15 provided by the director(~~(, as developed in consultation with the title
16 and registration advisory committee))~~); and

17 (b) Provide all services authorized by the director for vehicle
18 certificates of title and vehicle registration applications and
19 issuance under the direction and supervision of the county auditor or
20 agent and the director including, but not limited to:

21 (i) Processing reports of sale;

22 (ii) Processing transitional ownership transactions;

23 (iii) Mailing out vehicle registrations and replacement plates to
24 internet payment option customers until directed otherwise by
25 legislative authority;

26 (iv) Issuing registrations and temporary ORV use permits for
27 off-road vehicles as required under chapter 46.09 RCW;

28 (v) Issuing registrations for snowmobiles as required under chapter
29 46.10 RCW; and

30 (vi) Collecting fees and taxes as required.

31 (5) **Subagent successorship.** A subagent appointed by the director
32 who no longer wants his or her appointment may recommend a successor
33 who is the subagent's sibling, spouse, or child, or a subagency
34 employee. The recommended successor must participate in the open
35 competitive process used to select an applicant. In making successor
36 recommendations and appointment determinations, the following
37 provisions apply:

1 (a) If a subagency is held by a partnership or corporate entity,
2 the nomination must be submitted on behalf of, and agreed to by, all
3 partners or corporate officers;

4 (b) A subagent may not receive any direct or indirect compensation
5 or remuneration from any party or entity in recognition of a successor
6 nomination. A subagent may not receive any financial benefit from the
7 transfer or termination of an appointment; and

8 (c) The appointment of a successor is intended to assist in the
9 efficient transfer of appointments to minimize public inconvenience.
10 The appointment of a successor does not create a proprietary or
11 property interest in the appointment.

12 (6) **Standard contracts.** The standard contracts provided by the
13 director in this section may include provisions that the director deems
14 necessary to ensure that readily accessible and acceptable service is
15 provided to the citizens of the state, including the full collection of
16 fees and taxes. The standard contracts must include provisions that:

17 (a) Describe responsibilities and liabilities of each party related
18 to service expectations and levels;

19 (b) Describe the equipment to be supplied by the department and
20 equipment maintenance;

21 (c) Require specific types of insurance or bonds, or both, to
22 protect the state against any loss of collected revenue or loss of
23 equipment;

24 (d) Specify the amount of training that will be provided by each of
25 the parties;

26 (e) Describe allowable costs that may be charged for vehicle
27 registration activities as described in subsection (7) of this section;
28 and

29 (f) Describe causes and procedures for termination of the contract,
30 which may include mediation and binding arbitration.

31 (7) **County auditor/agent cost reimbursement.** A county auditor or
32 other agent appointed by the director who does not cover expenses for
33 services provided by the standard contract may submit to the department
34 a request for cost-coverage moneys. The request must be submitted on
35 a form developed by the department. The department shall develop
36 procedures to standardize and identify allowable costs and to verify
37 whether a request is reasonable. Payment must be made on those
38 requests found to be allowable from the licensing services account.

1 (8) **County auditor/agent revenue disbursement.** County revenues
2 that exceed the cost of providing services described in the standard
3 contract, calculated in accordance with the procedures in subsection
4 (7) of this section, must be expended as determined by the county
5 legislative authority during the process established by law for
6 adoption of county budgets.

7 (9) **Appointment authority.** The director has final appointment
8 authority for county auditors or other agents or subagents.

9 (10) **Rules.** The director may adopt rules to implement this
10 section.

11 **Sec. 12.** RCW 46.04.1945 and 2010 c 217 s 3 are each amended to
12 read as follows:

13 "Golf cart" means a gas-powered or electric-powered four-wheeled
14 vehicle originally designed and manufactured for operation on a golf
15 course for sporting purposes and has a speed attainable in one mile of
16 not more than twenty miles per hour. A golf cart is not a nonhighway
17 vehicle or off-road vehicle as defined in RCW (~~(46.09.020)~~) 46.04.365.

18 **Sec. 13.** RCW 46.04.1951 and 2005 c 85 s 2 are each amended to read
19 as follows:

20 "Gonzaga University alumni association license plates" means
21 license plates issued under RCW (~~(46.16.30916)~~) 46.18.200 that display
22 a symbol or artwork recognizing the efforts of the Gonzaga University
23 alumni association in Washington state.

24 **Sec. 14.** RCW 46.04.249 and 2005 c 53 s 2 are each amended to read
25 as follows:

26 "Keep Kids Safe license plates" means license plates issued under
27 RCW (~~(46.16.30913)~~) 46.18.200 that display artwork recognizing efforts
28 to prevent child abuse and neglect in Washington state.

29 **Sec. 15.** RCW 46.04.265 and 2004 c 221 s 2 are each amended to read
30 as follows:

31 "Law enforcement memorial license plates" means license plates
32 issued under RCW (~~(46.16.30905)~~) 46.18.200 that display a symbol
33 honoring law enforcement officers in Washington killed in the line of
34 duty.

1 **Sec. 16.** RCW 46.04.3815 and 2010 c 161 s 130 are each amended to
2 read as follows:

3 "Parts car" means a motor vehicle that is owned by a collector to
4 furnish parts for restoration or maintenance of a vehicle described in
5 RCW 46.18.220(1) and 46.18.255, thus enabling a collector to preserve,
6 restore, and maintain such a vehicle.

7 **Sec. 17.** RCW 46.04.429 and 2004 c 35 s 2 are each amended to read
8 as follows:

9 "Professional firefighters and paramedics license plates" means
10 license plates issued under RCW ((~~46.16.30901~~)) 46.18.200 that display
11 a symbol denoting professional firefighters and paramedics.

12 **Sec. 18.** RCW 46.04.62260 and 2005 c 220 s 2 are each amended to
13 read as follows:

14 "Ski & Ride Washington license plates" means license plates issued
15 under RCW ((~~46.16.30922~~)) 46.18.200 that display a symbol or artwork
16 recognizing the efforts of the Washington snowsports industry in this
17 state.

18 **Sec. 19.** RCW 46.04.670 and 2010 c 217 s 2 and 2010 c 161 s 155 are
19 each reenacted and amended to read as follows:

20 "Vehicle" includes every device capable of being moved upon a
21 public highway and in, upon, or by which any persons or property is or
22 may be transported or drawn upon a public highway, including bicycles.
23 "Vehicle" does not include power wheelchairs or devices other than
24 bicycles moved by human or animal power or used exclusively upon
25 stationary rails or tracks. Mopeds are not considered vehicles or
26 motor vehicles for the purposes of chapter 46.70 RCW. Bicycles are not
27 considered vehicles for the purposes of chapter 46.12, ((~~46.16~~))
28 46.16A, or 46.70 RCW or RCW 82.12.045. Electric personal assistive
29 mobility devices are not considered vehicles or motor vehicles for the
30 purposes of chapter 46.12, ((~~46.16~~)) 46.16A, 46.29, 46.37, or 46.70
31 RCW. A golf cart is not considered a vehicle, except for the purposes
32 of chapter 46.61 RCW.

33 **Sec. 20.** RCW 46.04.671 and 2010 c 161 s 156 are each amended to
34 read as follows:

1 "Vehicle license fee" means a fee collected by the state of
2 Washington as a license fee, as that term is construed in Article II,
3 section 40 of the state Constitution, for the act of registering a
4 vehicle under chapter (~~46.16~~) 46.16A RCW. "Vehicle license fee" does
5 not include license plate fees, or taxes and fees collected by the
6 department for other jurisdictions.

7 **Sec. 21.** RCW 46.04.691 and 2005 c 48 s 2 are each amended to read
8 as follows:

9 "Washington Lighthouses license plates" means license plates issued
10 under RCW (~~46.16.30911~~) 46.18.200 that display a symbol or artwork
11 recognizing the efforts of lighthouse environmental programs in
12 Washington state.

13 **Sec. 22.** RCW 46.04.692 and 2005 c 177 s 2 are each amended to read
14 as follows:

15 "Washington's National Park Fund license plates" means license
16 plates issued under RCW (~~46.16.30918~~) 46.18.200 that display a symbol
17 or artwork recognizing the efforts of Washington's National Park Fund
18 in preserving Washington's national parks for future generations in
19 Washington state.

20 **Sec. 23.** RCW 46.04.705 and 2005 c 71 s 2 are each amended to read
21 as follows:

22 "We love our pets license plates" means license plates issued under
23 RCW (~~46.16.30914~~) 46.18.200 that display a symbol or artwork
24 recognizing the efforts of the Washington state federation of animal
25 care and control agencies in Washington state that assists local member
26 agencies of the federation to promote and perform spay/neuter surgery
27 of Washington state pets, in order to reduce pet overpopulation.

28 **Sec. 24.** RCW 46.09.320 and 2010 c 161 s 214 are each amended to
29 read as follows:

30 The department shall issue a certificate of title to the owner of
31 an off-road vehicle. The owner shall pay the fee established under RCW
32 46.17.100. Issuance of the certificate of title does not qualify the
33 vehicle for registration under chapter (~~46.16~~) 46.16A RCW.

1 (1) Except as otherwise provided in this section, it is lawful to
2 operate an off-road vehicle upon:

3 (a) A nonhighway road and in parking areas serving designated off-
4 road vehicle areas if the state, federal, local, or private authority
5 responsible for the management of the nonhighway road authorizes the
6 use of off-road vehicles; and

7 (b) A street, road, or highway as authorized under RCW 46.09.360.

8 (2) Operations of an off-road vehicle on a nonhighway road, or on
9 a street, road, or highway as authorized under RCW 46.09.360, under
10 this section is exempt from registration requirements of chapter
11 ((46.16)) 46.16A RCW and vehicle lighting and equipment requirements of
12 chapter 46.37 RCW.

13 (3) It is unlawful to operate an off-road vehicle upon a private
14 nonhighway road if the road owner has not authorized the use of off-
15 road vehicles.

16 (4) Nothing in this section authorizes trespass on private
17 property.

18 (5) The provisions of RCW 4.24.210(5) shall apply to public
19 landowners who allow members of the public to use public facilities
20 accessed by a highway, street, or nonhighway road for recreational off-
21 road vehicle use.

22 **Sec. 28.** RCW 46.09.470 and 2006 c 212 s 3 are each amended to read
23 as follows:

24 (1) Except as provided in subsection (4) of this section, it is a
25 traffic infraction for any person to operate any nonhighway vehicle:

26 (a) In such a manner as to endanger the property of another;

27 (b) On lands not owned by the operator or owner of the nonhighway
28 vehicle without a lighted headlight and taillight between the hours of
29 dusk and dawn, or when otherwise required for the safety of others
30 regardless of ownership;

31 (c) On lands not owned by the operator or owner of the nonhighway
32 vehicle without an adequate braking device or when otherwise required
33 for the safety of others regardless of ownership;

34 (d) Without a spark arrester approved by the department of natural
35 resources;

36 (e) Without an adequate, and operating, muffling device which
37 effectively limits vehicle noise to no more than eighty-six decibels on

1 the "A" scale at fifty feet as measured by the Society of Automotive
2 Engineers (SAE) test procedure J 331a, except that a maximum noise
3 level of one hundred and five decibels on the "A" scale at a distance
4 of twenty inches from the exhaust outlet shall be an acceptable
5 substitute in lieu of the Society of Automotive Engineers test
6 procedure J 331a when measured:

7 (i) At a forty-five degree angle at a distance of twenty inches
8 from the exhaust outlet;

9 (ii) With the vehicle stationary and the engine running at a steady
10 speed equal to one-half of the manufacturer's maximum allowable ("red
11 line") engine speed or where the manufacturer's maximum allowable
12 engine speed is not known the test speed in revolutions per minute
13 calculated as sixty percent of the speed at which maximum horsepower is
14 developed; and

15 (iii) With the microphone placed ten inches from the side of the
16 vehicle, one-half way between the lowest part of the vehicle body and
17 the ground plane, and in the same lateral plane as the rearmost exhaust
18 outlet where the outlet of the exhaust pipe is under the vehicle;

19 (f) On lands not owned by the operator or owner of the nonhighway
20 vehicle upon the shoulder or inside bank or slope of any nonhighway
21 road or highway, or upon the median of any divided highway;

22 (g) On lands not owned by the operator or owner of the nonhighway
23 vehicle in any area or in such a manner so as to unreasonably expose
24 the underlying soil, or to create an erosion condition, or to injure,
25 damage, or destroy trees, growing crops, or other vegetation;

26 (h) On lands not owned by the operator or owner of the nonhighway
27 vehicle or on any nonhighway road or trail, when these are restricted
28 to pedestrian or animal travel;

29 (i) On any public lands in violation of rules and regulations of
30 the agency administering such lands; and

31 (j) On a private nonhighway road in violation of RCW
32 (~~(46.09.115(3))~~) 46.09.450(3).

33 (2) It is a misdemeanor for any person to operate any nonhighway
34 vehicle while under the influence of intoxicating liquor or a
35 controlled substance.

36 (3)(a) Except for an off-road vehicle equipped with seat belts and
37 roll bars or an enclosed passenger compartment, it is a traffic
38 infraction for any person to operate or ride an off-road vehicle on a

1 nonhighway road without wearing upon his or her head a motorcycle
2 helmet fastened securely while in motion. For purposes of this
3 section, "motorcycle helmet" has the same meaning as provided in RCW
4 46.37.530.

5 (b) Subsection (3)(a) of this section does not apply to an off-road
6 vehicle operator operating on his or her own land.

7 (c) Subsection (3)(a) of this section does not apply to an off-road
8 vehicle operator operating on agricultural lands owned or leased by the
9 off-road vehicle operator or the operator's employer.

10 (4) It is not a traffic infraction to operate an off-road vehicle
11 on a street, road, or highway as authorized under RCW (~~46.09.180~~)
12 46.09.360.

13 **Sec. 29.** RCW 46.09.490 and 1979 ex.s. c 136 s 42 are each amended
14 to read as follows:

15 (1) Except as provided in RCW (~~46.09.120(2)~~) 46.09.470(2) and
16 (~~46.09.130~~) 46.09.480 as now or hereafter amended, violation of the
17 provisions of this chapter is a traffic infraction for which a penalty
18 of not less than twenty-five dollars may be imposed.

19 (2) In addition to the penalties provided in subsection (1) of this
20 section, the owner and/or the operator of any nonhighway vehicle shall
21 be liable for any damage to property including damage to trees, shrubs,
22 or growing crops injured as the result of travel by the nonhighway
23 vehicle. The owner of such property may recover from the person
24 responsible three times the amount of damage.

25 **Sec. 30.** RCW 46.10.440 and 2010 c 161 s 234 are each amended to
26 read as follows:

27 (1) Snowmobile decals assigned to each snowmobile must be:
28 (a) Permanently affixed to and displayed upon each snowmobile as
29 provided by rules adopted by the department; and
30 (b) Maintained in a legible condition.

31 (2) Dealer (~~number~~) license plates as provided for in RCW
32 46.10.420 may be temporarily affixed.

33 (3) The department shall make available a pair of identical
34 snowmobile decals consistent with subsection (1) of this section. The
35 decals serve the same function as license plates for vehicles
36 registered under chapter (~~46.16~~) 46.16A RCW. The department shall

1 charge each applicant for an original registration the actual cost of
2 the snowmobile decal. The department shall make available replacement
3 snowmobile decals for a fee equivalent to the actual cost of the
4 snowmobile decals.

5 **Sec. 31.** RCW 46.10.470 and 1972 ex.s. c 153 s 23 are each amended
6 to read as follows:

7 Notwithstanding the provisions of RCW (~~46.10.100~~) 46.10.460, it
8 shall be lawful to operate a snowmobile upon a public roadway or
9 highway:

10 Where such roadway or highway is completely covered with snow or
11 ice and has been closed by the responsible governing body to motor
12 vehicle traffic during the winter months; or

13 When the responsible governing body gives notice that such roadway
14 or highway is open to snowmobiles or all-terrain vehicle use; or

15 In an emergency during the period of time when and at locations
16 where snow upon the roadway or highway renders such impassible to
17 travel by automobile; or

18 When traveling along a designated snowmobile trail.

19 **Sec. 32.** RCW 46.10.490 and 1980 c 148 s 1 are each amended to read
20 as follows:

21 (1) It is a traffic infraction for any person to operate any
22 snowmobile:

23 (a) At a rate of speed greater than reasonable and prudent under
24 the existing conditions.

25 (b) In a manner so as to endanger the property of another.

26 (c) Without a lighted headlight and taillight between the hours of
27 dusk and dawn, or when otherwise required for the safety of others.

28 (d) Without an adequate braking device which may be operated either
29 by hand or foot.

30 (e) Without an adequate and operating muffling device which shall
31 effectively blend the exhaust and motor noise in such a manner so as to
32 preclude excessive or unusual noise, and, (i) on snowmobiles
33 manufactured on or before January 4, 1973, which shall effectively
34 limit such noise at a level of eighty-six decibels, or below, on the
35 "A" scale at fifty feet, and (ii) on snowmobiles manufactured after
36 January 4, 1973, which shall effectively limit such noise at a level of

1 eighty-two decibels, or below, on the "A" scale at fifty feet, and
2 (iii) on snowmobiles manufactured after January 1, 1975, which shall
3 effectively limit such noise at a level of seventy-eight decibels, or
4 below, as measured on the "A" scale at a distance of fifty feet, under
5 testing procedures as established by the department of ecology; except
6 snowmobiles used in organized racing events in an area designated for
7 that purpose may use a bypass or cutout device. This section shall not
8 affect the power of the department of ecology to adopt noise
9 performance standards for snowmobiles. Noise performance standards
10 adopted or to be adopted by the department of ecology shall be in
11 addition to the standards contained in this section, but the
12 department's standards shall supersede this section to the extent of
13 any inconsistency.

14 (f) Upon the paved portion or upon the shoulder or inside bank or
15 slope of any public roadway or highway, or upon the median of any
16 divided highway, except as provided in RCW (~~(46.10.100)~~) 46.10.460 and
17 (~~(46.10.110)~~) 46.10.470.

18 (g) In any area or in such a manner so as to expose the underlying
19 soil or vegetation, or to injure, damage, or destroy trees or growing
20 crops.

21 (h) Without a current registration decal affixed thereon, if not
22 exempted under RCW (~~(46.10.030)~~) 46.10.410 as now or hereafter amended.

23 (2) It is a misdemeanor for any person to operate any snowmobile so
24 as to endanger the person of another or while under the influence of
25 intoxicating liquor or narcotics or habit-forming drugs.

26 **Sec. 33.** RCW 46.10.500 and 1982 c 17 s 8 are each amended to read
27 as follows:

28 (1) Except as provided in RCW (~~(46.10.090(2), 46.10.055, and~~
29 ~~46.10.130)~~) 46.10.490(2), 46.10.485, and 46.10.495, any violation of
30 the provisions of this chapter is a traffic infraction: PROVIDED, That
31 the penalty for failing to display a valid registration decal under RCW
32 (~~(46.10.090)~~) 46.10.490 as now or hereafter amended shall be a fine of
33 forty dollars and such fine shall be remitted to the general fund of
34 the governmental unit, which personnel issued the citation, for
35 expenditure solely for snowmobile law enforcement.

36 (2) In addition to the penalties provided in RCW (~~(46.10.090)~~)
37 46.10.490 and subsection (1) of this section, the operator and/or the

1 owner of any snowmobile used with the permission of the owner shall be
2 liable for three times the amount of any damage to trees, shrubs,
3 growing crops, or other property injured as the result of travel by
4 such snowmobile over the property involved.

5 **Sec. 34.** RCW 46.10.510 and 1994 c 262 s 3 are each amended to read
6 as follows:

7 From time to time, but at least once each biennium, the director
8 shall request the state treasurer to refund from the motor vehicle fund
9 amounts which have been determined to be a tax on snowmobile fuel, and
10 the treasurer shall refund such amounts determined under RCW
11 (~~(46.10.170)~~) 46.10.530, and place them in the snowmobile account in
12 the general fund.

13 **Sec. 35.** RCW 46.12.550 and 2010 c 161 s 315 are each amended to
14 read as follows:

15 (1) The department may refuse to issue or may cancel a certificate
16 of title at any time if the department determines that an applicant for
17 a certificate of title is not entitled to a certificate of title.
18 Notice of cancellation may be accomplished by sending a notice by
19 first-class mail using the last known address in department records for
20 the registered or legal owner or owners, and completing an affidavit of
21 first-class mail. It is unlawful for any person to remove, drive, or
22 operate the vehicle until a proper certificate of title has been
23 issued. Any person removing, driving, or operating a vehicle after the
24 refusal to issue or cancellation of the certificate of title is guilty
25 of a gross misdemeanor.

26 (2)(a) The suspension of, revocation of, cancellation of, or
27 refusal to issue a certificate of title or vehicle registration
28 provided for in chapters 46.12 and (~~(46.16)~~) 46.16A RCW by the director
29 is conclusive unless the person whose registration or certificate is
30 suspended, revoked, canceled, or refused appeals to the superior court
31 of Thurston county or the person's county of residence.

32 (b) Notice of appeal must be filed within ten days after receipt of
33 the notice of suspension, revocation, cancellation, or refusal. Upon
34 the filing of the notice of appeal, the court shall issue an order to
35 the director to show cause why the registration should not be granted
36 or reinstated and return the order not less than ten days after the

1 date of service of the notice to the director. Service must be in the
2 manner as prescribed for the service of a summons and complaint in
3 other civil actions.

4 (c) Upon the hearing on the order to show cause, the court shall
5 hear evidence concerning matters with reference to the suspension,
6 revocation, cancellation, or refusal of the registration or certificate
7 and enter judgment either affirming or setting aside the suspension,
8 revocation, cancellation, or refusal.

9 **Sec. 36.** RCW 46.12.600 and 2010 c 161 s 306 are each amended to
10 read as follows:

11 (1)(a) The registered owner or legal owner shall:

12 (i) Report the destruction of the vehicle issued a certificate of
13 title or registration certificate to the department within fifteen days
14 of its destruction; and

15 (ii) Submit the certificate of title or affidavit in lieu of title
16 marked "DESTROYED." The registered owner's name, address, and the date
17 of destruction must be clearly shown on the certificate of title or
18 affidavit in lieu of title.

19 (b) It is a gross misdemeanor to fail to notify the department and
20 be in possession of a certificate of title of a destroyed vehicle on
21 the sixteenth day after the vehicle is destroyed and each day
22 thereafter.

23 (2) The insurance company or self-insurer shall report the
24 destruction or total loss of vehicles issued a certificate of title or
25 registration certificate to the department within fifteen days after
26 the settlement claim. The report must be submitted regardless of where
27 or in what jurisdiction the total loss occurred. An insurer shall
28 report total loss vehicles to the department in any of the following
29 manners:

30 (a) Electronically through the department's online reporting
31 system. An insurer choosing this option must immediately destroy
32 ownership documents after filing the electronic report;

33 (b) Submitting the certificate of title or affidavit in lieu of
34 title marked "DESTROYED." The insurer's name, address, and the date of
35 loss must be clearly shown on the certificate of title or affidavit in
36 lieu of title; or

1 (c) Submitting a properly completed total loss claim settlement
2 form provided by the department.

3 (3) The registered owner, legal owner, or insurer reporting the
4 destruction or total loss of a motor vehicle six years old or older
5 must include a statement on whether the fair market value of the motor
6 vehicle immediately before its destruction was at least equal to the
7 market value threshold. The age of the motor vehicle is determined by
8 subtracting the model year from the current calendar year.

9 (4) (~~Beginning January 1, 2011,~~) The market value threshold is
10 six thousand seven hundred ninety dollars or a greater amount as set by
11 rule of the department. The department shall:

12 (a) Increase the market value threshold amount:

13 (i) When the consumer price index for all urban consumers, compiled
14 by the bureau of labor statistics, United States department of labor,
15 or its successor, for the west region, in the expenditure category
16 "used cars and trucks," shows an annual average increase over the
17 previous year;

18 (ii) By the same percentage increase of the annual average shown in
19 the consumer price index; and

20 (iii) On July 1st of the year immediately following the year with
21 the increase of the annual average;

22 (b) Round each increase of the market value threshold to the
23 nearest ten dollars;

24 (c) Not increase the market value threshold amount if the amount of
25 the increase would be less than fifty dollars; and

26 (d) Carry forward any unmade increases to succeeding years until
27 the cumulative increase is at least fifty dollars.

28 **Sec. 37.** RCW 46.12.630 and 2005 c 340 s 1 are each amended to read
29 as follows:

30 In addition to any other authority which it may have, the
31 department of licensing may furnish lists of registered and legal
32 owners of motor vehicles only for the purposes specified in this
33 section to:

34 (1) The manufacturers of motor vehicles, or their authorized
35 agents, to be used to enable those manufacturers to carry out the
36 provisions of the National Traffic and Motor Vehicle Safety Act of 1966

1 (15 U.S.C. sec. 1382-1418), including amendments or additions thereto,
2 respecting safety-related defects in motor vehicles;

3 (2) Any governmental agency of the United States or Canada, or
4 political subdivisions thereof, to be used by it or by its authorized
5 commercial agents or contractors only in connection with the
6 enforcement of motor vehicle or traffic laws by, or programs related to
7 traffic safety of, that government agency. Only such parts of the list
8 as are required for completion of the work required of the agent or
9 contractor shall be provided to such agent or contractor;

10 (3) A commercial parking company requiring the names and addresses
11 of registered owners to notify them of outstanding parking violations.
12 Subject to the disclosure agreement provisions of RCW ((~~46.12.380~~)
13 46.12.635) and the requirements of Executive Order 97-01, the department
14 may provide only the parts of the list that are required for completion
15 of the work required of the company;

16 (4) An authorized agent or contractor of the department, to be used
17 only in connection with providing motor vehicle excise tax, licensing,
18 title, and registration information to motor vehicle dealers;

19 (5) Any business regularly making loans to other persons to finance
20 the purchase of motor vehicles, to be used to assist the person
21 requesting the list to determine ownership of specific vehicles for the
22 purpose of determining whether or not to provide such financing; or

23 (6) A company or its agents operating a toll facility under chapter
24 47.46 RCW or other applicable authority requiring the names, addresses,
25 and vehicle information of motor vehicle registered owners to identify
26 toll violators.

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

33 If a list of registered and legal owners of motor vehicles is used
34 for any purpose other than that authorized in this section, the
35 manufacturer, governmental agency, commercial parking company,
36 authorized agent, contractor, financial institution, toll facility
37 operator, or their authorized agents or contractors responsible for the

1 unauthorized disclosure or use will be denied further access to such
2 information by the department of licensing.

3 **Sec. 38.** RCW 46.12.700 and 2010 c 161 s 322 are each amended to
4 read as follows:

5 (1) **Titling options.** An owner of a manufactured home shall
6 establish ownership in the manufactured home by either:

7 (a) Applying for a certificate of title as required under this
8 chapter; or

9 (b) Eliminating the certificate of title under chapter 65.20 RCW.

10 (2) **Exemption.** This section does not apply to a manufactured home
11 held for resale by a dealer or manufacturer.

12 (3) **Transferring ownership.** A registered owner of record must sign
13 the certificate of title releasing the owner's interest when
14 transferring ownership of a manufactured home. If the ((mobile))
15 manufactured home was manufactured before June 15, 1976, the registered
16 owner must sign an affidavit on a form approved by the department. The
17 affidavit must state that the purchaser was notified that failure of
18 the ((mobile)) manufactured home to meet federal housing and urban
19 development standards or failure of the ((mobile)) manufactured home to
20 meet a fire and safety inspection by the department of labor and
21 industries may result in denial by a local jurisdiction of a permit to
22 site the ((mobile)) manufactured home.

23 (4) **Evidence of taxes paid.** Before accepting an application for a
24 certificate of title for a manufactured home, the department, county
25 auditor or other agent, or subagent appointed by the director shall
26 require the applicant to provide evidence that any taxes due on the
27 sale of the manufactured home under chapters 82.45 and 84.52 RCW have
28 been paid. Acceptable evidence includes a copy of:

29 (a) The real estate excise tax affidavit that has been stamped by
30 the county treasurer; or

31 (b) A treasurer certificate that is prepared by the treasurer of
32 the county in which a used manufactured home is located and that states
33 that all property taxes due upon the used manufactured home being sold
34 have been satisfied.

35 (5) **County assessor notification.** The department shall notify the
36 county assessor of the county where the manufactured home is located

1 when ownership of a manufactured home is transferred. The notification
2 must include the name and address of the former owner and the new
3 owner.

4 (6) **Title elimination.** The certificate of title for a manufactured
5 home may be eliminated or not issued when the manufactured home is
6 registered under chapter 65.20 RCW. If the certificate of title is
7 eliminated or not issued, the application must be recorded in the
8 county property records of the county where the real property to which
9 the home is affixed is located. All vehicle license fees and taxes
10 applicable to manufactured homes under this chapter are due and must be
11 collected before recording the ownership with the county auditor.

12 (7) **Rules.** The department may adopt rules as necessary to
13 implement this section.

14 **Sec. 39.** RCW 46.12.730 and 2010 c 8 s 9009 are each amended to
15 read as follows:

16 Unless a claim of ownership to the article or articles is
17 established pursuant to RCW ((~~46.12.330~~)) 46.12.735, the law
18 enforcement agency seizing the vehicle, watercraft, camper, or
19 component part thereof may dispose of them by destruction, by selling
20 at public auction to the highest bidder, or by holding the article or
21 articles for the official use of the agency, when:

22 (1) The true identity of the article or articles cannot be
23 established by restoring the original manufacturer's serial number or
24 other distinguishing numbers or identification marks or by any other
25 means;

26 (2) After the true identity of the article or articles has been
27 established, the seizing law enforcement agency cannot locate the
28 person who is the lawful owner or if such lawful owner or his or her
29 successor in interest fails to claim the article or articles within
30 forty-five days after receiving notice from the seizing law enforcement
31 agency that the article or articles is in its possession.

32 No disposition of the article or articles pursuant to this section
33 shall be undertaken until at least sixty days have elapsed from the
34 date of seizure and written notice of the right to a hearing to
35 establish a claim of ownership pursuant to RCW ((~~46.12.330~~)) 46.12.735
36 and of the potential disposition of the article or articles shall have
37 first been served upon the person who held possession or custody of the

1 article when it was impounded and upon any other person who, prior to
2 the final disposition of the article, has notified the seizing law
3 enforcement agency in writing of a claim to ownership or lawful right
4 to possession thereof.

5 **Sec. 40.** RCW 46.12.735 and 1981 c 67 s 27 are each amended to read
6 as follows:

7 (1) Any person may submit a written request for a hearing to
8 establish a claim of ownership or right to lawful possession of the
9 vehicle, watercraft, camper, or component part thereof seized pursuant
10 to this section.

11 (2) Upon receipt of a request for hearing, one shall be held before
12 the chief law enforcement officer of the seizing agency or an
13 administrative law judge appointed under chapter 34.12 RCW.

14 (3) Such hearing shall be held within a reasonable time after
15 receipt of a request therefor. Reasonable investigative activities,
16 including efforts to establish the identity of the article or articles
17 and the identity of the person entitled to the lawful possession or
18 custody of the article or articles shall be considered in determining
19 the reasonableness of the time within which a hearing must be held.

20 (4) The hearing and any appeal therefrom shall be conducted in
21 accordance with Title 34 RCW.

22 (5) The burden of producing evidence shall be upon the person
23 claiming to be the lawful owner or to have the lawful right of
24 possession to the article or articles.

25 (6) Any person claiming ownership or right to possession of an
26 article or articles subject to disposition under RCW (~~(46.12.310)~~)
27 46.12.725 through (~~(46.12.340)~~) 46.12.740 may remove the matter to a
28 court of competent jurisdiction if the aggregate value of the article
29 or articles involved is two hundred dollars or more. In a court
30 hearing between two or more claimants to the article or articles
31 involved, the prevailing party shall be entitled to judgment for costs
32 and reasonable attorney's fees. For purposes of this section the
33 seizing law enforcement agency shall not be considered a claimant.

34 (7) The seizing law enforcement agency shall promptly release the
35 article or articles to the claimant upon a determination by the
36 administrative law judge or court that the claimant is the present
37 lawful owner or is lawfully entitled to possession thereof.

1 **Sec. 41.** RCW 46.12.740 and 1975-'76 2nd ex.s. c 91 s 5 are each
2 amended to read as follows:

3 The seizing law enforcement agency may release the article or
4 articles impounded pursuant to this section to the person claiming
5 ownership without a hearing pursuant to RCW (~~(46.12.330)~~) 46.12.735
6 when such law enforcement agency is satisfied after an appropriate
7 investigation as to the claimant's right to lawful possession. If no
8 hearing is contemplated as provided for in RCW (~~(46.12.330)~~) 46.12.735
9 such release shall be within a reasonable time following seizure.
10 Reasonable investigative activity, including efforts to establish the
11 identity of the article or articles and the identity of the person
12 entitled to lawful possession or custody of the article or articles
13 shall be considered in determining the reasonableness of the time in
14 which release must be made.

15 **Sec. 42.** RCW 46.12.745 and 1979 c 158 s 138 are each amended to
16 read as follows:

17 An identification number shall be assigned to any article impounded
18 pursuant to RCW (~~(46.12.310)~~) 46.12.725 in accordance with the rules
19 promulgated by the department of licensing prior to:

- 20 (1) The release of the article from the custody of the seizing
21 agency; or
22 (2) The use of the article by the seizing agency.

23 **Sec. 43.** RCW 46.16A.030 and 2010 c 270 s 1, 2010 c 217 s 5, and
24 2010 c 161 s 403 are each reenacted and amended to read as follows:

25 (1) Vehicles must be registered as required by this chapter and
26 must display license plates or decals assigned by the department.

27 (2) It is unlawful for a person to operate any vehicle on a public
28 highway of this state without having in full force and effect a current
29 and proper vehicle registration and displaying license plates on the
30 vehicle.

31 (3) Vehicle license plates or registration certificates, whether
32 original issues or duplicates, may not be issued or furnished by the
33 department until the applicant makes satisfactory application for a
34 certificate of title or presents satisfactory evidence that a
35 certificate of title covering the vehicle has been previously issued.

1 (4) Failure to make initial registration before operating a vehicle
2 on the public highways of this state is a traffic infraction. A person
3 committing this infraction (~~shall~~) must pay a (~~penalty~~) fine of
4 five hundred twenty-nine dollars, which may not be suspended, deferred,
5 or reduced. This fine is in addition to any delinquent taxes and fees
6 that must be deposited and distributed in the same manner as if the
7 taxes and fees were properly paid in a timely fashion. The five
8 hundred twenty-nine dollar fine must be deposited into the vehicle
9 licensing fraud account created in the state treasury in RCW 46.68.250.

10 (5) Failure to renew an expired registration before operating a
11 vehicle on the public highways of this state is a traffic infraction.

12 (6) It is a gross misdemeanor for a resident, as identified in RCW
13 46.16A.140, to register a vehicle in another state, evading the payment
14 of any tax or vehicle license fee imposed in connection with
15 registration. It is punishable, in lieu of the fine in subsection (4)
16 of this section, as follows:

17 (a) For a first offense(~~(7)~~):

18 (i) Up to one year in the county jail (~~and~~);

19 (ii) Payment of a fine of five hundred twenty-nine dollars plus
20 (~~twice the amount of delinquent taxes and fees, no part of~~) any
21 applicable assessments, which may not be suspended, deferred, or
22 reduced. The fine of five hundred twenty-nine dollars must be
23 deposited into the vehicle licensing fraud account created in the state
24 treasury in RCW 46.68.250;

25 (iii) A fine of one thousand dollars to be deposited into the
26 vehicle licensing fraud account created in the state treasury in RCW
27 46.68.250, which may not be suspended, deferred, or reduced; and

28 (iv) The delinquent taxes and fees, which must be deposited and
29 distributed in the same manner as if the taxes and fees were properly
30 paid in a timely fashion, and which may not be suspended (~~or~~),
31 deferred, or reduced;

32 (b) For a second or subsequent offense(~~(7)~~):

33 (i) Up to one year in the county jail (~~and~~);

34 (ii) Payment of a fine of five hundred twenty-nine dollars plus
35 (~~four times the amount of delinquent taxes and fees, no part of~~) any
36 applicable assessments, which may not be suspended, deferred, or
37 reduced. The fine of five hundred twenty-nine dollars must be

1 deposited into the vehicle licensing fraud account created in the state
2 treasury in RCW 46.68.250;

3 (iii) A fine of five thousand dollars to be deposited into the
4 vehicle licensing fraud account created in the state treasury in RCW
5 46.68.250, which may not be suspended ((or)), deferred, or reduced;

6 ~~((c) For fines levied under (b) of this subsection, an amount~~
7 ~~equal to the avoided taxes and fees owed will be deposited in the~~
8 ~~vehicle licensing fraud account created in the state treasury;~~

9 ~~(d) The avoided taxes and fees shall be deposited and distributed~~
10 ~~in the same manner as if the taxes and fees were properly paid in a~~
11 ~~timely fashion)) and~~

12 (iv) The amount of delinquent taxes and fees, which must be
13 deposited and distributed in the same manner as if the taxes and fees
14 were properly paid in a timely fashion, and which may not be suspended,
15 deferred, or reduced.

16 (7) A vehicle with an expired registration of more than forty-five
17 days parked on a public street may be impounded by a police officer
18 under RCW 46.55.113(2).

19 **Sec. 44.** RCW 46.16A.070 and 2010 c 161 s 414 are each amended to
20 read as follows:

21 (1) The department may refuse to issue or may cancel a registration
22 certificate at any time when the department determines that an
23 applicant for registration is not entitled to ~~((one))~~ a registration
24 certificate. Notice of cancellation may be accomplished by sending a
25 notice by first-class mail using the last known address in department
26 records for the registered or legal owner or owners, and completing an
27 affidavit of first-class mail. It is unlawful for any person to
28 remove, drive, or operate the vehicle until a proper registration
29 certificate has been issued. A person removing, driving, or operating
30 a vehicle after the refusal to issue or cancellation of the
31 registration is guilty of a gross misdemeanor.

32 (2)(a) The suspension, revocation, cancellation, or refusal by the
33 director of a registration certificate provided under this chapter is
34 conclusive unless the person whose registration or certificate is
35 suspended, revoked, canceled, or refused appeals to the superior court
36 of Thurston county or the person's county of residence.

1 ~~((a))~~ (b) Notice of appeal must be filed within ten days after
2 receipt of the notice of suspension, revocation, cancellation, or
3 refusal. Upon the filing of the notice of appeal, the court shall
4 issue an order to the director to show cause why the registration
5 should not be granted or reinstated and return the order not less than
6 ten days after the date of service to the director. Service must be in
7 the same manner as prescribed for the service of a summons and
8 complaint in other civil actions.

9 ~~((b))~~ (c) Upon the hearing on the order to show cause, the court
10 shall hear evidence concerning matters with reference to the
11 suspension, revocation, cancellation, or refusal of the registration
12 and shall enter judgment either affirming or setting aside the
13 suspension, revocation, cancellation, or refusal.

14 **Sec. 45.** RCW 46.16A.080 and 2010 c 161 s 404 are each amended to
15 read as follows:

16 The following vehicles are not required to be registered under this
17 chapter:

18 (1) Converter gears used to convert a semitrailer into a trailer or
19 a two-axle truck or tractor into a three or more axle truck or tractor
20 or used in any other manner to increase the number of axles of a
21 vehicle;

22 (2) Electric-assisted bicycles;

23 (3)(a) Farm implements, tractors, trailers, and other farm vehicles
24 (i) operated within a radius of fifteen miles of the farm where it is
25 principally used or garaged, including trailers designed as cook or
26 bunk houses, (ii) used exclusively for animal herding, and (iii)
27 temporarily operating or drawn upon the public highways, and (b)
28 trailers used exclusively to transport farm implements from one farm to
29 another during daylight hours or at night when the trailer is equipped
30 with lights that comply with applicable law;

31 (4) Forklifts operated during daylight hours on public highways
32 adjacent to and within five hundred feet of the warehouses they serve;

33 (5) Golf carts, as defined in RCW 46.04.1945, operating within a
34 designated golf cart zone as described in RCW 46.08.175;

35 (6) Motor vehicles operated solely within a national recreation
36 area that is not accessible by a state highway, including motorcycles,

1 motor homes, passenger cars, and sport utility vehicles. This
2 exemption applies only after initial registration;

3 ~~((+6))~~ (7) Motorized foot scooters;

4 ~~((+7))~~ (8) Nurse rigs or equipment auxiliary for the use of and
5 designed or modified for the fueling, repairing, or loading of spray
6 and fertilizer applicator rigs and not used, designed, or modified
7 primarily for the purpose of transportation;

8 ~~((+8))~~ (9) Off-road vehicles operated on a street, road, or
9 highway as authorized under RCW 46.09.360, or nonhighway roads under
10 RCW 46.09.450;

11 ~~((+9))~~ (10) Special highway construction equipment;

12 ~~((+10))~~ (11) Dump trucks and tractor-dump trailer combinations
13 that are:

14 (a) Designed and used primarily for construction work on highways;

15 (b) Not designed or used primarily for the transportation of
16 persons or property on a public highway; and

17 (c) Only incidentally operated or moved over the highways;

18 ~~((+11))~~ (12) Spray or fertilizer applicator rigs designed and used
19 exclusively for spraying or fertilization in the conduct of
20 agricultural operations and not primarily for the purpose of
21 transportation;

22 ~~((+12))~~ (13) Tow dollies;

23 ~~((+13))~~ (14) Trams used for transporting persons to and from
24 facilities related to the horse racing industry as regulated in chapter
25 67.16 RCW, as long as the public right-of-way routes over which the
26 trams operate are not more than one mile from end to end, the public
27 rights-of-way over which the tram operates have average daily traffic
28 of not more than fifteen thousand vehicles per day, and the activity is
29 in conformity with federal law. The operator must be a licensed driver
30 and at least eighteen years old. For the purposes of this section,
31 "tram" also means a vehicle, or combination of vehicles linked together
32 with a single mode of propulsion, used to transport persons from one
33 location to another; and

34 ~~((+14))~~ (15) Vehicles used by the state parks and recreation
35 commission exclusively for park maintenance and operations upon public
36 highways within state parks.

1 **Sec. 46.** RCW 46.16A.200 and 2010 c 161 s 422 are each amended to
2 read as follows:

3 (1) **Design.** All license plates may be obtained by the director
4 from the metal working plant of a state correctional facility or from
5 any source in accordance with existing state of Washington purchasing
6 procedures. License plates:

7 (a) May vary in background, color, and design;

8 (b) Must be legible and clearly identifiable as a Washington state
9 license plate;

10 (c) Must designate the name of the state of Washington without
11 abbreviation;

12 (d) Must be treated with fully reflectorized materials designed to
13 increase visibility and legibility at night;

14 (e) Must be of a size and color and show the registration period as
15 determined by the director; and

16 (f) Before July 1, 2010, may display a symbol or artwork approved
17 by the former special license plate review board and the legislature.
18 Beginning July 1, 2010, special license plate series approved by the
19 department and enacted into law by the legislature may display a symbol
20 or artwork approved by the department.

21 (2) **Exceptions to reflectorized materials.** License plates issued
22 before January 1, 1968, are not required to be treated with
23 reflectorized materials.

24 (3) **Dealer license plates.** License plates issued to a dealer must
25 contain an indication that the license plates have been issued to a
26 vehicle dealer.

27 (4)(a) **Furnished.** The director shall furnish to all persons making
28 satisfactory application for a vehicle registration:

29 (i) Two identical license plates each containing the license plate
30 number; or

31 (ii) One license plate if the vehicle is a trailer, semitrailer,
32 camper, moped, collector vehicle, horseless carriage, or motorcycle.

33 (b) The director may adopt types of license plates to be used as
34 long as the license plates are legible.

35 (5)(a) **Display.** License plates must be:

36 (i) Attached conspicuously at the front and rear of each vehicle if
37 two license plates have been issued;

1 (ii) Attached to the rear of the vehicle if one license plate has
2 been issued;

3 (iii) Kept clean and be able to be plainly seen and read at all
4 times; and

5 (iv) Attached in a horizontal position at a distance of not more
6 than four feet from the ground.

7 (b) The Washington state patrol may grant exceptions to this
8 subsection if the body construction of the vehicle makes compliance
9 with this section impossible.

10 (6) **Change of license classification.** A person who has altered a
11 vehicle that makes the current license plate or plates invalid for the
12 vehicle's use shall:

13 (a) Surrender the current license plate or plates to the
14 department, county auditor or other agent, or subagent appointed by the
15 director;

16 (b) Apply for a new license plate or plates; and

17 (c) Pay a change of classification fee required under RCW
18 46.17.310.

19 (7) **Unlawful acts.** It is unlawful to:

20 (a) Display a license plate or plates on the front or rear of any
21 vehicle that were not issued by the director for the vehicle;

22 (b) Display a license plate or plates on any vehicle that have been
23 changed, altered, or disfigured, or have become illegible;

24 (c) Use holders, frames, or other materials that change, alter, or
25 make a license plate or plates illegible. License plate frames may be
26 used on license plates only if the frames do not obscure license tabs
27 or identifying letters or numbers on the plates and the license plates
28 can be plainly seen and read at all times;

29 (d) Operate a vehicle unless a valid license plate or plates are
30 attached as required under this section;

31 (e) Transfer a license plate or plates issued under this chapter
32 between two or more vehicles without first making application to
33 transfer the license plates. A violation of this subsection (7)(e) is
34 a traffic infraction subject to a fine not to exceed five hundred
35 dollars. Any law enforcement agency that determines that a license
36 plate or plates have been transferred between two or more vehicles
37 shall confiscate the license plate or plates and return them to the
38 department for nullification along with full details of the reasons for

1 confiscation. Each vehicle identified in the transfer will be issued
2 a new license plate or plates upon application by the owner or owners
3 and the payment of full fees and taxes; or

4 (f) Fail, neglect, or refuse to endorse the registration
5 certificate and deliver the license plate or plates to the purchaser or
6 transferee of the vehicle, except as authorized under this section.

7 (8) **Transfer.** (a) Standard issue license plates follow the vehicle
8 when ownership of the vehicle changes unless the registered owner
9 wishes to retain the license plates and transfer them to a replacement
10 vehicle of the same use. A registered owner wishing to keep standard
11 issue license plates shall pay the license plate transfer fee required
12 under RCW 46.17.200(1)(c) when applying for license plate transfer.

13 (b) Special license plates and personalized license plates may be
14 treated in the same manner as described in (a) of this subsection
15 unless otherwise limited by law.

16 (c) License plates issued to the state or any county, city, town,
17 school district, or other political subdivision entitled to exemption
18 as provided by law may be treated in the same manner as described in
19 (a) of this subsection.

20 (9) **Replacement.** (a) An owner or the owner's authorized
21 representative shall apply for a replacement license plate or plates if
22 the current license plate or plates assigned to the vehicle have been
23 lost, defaced, or destroyed, or if one or both plates have become so
24 illegible or are in such a condition as to be difficult to distinguish.
25 An owner or the owner's authorized representative may apply for a
26 replacement license plate or plates at any time the owner chooses.

27 (b) The application for a replacement license plate or plates must:

28 (i) Be on a form furnished or approved by the director; and

29 (ii) Be accompanied by the fee required under RCW 46.17.200(1)(a).

30 (c) The department shall not require the payment of any fee to
31 replace a license plate or plates for vehicles owned, rented, or leased
32 by foreign countries or international bodies to which the United States
33 government is a signatory by treaty.

34 (10)((+a)) **Periodic replacement.** License plates must be replaced
35 periodically to ensure maximum legibility and reflectivity. The
36 department shall:

37 ((+i)) (a) Use empirical studies documenting the longevity of the
38 reflective materials used to make license plates;

1 ~~((+ii+))~~ (b) Determine how frequently license plates must be
2 replaced; and

3 ~~((+iii+))~~ (c) Offer to owners the option of retaining the current
4 license plate number when obtaining replacement license plates for the
5 fee required in RCW 46.17.200(1)(b).

6 ~~((+b) Commercial motor vehicles with a gross weight in excess of
7 twenty six thousand pounds are exempt from periodic license plate
8 replacement.))~~

9 (11) **Periodic replacement--Exceptions.** The following license
10 plates are not required to be periodically replaced as required in
11 subsection (10) of this section:

12 (a) Horseless carriage license plates issued under RCW 46.18.255
13 before January 1, 1987;

14 (b) Congressional Medal of Honor license plates issued under RCW
15 46.18.230;

16 (c) License plates for commercial motor vehicles with a gross
17 weight greater than twenty-six thousand pounds.

18 (12) **Rules.** The department may adopt rules to implement this
19 section.

20 (13) **Tabs or emblems.** The director may issue tabs or emblems to be
21 attached to license plates or elsewhere on the vehicle to signify
22 initial registration and renewals. Renewals become effective when tabs
23 or emblems have been issued and properly displayed on license plates.

24 **Sec. 47.** RCW 46.16A.210 and 1990 c 250 s 8 are each amended to
25 read as follows:

26 ~~((Vehicle))~~ License plate emblems and veteran remembrance emblems
27 ~~((shall))~~ must use fully reflectorized materials designed to provide
28 visibility at night. Emblems ~~((shall))~~ must be designed to be affixed
29 to a ~~((vehicle))~~ license ~~((number))~~ plate by pressure-sensitive
30 adhesive so as not to obscure the plate identification numbers or
31 letters.

32 Emblems ~~((will))~~ must be issued for display on the front and rear
33 license ~~((number))~~ plates. Single emblems ~~((will))~~ must be issued for
34 vehicles authorized to display one license ~~((number))~~ plate.

35 **Sec. 48.** RCW 46.16A.215 and 1994 c 194 s 5 are each amended to
36 read as follows:

1 (1) The director may adopt fees to be charged by the department for
2 emblems issued by the department under RCW (~~(46.16.319)~~) 46.18.295.

3 (2) The fee for each remembrance emblem issued under RCW
4 (~~(46.16.319)~~) 46.18.295 shall be in an amount sufficient to offset the
5 costs of production of remembrance emblems and the administration of
6 that program by the department plus an amount for use by the department
7 of veterans affairs, not to exceed a total fee of twenty-five dollars
8 per emblem.

9 (3) The veterans' emblem account is created in the custody of the
10 state treasurer. All receipts by the department from the issuance of
11 remembrance emblems under RCW (~~(46.16.319)~~) 46.18.295 shall be
12 deposited into this fund. Expenditures from the fund may be used only
13 for the costs of production of remembrance emblems and administration
14 of the program by the department of licensing, with the balance used
15 only by the department of veterans affairs for projects that pay
16 tribute to those living veterans and to those who have died defending
17 freedom in our nation's wars and conflicts and for the upkeep and
18 operations of existing memorials, as well as for planning, acquiring
19 land for, and constructing future memorials. Only the director of
20 licensing, the director of veterans affairs, or their designees may
21 authorize expenditures from the fund. The fund is subject to allotment
22 procedures under chapter 43.88 RCW, but no appropriation is required
23 for expenditures.

24 **Sec. 49.** RCW 46.16A.455 and 2010 c 161 s 419 are each amended to
25 read as follows:

26 (1) **Auto stage, bus, for hire vehicle - more than six seats.** The
27 declared gross weight for an auto stage, bus, or for hire vehicle,
28 except taxicabs, with a seating capacity of more than six is determined
29 by:

30 (a) Multiplying the number of seats, including the driver, times
31 one hundred fifty pounds per seat;

32 (b) Adding the scale weight to the product derived in (a) of this
33 subsection; and

34 (c) Locating the sum derived in (b) of this subsection in the
35 registration fee based on declared gross weight table provided in RCW
36 46.17.355 and rounding up to the next greater weight.

1 (2) **Motor truck, road tractor, truck, truck tractor -sufficient**
2 **declared gross weight required.** The declared gross weight for a motor
3 truck, road tractor, truck, or truck tractor must have a sufficient
4 declared gross weight, as required under chapter 46.44 RCW, to cover:

5 (a) Its empty scale weight plus the maximum load it will carry; and

6 (b) The empty scale weight of any trailer it will tow and the
7 maximum load that the trailer will carry. The declared gross weight of
8 the motor vehicle does not need to include the trailer if:

9 (i) The empty scale weight of the trailer and the maximum load the
10 trailer will carry does not exceed four thousand pounds; or

11 (ii) The trailer is for personal use, such as a horse trailer,
12 travel trailer, or utility trailer.

13 (3) **Motor truck, road tractor, truck, and truck tractor -exceeding**
14 **six thousand pounds empty scale weight.** Every truck, motor truck,
15 truck tractor, and tractor exceeding six thousand pounds empty scale
16 weight registered under this chapter (~~46.16~~) or chapter 46.87 RCW
17 must be licensed for not less than one hundred fifty percent of its
18 empty weight unless:

19 (a) The amount would exceed the legal limits described in RCW
20 46.44.041 or 46.44.042, in which event the vehicle must be licensed for
21 the maximum weight authorized for the vehicle; or

22 (b) The vehicle is a fixed load vehicle.

23 (4) **Increasing declared gross weight.** The following provisions
24 apply when increasing declared gross weight for a motor vehicle
25 licensed under this section:

26 (a) The declared gross weight must be increased to the end of the
27 current registration year when the declared gross weight remains at
28 12,000 pounds or less.

29 (b) For motor vehicles increasing to a declared gross weight of
30 14,000 pounds or more, the declared gross weight must be increased, at
31 a minimum, to the expiration of the current declared gross weight
32 license.

33 (c) The new license fee is one-twelfth of the annual license fee
34 listed in RCW 46.17.355 for each of the number of months remaining in
35 the registration period. The department shall:

36 (i) Apply credit to any gross weight license fees already paid for
37 the full months remaining in the registration period;

1 (ii) Charge the monthly declared gross weight license fee required
2 under RCW 46.17.360, in addition to any other fees or taxes due; and

3 (iii) Not apply credit to monthly declared gross weight license
4 fees already used.

5 (d) (c) of this subsection does not apply to motor vehicles
6 described in (a) of this subsection.

7 (e) Upon surrender of the current registration certificate or cab
8 card, credit must be applied as described in (c) of this subsection.

9 (5) **Monthly license--Authorized.** The annual license fees required
10 in RCW 46.17.355 for any motor vehicle or combination of vehicles
11 having a declared gross weight of twelve thousand one pounds or more
12 may be paid for any full registration month or months at one-twelfth of
13 the annual license fee plus the monthly declared gross weight license
14 fee required in RCW 46.17.360. This sum must be multiplied by the
15 number of full months for which the fees are paid if for less than a
16 full year.

17 (6) **Monthly license--Penalty.** Operation of a vehicle registered
18 under subsection (5) of this section by any person upon the public
19 highways after the expiration of the monthly license is a traffic
20 infraction. The person shall pay a license fee for the vehicle
21 involved covering an entire registration year's operation, less the
22 fees for any registration month or months of the registration year
23 already paid. If, within five days, a license fee for a full
24 registration year has not been paid as required, the Washington state
25 patrol, county sheriff, or city police shall impound the vehicle until
26 the fees have been paid.

27 (7) **Camper, school bus--Exemptions.** (a) The weight of a camper
28 must not be included when determining declared gross weight.

29 (b) Motor vehicles used for the transportation of school children
30 or teachers to and from school and other school activities are exempt
31 from subsection (1) of this section and the seating capacity fee
32 provided in RCW 46.17.340. If the motor vehicle is used for any other
33 purpose, it must be appropriately registered as required under this
34 chapter.

35 (8) **Credit for unused license fee.** A registered owner of a motor
36 vehicle with a declared gross weight of more than twelve thousand
37 pounds may obtain credit for the unused portion of the license fee paid
38 or transfer the credit to a new owner under the following conditions:

1 (a) The motor vehicle must have been recently sold or transferred
2 to another owner, is no longer in the possession of the owner, or is
3 reported destroyed under RCW 46.12.600;

4 (b) The available credit must be fifteen dollars or more;

5 (c) Credit will be given for any unused months of the declared
6 gross weight license already purchased at the rate of one-twelfth for
7 each full or partial month of registration;

8 (d) Credit only applies to license fees due under RCW 46.17.355 for
9 the registration year for which it was purchased;

10 (e) Credit as used in this section may not be refunded.

11 **Sec. 50.** RCW 46.16A.510 and 1986 c 186 s 5 are each amended to
12 read as follows:

13 The director, the state of Washington, and its political
14 subdivisions ((~~shall be~~)) are immune from civil liability arising from
15 the issuance of a vehicle ((~~license~~)) registration or license plates to
16 a nonroadworthy vehicle.

17 **Sec. 51.** RCW 46.16A.530 and 1961 c 12 s 46.16.180 are each amended
18 to read as follows:

19 It ((~~shall be~~)) is unlawful for the owner or operator of any
20 vehicle not ((~~licensed~~)) registered annually for hire or as an auto
21 stage and for which additional seating capacity fee as required by this
22 chapter has not been paid, to carry passengers therein for hire.

23 **Sec. 52.** RCW 46.16A.540 and 1986 c 18 s 13 are each amended to
24 read as follows:

25 It is a traffic infraction for any person to operate, or cause,
26 permit, or suffer to be operated upon a public highway of this state
27 any bus, auto stage, motor truck, truck tractor, or tractor, with
28 passengers, or with a maximum gross weight, in excess of that for which
29 the motor vehicle or combination is ((~~licensed~~)) registered.

30 Any person who operates or causes to be operated upon a public
31 highway of this state any motor truck, truck tractor, or tractor with
32 a maximum gross weight in excess of the maximum gross weight for which
33 the vehicle is ((~~licensed~~)) registered shall be deemed to have set a
34 new maximum gross weight and shall, in addition to any penalties
35 otherwise provided, be required to purchase a new ((~~license~~))

1 registration covering the new maximum gross weight, and any failure to
2 secure such new ((license)) registration is a traffic infraction. No
3 such person may be permitted or required to purchase the new
4 ((license)) registration for a gross weight or combined gross weight
5 which would exceed the maximum gross weight or combined gross weight
6 allowed by law. This section does not apply to for hire vehicles,
7 buses, or auto stages operating principally within cities and towns.

8 **Sec. 53.** RCW 46.16A.545 and 1979 ex.s. c 136 s 48 are each amended
9 to read as follows:

10 Any person violating any of the provisions of RCW ((46.16.140))
11 46.16A.540 shall, upon a first offense, pay a penalty of not less than
12 twenty-five dollars nor more than fifty dollars; upon a second offense
13 pay a penalty of not less than fifty dollars nor more than one hundred
14 dollars, and in addition the court may suspend the registration
15 certificate ((of license registration)) of the vehicle for not more
16 than thirty days; upon a third and subsequent offense pay a penalty of
17 not less than one hundred dollars nor more than two hundred dollars,
18 and in addition the court shall suspend the registration certificate
19 ((of license registration)) of the vehicle for not less than thirty
20 days nor more than ninety days.

21 Upon ordering the suspension of any registration certificate ((of
22 license registration)), the court or judge shall forthwith secure
23 ((such)) the registration certificate and mail it to the director.

24 **Sec. 54.** RCW 46.17.040 and 2010 c 161 s 506 are each amended to
25 read as follows:

26 A subagent appointed by the director shall collect a service fee
27 of:

28 (1) ((Ten)) Twelve dollars for changes in a certificate of title,
29 with or without registration renewal, or for verification of record and
30 preparation of an affidavit of lost title other than at the time of the
31 certificate of title application or transfer; and

32 (2) ((Four)) Five dollars for a registration renewal, issuing a
33 transit permit, or any other service under this section.

34 **Sec. 55.** RCW 46.17.210 and 2010 c 161 s 520 are each amended to
35 read as follows:

1 In addition to all fees and taxes required to be paid upon
 2 application for a vehicle registration under chapter ((46.16)) 46.16A
 3 RCW, the holder of a personalized license plate shall pay an initial
 4 fee of forty-two dollars and thirty-two dollars for each renewal. The
 5 personalized license plate fee must be distributed as provided in RCW
 6 46.68.435.

7 **Sec. 56.** RCW 46.17.220 and 2010 c 161 s 521 are each amended to
 8 read as follows:

9 (1) In addition to all fees and taxes required to be paid upon
 10 application for a vehicle registration in chapter ((46.16)) 46.16A RCW,
 11 the holder of a special license plate shall pay the appropriate special
 12 license plate fee as listed in this section.

13

14 PLATE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
15 (a) Amateur radio license	\$ 5.00	N/A	RCW 46.68.070
16 (b) Armed forces	\$ 40.00	\$ 30.00	RCW 46.68.425
17 (c) Baseball stadium	\$ 40.00	\$ 30.00	Subsection (2) of this
			18 section
19 (d) Collector vehicle	\$ 35.00	N/A	RCW 46.68.030
20 (e) Collegiate	\$ 40.00	\$ 30.00	RCW 46.68.430
21 (f) Endangered wildlife	\$ 40.00	\$ 30.00	RCW 46.68.425
22 (g) Gonzaga University	\$ 40.00	\$ 30.00	RCW 46.68.420
23 <u>alumni association</u>			
24 (h) Helping kids speak	\$ 40.00	\$ 30.00	RCW 46.68.420
25 (i) Horseless carriage	\$ 35.00	N/A	RCW 46.68.030
26 (j) Keep kids safe	\$ 45.00	\$ 30.00	RCW 46.68.425
27 (k) Law enforcement	\$ 40.00	\$ 30.00	RCW 46.68.420
28 memorial			
29 (l) Military affiliate radio	\$ 5.00	N/A	RCW 46.68.070
30 system			
31 (m) Professional firefighters	\$ 40.00	\$ 30.00	RCW 46.68.420
32 and paramedics			
33 (n) Ride share	\$ 25.00	N/A	RCW 46.68.030
34 (o) Share the road	\$ 40.00	\$ 30.00	RCW 46.68.420
35 (p) Ski and ride Washington	\$ 40.00	\$ 30.00	RCW 46.68.420

1	(q) Square dancer	\$40.00	N/A	RCW 46.68.070
2	(r) Washington lighthouses	\$40.00	\$30.00	RCW 46.68.420
3	(s) Washington state parks	\$40.00	\$30.00	RCW 46.68.425
4	(t) Washington's national	\$40.00	\$30.00	RCW 46.68.420
5	parks			
6	(u) Washington's wildlife	\$40.00	\$30.00	RCW 46.68.425
7	collection			
8	(v) We love our pets	\$40.00	\$30.00	RCW 46.68.420
9	(w) Wild on Washington	\$40.00	\$30.00	RCW 46.68.425

10 (2) After deducting administration and collection expenses for the
11 sale of baseball stadium license plates, the remaining proceeds must be
12 distributed to a county for the purpose of paying the principal and
13 interest payments on bonds issued by the county to construct a baseball
14 stadium, as defined in RCW 82.14.0485, including reasonably necessary
15 preconstruction costs, while the taxes are being collected under RCW
16 82.14.360. After this date, the state treasurer shall credit the funds
17 to the state general fund.

18 **Sec. 57.** RCW 46.17.230 and 2010 c 161 s 519 are each amended to
19 read as follows:

20 Before accepting an application for a replacement license tab or
21 windshield emblem, the department, county auditor or other agent, or
22 subagent appointed by the director shall charge a one dollar fee for
23 each pair of tabs or windshield emblem. The license tab or windshield
24 emblem replacement fee must be deposited in the motor vehicle fund
25 created in RCW 46.68.070.

26 **Sec. 58.** RCW 46.17.355 and 2010 c 161 s 530 are each amended to
27 read as follows:

28 (1) In lieu of the vehicle license fee required under RCW 46.17.350
29 and before accepting an application for a vehicle registration for
30 motor vehicles described in RCW 46.16A.455, the department, county
31 auditor or other agent, or subagent appointed by the director shall
32 require the applicant, unless specifically exempt, to pay the following
33 license fee by weight:

	WEIGHT	SCHEDULE A	SCHEDULE B
1			
2	4,000 pounds	\$ 38.00	\$ 38.00
3	6,000 pounds	\$ 48.00	\$ 48.00
4	8,000 pounds	\$ 58.00	\$ 58.00
5	10,000 pounds	\$ 60.00	\$ 60.00
6	12,000 pounds	\$ 77.00	\$ 77.00
7	14,000 pounds	\$ 88.00	\$ 88.00
8	16,000 pounds	\$ 100.00	\$ 100.00
9	18,000 pounds	\$ 152.00	\$ 152.00
10	20,000 pounds	\$ 169.00	\$ 169.00
11	22,000 pounds	\$ 183.00	\$ 183.00
12	24,000 pounds	\$ 198.00	\$ 198.00
13	26,000 pounds	\$ 209.00	\$ 209.00
14	28,000 pounds	\$ 247.00	\$ 247.00
15	30,000 pounds	\$ 285.00	\$ 285.00
16	32,000 pounds	\$ 344.00	\$ 344.00
17	34,000 pounds	\$ 366.00	\$ 366.00
18	36,000 pounds	\$ 397.00	\$ 397.00
19	<u>38,000 pounds</u>	<u>\$436.00</u>	<u>\$436.00</u>
20	40,000 pounds	\$ 499.00	\$ 499.00
21	42,000 pounds	\$ 519.00	\$ 609.00
22	44,000 pounds	\$ 530.00	\$ 620.00
23	46,000 pounds	\$ 570.00	\$ 660.00
24	48,000 pounds	\$ 594.00	\$ 684.00
25	50,000 pounds	\$ 645.00	\$ 735.00
26	52,000 pounds	\$ 678.00	\$ 768.00
27	54,000 pounds	\$ 732.00	\$ 822.00
28	56,000 pounds	\$ 773.00	\$ 863.00
29	58,000 pounds	\$ 804.00	\$ 894.00
30	60,000 pounds	\$ 857.00	\$ 947.00
31	62,000 pounds	\$ 919.00	\$ 1,009.00
32	64,000 pounds	\$ 939.00	\$ 1,029.00
33	66,000 pounds	\$ 1,046.00	\$ 1,136.00
34	68,000 pounds	\$ 1,091.00	\$ 1,181.00
35	70,000 pounds	\$ 1,175.00	\$ 1,265.00

1	72,000 pounds	\$ 1,257.00	\$ 1,347.00
2	74,000 pounds	\$ 1,366.00	\$ 1,456.00
3	76,000 pounds	\$ 1,476.00	\$ 1,566.00
4	78,000 pounds	\$ 1,612.00	\$ 1,702.00
5	80,000 pounds	\$ 1,740.00	\$ 1,830.00
6	82,000 pounds	\$ 1,861.00	\$ 1,951.00
7	84,000 pounds	\$ 1,981.00	\$ 2,071.00
8	86,000 pounds	\$ 2,102.00	\$ 2,192.00
9	88,000 pounds	\$ 2,223.00	\$ 2,313.00
10	90,000 pounds	\$ 2,344.00	\$ 2,434.00
11	92,000 pounds	\$ 2,464.00	\$ 2,554.00
12	94,000 pounds	\$ 2,585.00	\$ 2,675.00
13	96,000 pounds	\$ 2,706.00	\$ 2,796.00
14	98,000 pounds	\$ 2,827.00	\$ 2,917.00
15	100,000 pounds	\$ 2,947.00	\$ 3,037.00
16	102,000 pounds	\$ 3,068.00	\$ 3,158.00
17	104,000 pounds	\$ 3,189.00	\$ 3,279.00
18	105,500 pounds	\$ 3,310.00	\$ 3,400.00

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

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

25 (4) The license fees provided in subsection (1) of this section are
26 in addition to the filing fee required under RCW 46.17.005 and any
27 other fee or tax required by law.

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

30 **Sec. 59.** RCW 46.17.400 and 2010 c 161 s 535 are each amended to
31 read as follows:

32 (1) Before accepting an application for one of the following
33 permits, the department, county auditor or other agent, or subagent
34 appointed by the director shall require the applicant to pay the
35 following permit fee by permit type in addition to any other fee or tax
36 required by law:

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

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

- 15 (a) Dealer temporary permits;
- 16 (b) Special fuel trip permits; and
- 17 (c) Vehicle trip permits.

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

23 ~~((4) A surcharge of five dollars must be collected when issuing a
24 special fuel trip permit or vehicle trip permit as provided in
25 subsection (1) of this section and must be distributed as follows:~~

- 26 ~~(a) Under RCW 46.68.460 for special fuel trip permits; and~~
- 27 ~~(b) Under RCW 46.68.455 for vehicle trip permits.)~~

28 **Sec. 60.** RCW 46.18.010 and 1997 c 291 s 7 are each amended to read
29 as follows:

30 Persons applying to the department for special license plates shall
31 apply on forms obtained from the department and in accordance with RCW
32 ~~((46.16.040))~~ 46.16A.040. The applicant shall provide all information

1 as is required by the department in order to determine the applicant's
2 eligibility for the special license plates.

3 **Sec. 61.** RCW 46.18.020 and 2010 c 161 s 631 are each amended to
4 read as follows:

5 The director shall adopt rules to implement this chapter ((46.18
6 RCW)), including the setting of fees.

7 **Sec. 62.** RCW 46.18.050 and 2010 1st sp.s. c 7 s 93 and 2010 c 161
8 s 603 are each reenacted and amended to read as follows:

9 ~~((1) The board shall meet periodically at the call of the chair,
10 but must meet at least once each year within ninety days before an
11 upcoming regular session of the legislature. The board may adopt its
12 own rules and may establish its own procedures. It shall act
13 collectively in harmony with recorded resolutions or motions adopted by
14 a majority vote of the members, and it must have a quorum present to
15 take a vote on a special license plate application.~~

16 ~~(2) The board will be compensated from the general appropriation
17 for the department in accordance with RCW 43.03.250. Each board member
18 will be compensated in accordance with RCW 43.03.250 and reimbursed for
19 actual necessary traveling and other expenses in going to, attending,
20 and returning from meetings of the board or that are incurred in the
21 discharge of duties requested by the chair. However, a board member
22 may not be compensated in any year for more than one hundred twenty
23 days, except the chair may be compensated for not more than one hundred
24 fifty days. Service on the board does not qualify as a service credit
25 for the purposes of a public retirement system.~~

26 ~~(3) The board shall keep proper records and is subject to audit by
27 the state auditor or other auditing entities.~~

28 ~~(4) The department shall provide administrative support to the
29 board, which must include at least the following:~~

30 ~~(a) Provide general staffing to meet the administrative needs of
31 the board;~~

32 ~~(b) Report to the board on the reimbursement status of any new
33 special license plate series for which the state had to pay the start-
34 up costs;~~

35 ~~(c))~~ The department shall:

1 (1) Process special license plate applications and confirm that the
2 sponsoring organization has submitted all required documentation. If
3 an incomplete application is received, the department must return it to
4 the sponsoring organization; and

5 ~~((d))~~ (2) Compile the annual financial reports submitted by
6 sponsoring organizations with active special license plate series ~~((and~~
7 ~~present those reports to the board for review and approval))~~.

8 **Sec. 63.** RCW 46.18.060 and 2010 1st sp.s. c 7 s 94 and 2010 c 161
9 s 604 are each reenacted and amended to read as follows:

10 ~~(1) ((The creation of the board does not in any way preclude the~~
11 ~~authority of the legislature to independently propose and enact special~~
12 ~~license plate legislation.~~

13 ~~(2))~~ The ~~((board))~~ department must review and either approve or
14 reject special license plate applications submitted by sponsoring
15 organizations.

16 ~~((3))~~ (2) Duties of the ~~((board))~~ department include, but are not
17 limited to, the following:

18 (a) Review and approve the annual financial reports submitted by
19 sponsoring organizations with active special license plate series and
20 present those annual financial reports to the senate and house
21 transportation committees;

22 (b) Report annually to the senate and house of representatives
23 transportation committees on the special license plate applications
24 that were considered by the ~~((board))~~ department;

25 (c) Issue approval and rejection notification letters to sponsoring
26 organizations, the department, the chairs of the senate and house of
27 representatives transportation committees, and the legislative sponsors
28 identified in each application. The letters must be issued within
29 seven days of making a determination on the status of an application;
30 and

31 (d) Review annually the number of plates sold for each special
32 license plate series created after January 1, 2003. The ~~((board))~~
33 department may submit a recommendation to discontinue a special plate
34 series to the chairs of the senate and house of representatives
35 transportation committees ~~((and~~

36 ~~(e) Provide policy guidance and directions to the department~~

1 ~~concerning the adoption of rules necessary to limit the number of~~
2 ~~special license plates for which an organization or a governmental~~
3 ~~entity may apply)).~~

4 ((~~4~~)) (3) Except as provided in RCW 46.18.245, in order to assess
5 the effects and impact of the proliferation of special license plates,
6 the legislature declares a temporary moratorium on the issuance of any
7 additional plates until July 1, 2011. During this period of time,
8 (~~the special license plate review board created in RCW 46.16.705 and~~)
9 the department (~~are~~) is prohibited from accepting, reviewing,
10 processing, or approving any applications. Additionally, a special
11 license plate may not be enacted by the legislature during the
12 moratorium, unless the proposed license plate has been approved by the
13 former special license plate review board before February 15, 2005.

14 **Sec. 64.** RCW 46.18.110 and 2010 1st sp.s. c 7 s 95 and 2010 c 161
15 s 606 are each reenacted and amended to read as follows:

16 (1) A sponsoring organization meeting the requirements of RCW
17 46.18.100, applying for the creation of a special license plate (~~to~~
18 ~~the special license plate review board~~) must, on an application
19 supplied by the department, provide the minimum application
20 requirements in subsection (2) of this section.

21 (2) The sponsoring organization shall:

22 (a) Submit prepayment of all start-up costs associated with the
23 creation and implementation of the special license plate in an amount
24 determined by the department. The department shall place this money
25 into the special license plate applicant trust account created under
26 RCW 46.68.380;

27 (b) Provide a proposed license plate design;

28 (c) Provide a marketing strategy outlining short and long-term
29 marketing plans for each special license plate and a financial analysis
30 outlining the anticipated revenue and the planned expenditures of the
31 revenues derived from the sale of the special license plate;

32 (d) Provide a signature of a legislative sponsor and proposed
33 legislation creating the special license plate;

34 (e) Provide proof of organizational qualifications as determined by
35 the department as provided for in RCW 46.18.100;

36 (f) Provide signature sheets that include signatures from
37 individuals who intend to purchase the special license plate and the

1 number of plates each individual intends to purchase. The sheets must
2 reflect a minimum of three thousand five hundred intended purchases of
3 the special license plate.

4 (3) After an application is approved by the (~~special license plate~~
5 ~~review board~~) department, the application need not be reviewed again
6 (~~by the board~~) for a period of three years.

7 **Sec. 65.** RCW 46.18.130 and 2010 1st sp.s. c 7 s 96 and 2010 c 161
8 s 607 are each reenacted and amended to read as follows:

9 (1) Revenues generated from the sale of special license plates for
10 those sponsoring organizations who used the application process in RCW
11 46.68.110 must be deposited into the motor vehicle fund created in RCW
12 46.68.070 until the department determines that the state's
13 implementation costs have been fully reimbursed.

14 (2) When it is determined that the state has been fully reimbursed
15 the department must notify the house of representatives and senate
16 transportation committees, the sponsoring organization, and the state
17 treasurer, and begin distributing the revenue as otherwise provided by
18 law.

19 (3) If reimbursement does not occur within two years from the date
20 the special license plate is first offered for sale to the public, the
21 special license plate series must be placed in probationary status for
22 a period of one year from that date. If the state is still not fully
23 reimbursed for its implementation costs after the one-year probation,
24 the special license plate series must be discontinued immediately.
25 Special license plates issued before discontinuation are valid until
26 replaced under RCW 46.16A.200(10).

27 (4) (~~The special license plate applicant trust account is created~~
28 ~~in the custody of the state treasurer. All receipts from special~~
29 ~~license plate applicants must be deposited into the account. Only the~~
30 ~~director of the department or the director's designee may authorize~~
31 ~~disbursements from the account. The account is not subject to the~~
32 ~~allotment procedures under chapter 43.88 RCW, nor is an appropriation~~
33 ~~required for disbursements.~~

34 (5)) The department shall:

35 (a) Provide the special license plate applicant with a written
36 receipt for the payment; and

1 (b) Maintain a record of each special license plate applicant trust
2 account deposit including, but not limited to, the name and address of
3 each special license plate applicant whose funds are being deposited,
4 the amount paid, and the date of the deposit.

5 ((+6)) (5) After the department receives written notice that the
6 special license plate applicant's application has been approved by the
7 legislature, the director shall request that the money be transferred
8 to the motor vehicle fund created in RCW 46.68.070.

9 ((+7)) (6) After the department receives written notice that the
10 special license plate applicant's application has been denied by the
11 department or the legislature, the director shall provide a refund to
12 the applicant within thirty days.

13 ((+8)) (7) After the department receives written notice that the
14 special license plate applicant's application has been withdrawn by the
15 special license plate applicant, the director shall provide a refund to
16 the applicant within thirty days.

17 **Sec. 66.** RCW 46.18.200 and 2010 c 161 s 611 are each amended to
18 read as follows:

19 (1) ~~((The legislature recognizes that the special license plate
20 review board established in RCW 46.16.705 reviews and approves
21 applications for special license plate series.~~

22 +2)) Special license plate series reviewed and approved by the
23 ~~((special license plate review board))~~ department:

24 (a) May be issued in lieu of standard issue or personalized license
25 plates for vehicles required to display one and two license plates
26 unless otherwise specified;

27 (b) Must be issued under terms and conditions established by the
28 department;

29 (c) Must not be issued for vehicles registered under chapter 46.87
30 RCW; and

31 (d) Must display a symbol or artwork approved by the ~~((special
32 license plate review board))~~ department.

33 ~~((+3) The special license plate review board approves, and))~~ (2)
34 The department approves and shall issue((+)) the following special
35 license plates:

	LICENSE PLATE	DESCRIPTION, SYMBOL, OR ARTWORK
2	Armed forces collection	Recognizes the contribution of veterans, active duty military personnel, reservists, and members of the national guard, and includes six separate designs, each containing a symbol representing a different branch of the armed forces to include army, navy, air force, marine corps, coast guard, and national guard.
8	Endangered wildlife	Displays a symbol or artwork, approved by the special license plate review board and the legislature.
10	Gonzaga University alumni <u>association</u>	Recognizes the Gonzaga University alumni association.
11	Helping kids speak	Recognizes an organization that supports programs that provide no-cost speech pathology programs to children.
13	Keep kids safe	Recognizes efforts to prevent child abuse and neglect.
14	Law enforcement memorial	Honors law enforcement officers in Washington killed in the line of duty.
16	Professional firefighters and paramedics	Recognizes professional firefighters and paramedics who are members of the Washington state council of firefighters.
19	Share the road	Recognizes an organization that promotes bicycle safety and awareness education.
21	Ski & ride Washington	Recognizes the Washington snowsports industry.
22	Washington lighthouses	Recognizes an organization that supports selected Washington state lighthouses and provides environmental education programs.
25	Washington state parks	Recognizes Washington state parks as premier destinations of uncommon quality that preserve significant natural, cultural, historical, and recreational resources.
28	Washington's national park fund	Builds awareness of Washington's national parks and supports priority park programs and projects in Washington's national parks, such as enhancing visitor experience, promoting volunteerism, engaging communities, and providing educational opportunities related to Washington's national parks.
34	Washington's wildlife collection	Recognizes Washington's wildlife.

1 We love our pets Recognizes an organization that assists local member
2 agencies of the federation of animal welfare and control
3 agencies to promote and perform spay/neuter surgery on
4 Washington state pets to reduce pet overpopulation.
5 Wild on Washington Symbolizes wildlife viewing in Washington state.

6 ((+4)) (3) Applicants for initial and renewal professional
7 firefighters and paramedics special license plates must show proof
8 eligibility by providing a certificate of current membership from the
9 Washington state council of firefighters.

10 **Sec. 67.** RCW 46.18.220 and 2010 c 161 s 617 are each amended to
11 read as follows:

12 (1) A registered owner may apply to the department, county auditor
13 or other agent, or subagent appointed by the director for a collector
14 vehicle license plate for a motor vehicle that is at least thirty years
15 old. The motor vehicle must be operated primarily as a collector
16 vehicle and be in good running order. The applicant for the collector
17 vehicle license plate shall:

18 (a) Purchase a registration for the motor vehicle as required under
19 chapters ((46.16)) 46.16A and 46.17 RCW; and

20 (b) Pay the special license plate fee established under RCW
21 46.17.220(1)(d), in addition to any other fees or taxes required by
22 law.

23 (2) A person applying for a collector vehicle license plate may:

24 (a) Receive a collector vehicle license plate assigned by the
25 department; or

26 (b) Provide a Washington state issued license plate designated for
27 general use in the year of the vehicle's manufacture.

28 (3) Collector vehicle license plates:

29 (a) Are valid for the life of the motor vehicle;

30 (b) Are not required to be renewed; and

31 (c) Must be displayed on the rear of the motor vehicle.

32 (4) A collector vehicle registered under this section may only be
33 used for participation in club activities, exhibitions, tours, parades,
34 and occasional pleasure driving.

35 (5) Collector vehicle license plates may be transferred from one

1 motor vehicle to another motor vehicle described in subsection (1) of
2 this section upon application to the department, county auditor or
3 other agent, or subagent appointed by the director.

4 **Sec. 68.** RCW 46.18.255 and 2010 c 161 s 623 are each amended to
5 read as follows:

6 (1) A registered owner may apply to the department, county auditor
7 or other agent, or subagent appointed by the director for a horseless
8 carriage license plate for a motor vehicle that is at least forty years
9 old. The motor vehicle must be operated primarily as a collector
10 vehicle and be in good running order. The applicant for the horseless
11 carriage license plate shall:

12 (a) Purchase a registration for the motor vehicle as required under
13 chapters (~~(46.16)~~) 46.16A and 46.17 RCW; and

14 (b) Pay the special license plate fee established under RCW
15 46.17.220(1)(i), in addition to any other fees or taxes required by
16 law.

17 (2) Horseless carriage license plates:

18 (a) Are valid for the life of the motor vehicle;

19 (b) Are not required to be renewed;

20 (c) Are not transferrable to any other motor vehicle; and

21 (d) Must be displayed on the rear of the motor vehicle.

22 **Sec. 69.** RCW 46.18.285 and 2010 c 161 s 629 are each amended to
23 read as follows:

24 (~~((1))~~) (1) A registered owner who uses a passenger motor vehicle
25 for commuter ride sharing or ride sharing for persons with special
26 transportation needs, as defined in RCW 46.74.010, shall apply to the
27 (~~(director)~~) department, county auditor or other agent, or subagent
28 appointed by the director for special ride share license plates. The
29 registered owner must qualify for the tax exemptions provided in RCW
30 82.08.0287, 82.12.0282, or 82.44.015, and pay the special ride share
31 license plate fee required under RCW 46.17.220(1)(n) when the special
32 ride share license plates are initially issued.

33 (2) The special ride share license plates:

34 (a) Must be of a distinguishing separate numerical series or design
35 as defined by the department;

1 (b) Must be returned to the department when no longer in use or
2 when the registered owner no longer qualifies for the tax exemptions
3 provided in subsection (1) of this section; and

4 (c) Are not required to be renewed annually for motor vehicles
5 described in RCW 46.16A.170.

6 (3) Special ride share license plates may be transferred from one
7 motor vehicle to another motor vehicle as described in subsection (1)
8 of this section upon application to the department, county auditor or
9 other agent, or subagent appointed by the director.

10 (4) Any person who knowingly makes a false statement of a material
11 fact in the application for a special license plate under subsection
12 (1) of this section is guilty of a gross misdemeanor.

13 **Sec. 70.** RCW 46.18.295 and 1997 c 234 s 1 are each amended to read
14 as follows:

15 (1) Veterans discharged under honorable conditions (veterans) and
16 individuals serving on active duty in the United States armed forces
17 (active duty military personnel) may purchase a veterans remembrance
18 emblem or campaign medal emblem. The emblem is to be displayed on
19 (~~vehicle~~) license plates in the manner described by the department,
20 existing vehicular (~~licensing~~) registration procedures, and current
21 laws.

22 (2) Veterans and active duty military personnel who served during
23 periods of war or armed conflict may purchase a remembrance emblem
24 depicting campaign ribbons which they were awarded.

25 (3) The following campaign ribbon remembrance emblems are
26 available:

- 27 (a) World War I victory medal;
- 28 (b) World War II Asiatic-Pacific campaign medal;
- 29 (c) World War II European-African Middle East campaign medal;
- 30 (d) World War II American campaign medal;
- 31 (e) Korean service medal;
- 32 (f) Vietnam service medal;
- 33 (g) Armed forces expeditionary medal awarded after 1958; and
- 34 (h) Southwest Asia medal.

35 The director may issue additional campaign ribbon emblems by rule
36 as authorized decorations by the United States department of defense.

1 (4) Veterans or active duty military personnel requesting a veteran
2 remembrance emblem or campaign medal emblem or emblems must:

3 (a) Pay a prescribed fee set by the department; and

4 (b) Show proof of eligibility through:

5 (i) Providing a DD-214 or discharge papers if a veteran;

6 (ii) Providing a copy of orders awarding a campaign ribbon if an
7 individual serving on military active duty; or

8 (iii) Attesting in a notarized affidavit of their eligibility as
9 required under this section.

10 (5) Veterans or active duty military personnel who purchase a
11 veteran remembrance emblem or a campaign medal emblem must be the legal
12 or registered owner of the vehicle on which the emblem is to be
13 displayed.

14 **Sec. 71.** RCW 46.19.050 and 2010 c 161 s 706 are each amended to
15 read as follows:

16 (1) **False information.** Knowingly providing false information in
17 conjunction with the application for special parking privileges for
18 persons with disabilities is a gross misdemeanor punishable under
19 chapter 9A.20 RCW.

20 (2) **Unauthorized use.** Any unauthorized use of the special placard,
21 special license, or identification card issued under this chapter is a
22 (~~traffic~~) parking infraction with a monetary penalty of two hundred
23 fifty dollars. In addition to any penalty or fine imposed under this
24 subsection, two hundred dollars must be assessed.

25 (3) **Inaccessible access.** It is a parking infraction, with a
26 monetary penalty of two hundred fifty dollars, for a person to park in,
27 block, or otherwise make inaccessible the access aisle located next to
28 a space reserved for persons with physical disabilities. In addition
29 to any penalty or fine imposed under this subsection, two hundred
30 dollars must be assessed. The clerk of the court shall report all
31 violations related to this subsection to the department.

32 (4) **Parking without placard/plate.** It is a parking infraction,
33 with a monetary penalty of two hundred fifty dollars, for any person to
34 park a vehicle in a parking place provided on private property without
35 charge or on public property reserved for persons with physical
36 disabilities without a placard or special license plate issued under
37 this chapter. In addition to any penalty or fine imposed under this

1 subsection, two hundred dollars must be assessed. If a person is
2 charged with a violation, the person will not be determined to have
3 committed an infraction if the person produces in court or before the
4 court appearance the placard or special license plate issued under this
5 chapter as required under this chapter. A local jurisdiction providing
6 nonmetered, on-street parking places reserved for persons with physical
7 disabilities may impose by ordinance time restrictions of no less than
8 four hours on the use of these parking places.

9 (5) **Time restrictions.** A local jurisdiction may impose by
10 ordinance time restrictions of no less than four hours on the use of
11 nonreserved, on-street parking spaces by vehicles displaying the
12 special parking placards or special license plates issued under this
13 chapter. All time restrictions must be clearly posted.

14 (6) **Allocation and use of funds - reimbursement.** (~~Funds from the~~
15 ~~penalties~~) (a) The assessment imposed under subsections (2), (3), and
16 (4) of this section must be allocated as follows:

17 (i) One hundred dollars must be deposited in the accessible
18 communities account created in RCW 50.40.071; and

19 (ii) One hundred dollars must be deposited in the multimodal
20 transportation account under RCW 47.66.070 for the sole purpose of
21 supplementing a grant program for special needs transportation provided
22 by transit agencies and nonprofit providers of transportation that is
23 administered by the department of transportation.

24 (b) Any reduction in any penalty or fine and assessment imposed
25 under subsections (2), (3), and (4) of this section must be applied
26 proportionally between the penalty or fine and the assessment. When a
27 reduced penalty is imposed under subsection (2), (3), or (4) of this
28 section, the amount deposited in the accounts identified in (a) of this
29 subsection must be reduced equally and proportionally.

30 (c) The penalty or fine amounts must be used by that local
31 jurisdiction exclusively for law enforcement. The court may also
32 impose an additional penalty sufficient to reimburse the local
33 jurisdiction for any costs that it may have incurred in the removal and
34 storage of the improperly parked vehicle.

35 (7) **Illegal obtainment.** Except as provided in subsection (1) of
36 this section, it is a traffic infraction with a monetary penalty of two
37 hundred fifty dollars for any person willfully to obtain a special

1 license plate, placard, or identification card issued under this
2 chapter in a manner other than that established under this chapter.

3 (8) **Volunteer appointment.** A law enforcement agency authorized to
4 enforce parking laws may appoint volunteers, with a limited commission,
5 to issue notices of infractions for violations of RCW 46.19.010 and
6 46.19.030 or 46.61.581. Volunteers must be at least twenty-one years
7 of age. The law enforcement agency appointing volunteers may establish
8 any other qualifications that the agency deems desirable.

9 (a) An agency appointing volunteers under this section must provide
10 training to the volunteers before authorizing them to issue notices of
11 infractions.

12 (b) A notice of infraction issued by a volunteer appointed under
13 this subsection has the same force and effect as a notice of infraction
14 issued by a police officer for the same offense.

15 (c) A police officer or a volunteer may request a person to show
16 the person's identification card or special parking placard when
17 investigating the possibility of a violation of this section. If the
18 request is refused, the person in charge of the vehicle may be issued
19 a notice of infraction for a violation of this section.

20 (9) **Community restitution.** For second or subsequent violations of
21 this section, in addition to a monetary penalty, the violator must
22 complete a minimum of forty hours of:

23 (a) Community restitution for a nonprofit organization that serves
24 persons with disabilities or disabling diseases; or

25 (b) Any other community restitution that may sensitize the violator
26 to the needs and obstacles faced by persons with disabilities.

27 (10) **Fine suspension.** The court may not suspend more than one-half
28 of any fine imposed under subsection (2), (3), (4), or (7) of this
29 section.

30 **Sec. 72.** RCW 46.19.060 and 2010 c 161 s 705 are each amended to
31 read as follows:

32 (1) An additional fee may not be charged for special license plates
33 for persons with disabilities except for any other fees and taxes
34 required to be paid upon registration of a motor vehicle.

35 (2) A registered owner who qualifies for special parking privileges
36 as described in RCW 46.19.010 may apply to the department for special
37 license plates for persons with disabilities or special license plates

1 with a special year tab for persons with disabilities. Special license
2 plates with a special year tab for persons with disabilities are
3 available on the following special license plate designs:

4	PLATE TYPE	ISSUED UNDER
5	Armed forces collection	RCW 46.18.210
6	Baseball stadium	RCW 46.18.215
7	Collegiate	RCW 46.18.225
8	Disabled American veteran	RCW 46.18.235
9	Endangered wildlife	RCW 46.18.200
10	Former prisoner of war	RCW 46.18.235
11	Helping kids speak	RCW 46.18.200
12	Keep kids safe	RCW 46.18.200
13	Law enforcement memorial	RCW 46.18.200
14	Pearl Harbor survivor	RCW 46.18.270
15	Personalized	RCW 46.18.275
16	Professional firefighters and paramedics	RCW 46.18.200
17	Purple Heart	RCW 46.18.280
18	Share the road	RCW 46.18.200
19	Ski & ride Washington	RCW 46.18.200
20	Square dancer	RCW 46.18.290
21	Washington lighthouses	RCW 46.18.200
22	Washington's national park fund	RCW 46.18.200
23	Washington state parks	RCW 46.18.200
24	Washington's wildlife collection	RCW 46.18.200
25	We love our pets	RCW 46.18.200
26	Wild on Washington	RCW 46.18.200

27 (3) A registered owner who chooses to purchase special license
28 plates as described in subsection (2) of this section shall pay the
29 applicable special license plate fee, in addition to any other fees or
30 taxes required for registering a motor vehicle.

31 (4) Special license plates for persons with disabilities or special
32 license plates with a special year tab for persons with disabilities
33 must be renewed in the same manner and at the time required for the
34 renewal of standard motor vehicle license plates under chapter
35 (~~46.16~~) 46.16A RCW.

1 (5) Special license plates for persons with disabilities or special
2 license plates with a special year tab for persons with disabilities
3 may be transferred from one motor vehicle to another motor vehicle
4 owned by the person with the parking privilege upon application to the
5 department, county auditor or other agent, or subagent appointed by the
6 director.

7 (6) Special license plates for persons with disabilities or special
8 license plates with a special year tab for persons with disabilities
9 must be removed from the motor vehicle when the person with
10 disabilities transfers or assigns his or her interest in the motor
11 vehicle.

12 **Sec. 73.** RCW 46.30.020 and 2010 c 161 s 1115 are each amended to
13 read as follows:

14 (1)(a) No person may operate a motor vehicle subject to
15 registration under chapter ((46.16)) 46.16A RCW in this state unless
16 the person is insured under a motor vehicle liability policy with
17 liability limits of at least the amounts provided in RCW 46.29.090, is
18 self-insured as provided in RCW 46.29.630, is covered by a certificate
19 of deposit in conformance with RCW 46.29.550, or is covered by a
20 liability bond of at least the amounts provided in RCW 46.29.090.
21 Written proof of financial responsibility for motor vehicle operation
22 must be provided on the request of a law enforcement officer in the
23 format specified under RCW 46.30.030.

24 (b) A person who drives a motor vehicle that is required to be
25 registered in another state that requires drivers and owners of
26 vehicles in that state to maintain insurance or financial
27 responsibility shall, when requested by a law enforcement officer,
28 provide evidence of financial responsibility or insurance as is
29 required by the laws of the state in which the vehicle is registered.

30 (c) When asked to do so by a law enforcement officer, failure to
31 display an insurance identification card as specified under RCW
32 46.30.030 creates a presumption that the person does not have motor
33 vehicle insurance.

34 (d) Failure to provide proof of motor vehicle insurance is a
35 traffic infraction and is subject to penalties as set by the supreme
36 court under RCW 46.63.110 or community restitution.

1 (2) If a person cited for a violation of subsection (1) of this
2 section appears in person before the court or a violations bureau and
3 provides written evidence that at the time the person was cited, he or
4 she was in compliance with the financial responsibility requirements of
5 subsection (1) of this section, the citation shall be dismissed and the
6 court or violations bureau may assess court administrative costs of
7 twenty-five dollars at the time of dismissal. In lieu of personal
8 appearance, a person cited for a violation of subsection (1) of this
9 section may, before the date scheduled for the person's appearance
10 before the court or violations bureau, submit by mail to the court or
11 violations bureau written evidence that at the time the person was
12 cited, he or she was in compliance with the financial responsibility
13 requirements of subsection (1) of this section, in which case the
14 citation shall be dismissed without cost, except that the court or
15 violations bureau may assess court administrative costs of twenty-five
16 dollars at the time of dismissal.

17 (3) The provisions of this chapter shall not govern:

18 (a) The operation of a motor vehicle registered under RCW
19 46.18.255, governed by RCW 46.16A.170, or registered with the
20 Washington utilities and transportation commission as common or
21 contract carriers; or

22 (b) The operation of a motorcycle as defined in RCW 46.04.330, a
23 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined
24 in RCW 46.04.304.

25 (4) RCW 46.29.490 shall not be deemed to govern all motor vehicle
26 liability policies required by this chapter but only those certified
27 for the purposes stated in chapter 46.29 RCW.

28 **Sec. 74.** RCW 46.32.080 and 2009 c 46 s 1 are each amended to read
29 as follows:

30 (1) The Washington state patrol is responsible for enforcement of
31 safety requirements for commercial motor vehicles including, but not
32 limited to, safety audits and compliance reviews. Those motor carriers
33 that have operations in this state are subject to the patrol's safety
34 audits and compliance review programs. Compliance reviews may result
35 in the initiation of an enforcement action, which may include monetary
36 penalties. The utilities and transportation commission is responsible
37 for adoption and enforcement of safety requirements for vehicles

1 operated by entities holding authority under chapters 81.66, 81.68,
2 81.70, and 81.77 RCW, and by household goods carriers holding authority
3 under chapter 81.80 RCW.

4 (2) Motor vehicles owned and operated by farmers in the
5 transportation of their own farm, orchard, or dairy products, including
6 livestock and plant or animal wastes, from point of production to
7 market or disposal, or supplies or commodities to be used on the farm,
8 orchard, or dairy, must have a department of transportation number, as
9 defined in RCW (~~(46.16.004)~~) 46.16A.010, but are exempt from safety
10 audits and compliance reviews.

11 (3) All records and documents required of motor carriers with
12 operations in this state must be available for review and inspection
13 during normal business hours. Duly authorized agents of the state
14 patrol conducting safety audits and compliance reviews may enter the
15 motor carrier's place of business, or any location where records or
16 equipment are located, at reasonable times and without advanced notice.
17 Motor carriers who do not permit duly authorized agents to enter their
18 place of business, or any location where records or equipment are
19 located, for safety audits and compliance reviews are subject to
20 enforcement action, including a monetary penalty.

21 (4)(a) All motor carriers with a commercial motor vehicle, as
22 defined in RCW (~~(46.16.004)~~) 46.16A.010, that operate in this state
23 must apply for a department of transportation number, as defined in RCW
24 (~~(46.16.004)~~) 46.16A.010, by January 1, 2008. All entities with
25 authority under chapters 81.66, 81.68, 81.70, and 81.77 RCW, and all
26 household goods carriers with authority under chapter 81.80 RCW, must
27 apply for a department of transportation number by January 1, 2010.

28 (b) All motor carriers operating in this state who (i) have not
29 applied under (a) of this subsection for a department of transportation
30 number, as defined in RCW (~~(46.16.004)~~) 46.16A.010, and (ii) have a
31 commercial motor vehicle that has a gross vehicle weight rating of
32 7,258 kilograms (16,001 pounds) or more, must apply for a department of
33 transportation number by January 1, 2011.

34 (c) The state patrol may deny an application if the applicant does
35 not meet the requirements and standards under this chapter. The state
36 patrol shall not issue a department of transportation number to an
37 applicant who at the time of application has been placed out of service
38 by the federal motor carrier safety administration. Commercial motor

1 vehicles must be marked as prescribed by the state patrol. Those
2 applicants with a current United States department of transportation
3 number are exempt from applying for a department of transportation
4 number.

5 (d) The state patrol may (i) place a motor carrier out of service
6 or (ii) refuse to issue or recognize as valid a department of
7 transportation number to an applicant who: (A) Formerly held a
8 department of transportation number that was placed out of service for
9 cause, and where cause has not been removed; (B) is a subterfuge for
10 the real party in interest whose department of transportation number
11 was placed out of service for cause, and where cause has not been
12 removed; (C) as an individual licensee, or officer, director, owner, or
13 managing employee of a nonindividual licensee, had a department of
14 transportation number and was placed out of service for cause, and
15 where cause has not been removed; or (D) has an unsatisfied debt to the
16 state assessed under this chapter.

17 (e) Upon a finding by the chief of the state patrol or the chief's
18 designee that a motor carrier is an imminent hazard or danger to the
19 public health, safety, or welfare, the state patrol shall notify the
20 department, and the department shall revoke the registrations for all
21 commercial motor vehicles that are owned by the motor carrier subject
22 to RCW 46.32.080. In determining whether a motor carrier is an
23 imminent hazard or danger to the public health, safety, or welfare, the
24 chief or the chief's designee shall consider safety factors.

25 **Sec. 75.** RCW 46.32.120 and 2009 c 46 s 7 are each amended to read
26 as follows:

27 This chapter does not apply to vehicles exempted from registration
28 by RCW ((~~46.16.020~~)) 46.16A.170.

29 **Sec. 76.** RCW 46.37.010 and 2010 c 217 s 6 are each amended to read
30 as follows:

31 (1) It is a traffic infraction for any person to drive or move, or
32 for a vehicle owner to cause or knowingly permit to be driven or moved,
33 on any highway any vehicle or combination of vehicles that:

- 34 (a) Is in such unsafe condition as to endanger any person;
35 (b) Is not at all times equipped with such lamps and other

1 equipment in proper working condition and adjustment as required by
2 this chapter or by rules issued by the Washington state patrol;

3 (c) Contains any parts in violation of this chapter or rules issued
4 by the Washington state patrol.

5 (2) It is a traffic infraction for any person to do any act
6 forbidden or fail to perform any act required under this chapter or
7 rules issued by the Washington state patrol.

8 (3) Nothing contained in this chapter or the state patrol's
9 regulations shall be construed to prohibit the use of additional parts
10 and accessories on any vehicle not inconsistent with the provisions of
11 this chapter or the state patrol's regulations.

12 (4) The provisions of the chapter and the state patrol's
13 regulations with respect to equipment on vehicles shall not apply to
14 implements of husbandry, road machinery, road rollers, or farm tractors
15 except as herein made applicable.

16 (5) No owner or operator of a farm tractor, self-propelled unit of
17 farm equipment, or implement of husbandry shall be guilty of a crime or
18 subject to penalty for violation of RCW 46.37.160 as now or hereafter
19 amended unless such violation occurs on a public highway.

20 (6) It is a traffic infraction for any person to sell or offer for
21 sale vehicle equipment which is required to be approved by the state
22 patrol as prescribed in RCW 46.37.005 unless it has been approved by
23 the state patrol.

24 (7) The provisions of this chapter with respect to equipment
25 required on vehicles shall not apply to:

26 (a) Motorcycles or motor-driven cycles except as herein made
27 applicable;

28 (b) Golf carts, as defined in RCW 46.04.1945, operating within a
29 designated golf cart zone as described in RCW 46.08.175, except as
30 provided in RCW 46.08.175(8).

31 (8) This chapter does not apply to off-road vehicles used on
32 nonhighway roads or used on streets, roads, or highways as authorized
33 under RCW (~~46.09.180~~) 46.09.360.

34 (9) This chapter does not apply to vehicles used by the state parks
35 and recreation commission exclusively for park maintenance and
36 operations upon public highways within state parks.

37 (10) Notices of traffic infraction issued to commercial drivers

1 under the provisions of this chapter with respect to equipment required
2 on commercial motor vehicles shall not be considered for driver
3 improvement purposes under chapter 46.20 RCW.

4 (11) Whenever a traffic infraction is chargeable to the owner or
5 lessee of a vehicle under subsection (1) of this section, the driver
6 shall not be arrested or issued a notice of traffic infraction unless
7 the vehicle is registered in a jurisdiction other than Washington
8 state, or unless the infraction is for an offense that is clearly
9 within the responsibility of the driver.

10 (12) Whenever the owner or lessee is issued a notice of traffic
11 infraction under this section the court may, on the request of the
12 owner or lessee, take appropriate steps to make the driver of the
13 vehicle, or any other person who directs the loading, maintenance, or
14 operation of the vehicle, a codefendant. If the codefendant is held
15 solely responsible and is found to have committed the traffic
16 infraction, the court may dismiss the notice against the owner or
17 lessee.

18 **Sec. 77.** RCW 46.61.582 and 2010 c 161 s 1124 are each amended to
19 read as follows:

20 Any person who meets the criteria for special parking privileges
21 under RCW 46.19.010 shall be allowed free of charge to park a vehicle
22 being used to transport that person for unlimited periods of time in
23 parking zones or areas including zones or areas with parking meters
24 which are otherwise restricted as to the length of time parking is
25 permitted. This section does not apply to those zones or areas in
26 which the stopping, parking, or standing of all vehicles is prohibited
27 or which are reserved for special types of vehicles. The person shall
28 obtain and display a special placard or license plate under RCW
29 46.19.010 and 46.19.030 to be eligible for the privileges under this
30 section.

31 **Sec. 78.** RCW 46.61.710 and 2009 c 275 s 9 are each amended to read
32 as follows:

33 (1) No person shall operate a moped upon the highways of this state
34 unless the moped has been assigned a moped registration number and
35 displays a moped permit in accordance with (~~the provisions of RCW~~
36 ~~46.16.630~~) RCW 46.16A.405(2).

1 (2) Notwithstanding any other provision of law, a moped may not be
2 operated on a bicycle path or trail, bikeway, equestrian trail, or
3 hiking or recreational trail.

4 (3) Operation of a moped, electric personal assistive mobility
5 device, motorized foot scooter, or an electric-assisted bicycle on a
6 fully controlled limited access highway is unlawful. Operation of a
7 moped, motorized foot scooter, or an electric-assisted bicycle on a
8 sidewalk is unlawful.

9 (4) Removal of any muffling device or pollution control device from
10 a moped is unlawful.

11 (5) Subsections (1), (2), and (4) of this section do not apply to
12 electric-assisted bicycles. Electric-assisted bicycles and motorized
13 foot scooters may have access to highways, other than limited access
14 highways, of the state to the same extent as bicycles. Subject to
15 subsection (6) of this section, electric-assisted bicycles and
16 motorized foot scooters may be operated on a multipurpose trail or
17 bicycle lane, but local jurisdictions may restrict or otherwise limit
18 the access of electric-assisted bicycles and motorized foot scooters,
19 and state agencies may regulate the use of motorized foot scooters on
20 facilities and properties under their jurisdiction and control.

21 (6) Subsections (1) and (4) of this section do not apply to
22 motorized foot scooters. Subsection (2) of this section applies to
23 motorized foot scooters when the bicycle path, trail, bikeway,
24 equestrian trail, or hiking or recreational trail was built or is
25 maintained with federal highway transportation funds. Additionally,
26 any new trail or bicycle path or readily identifiable existing trail or
27 bicycle path not built or maintained with federal highway
28 transportation funds may be used by persons operating motorized foot
29 scooters only when appropriately signed.

30 (7) A person operating an electric personal assistive mobility
31 device (EPAMD) shall obey all speed limits and shall yield the right-
32 of-way to pedestrians and human-powered devices at all times. An
33 operator must also give an audible signal before overtaking and passing
34 a pedestrian. Except for the limitations of this subsection, persons
35 operating an EPAMD have all the rights and duties of a pedestrian.

36 (8) The use of an EPAMD may be regulated in the following
37 circumstances:

1 (a) A municipality and the department of transportation may
2 prohibit the operation of an EPAMD on public highways within their
3 respective jurisdictions where the speed limit is greater than twenty-
4 five miles per hour;

5 (b) A municipality may restrict the speed of an EPAMD in locations
6 with congested pedestrian or nonmotorized traffic and where there is
7 significant speed differential between pedestrians or nonmotorized
8 traffic and EPAMD operators. The areas in this subsection must be
9 designated by the city engineer or designee of the municipality.
10 Municipalities shall not restrict the speed of an EPAMD in the entire
11 community or in areas in which there is infrequent pedestrian traffic;

12 (c) A state agency or local government may regulate the operation
13 of an EPAMD within the boundaries of any area used for recreation, open
14 space, habitat, trails, or conservation purposes.

15 **Sec. 79.** RCW 46.61.723 and 2010 c 144 s 2 are each amended to read
16 as follows:

17 (1) Except as provided in subsection (3) of this section, a person
18 may operate a medium-speed electric vehicle upon a highway of this
19 state having a speed limit of thirty-five miles per hour or less, or
20 forty-five miles per hour or less as provided in subsection (4) of this
21 section, if:

22 (a) The person does not operate a medium-speed electric vehicle
23 upon state highways that are listed in chapter 47.17 RCW;

24 (b) The person does not operate a medium-speed electric vehicle
25 upon a highway of this state without first having obtained and having
26 in full force and effect a current and proper vehicle license and
27 display vehicle license number plates in compliance with chapter
28 ((46.16)) 46.16A RCW. The department must track medium-speed electric
29 vehicles in a separate registration category for reporting purposes;

30 (c) The person does not operate a medium-speed electric vehicle
31 upon a highway of this state without first obtaining a valid driver's
32 license issued to Washington residents in compliance with chapter 46.20
33 RCW;

34 (d) The person does not operate a medium-speed electric vehicle
35 subject to registration under chapter ((46.16)) 46.16A RCW on a highway
36 of this state unless the person is insured under a motor vehicle
37 liability policy in compliance with chapter 46.30 RCW; and

1 (e) The person operating a medium-speed electric vehicle does not
2 cross a roadway with a speed limit in excess of thirty-five miles per
3 hour, or forty-five miles per hour as provided in subsection (4) of
4 this section, unless the crossing begins and ends on a roadway with a
5 speed limit of thirty-five miles per hour or less, or forty-five miles
6 per hour or less as provided in subsection (4) of this section, and
7 occurs at an intersection of approximately ninety degrees, except that
8 the operator of a medium-speed electric vehicle must not cross an
9 uncontrolled intersection of streets and highways that are part of the
10 state highway system subject to Title 47 RCW unless that intersection
11 has been authorized by local authorities under subsection (3) of this
12 section.

13 (2) Any person who violates this section commits a traffic
14 infraction.

15 (3) This section does not prevent local authorities, with respect
16 to streets and highways under their jurisdiction and within the
17 reasonable exercise of their police power, from regulating the
18 operation of medium-speed electric vehicles on streets and highways
19 under their jurisdiction by resolution or ordinance of the governing
20 body, if the regulation is consistent with this title, except that:

21 (a) Local authorities may not authorize the operation of medium-
22 speed electric vehicles on streets and highways that are part of the
23 state highway system subject to Title 47 RCW;

24 (b) Local authorities may not prohibit the operation of medium-
25 speed electric vehicles upon highways of this state having a speed
26 limit of thirty-five miles per hour or less; and

27 (c) Local authorities may not establish requirements for the
28 registration and licensing of medium-speed electric vehicles.

29 (4) In counties consisting of islands whose only connection to the
30 mainland are ferry routes, a person may operate a medium-speed electric
31 vehicle upon a highway of this state having a speed limit of forty-five
32 miles per hour or less. A person operating a medium-speed electric
33 vehicle as authorized under this subsection must not cross a roadway
34 with a speed limit in excess of forty-five miles per hour, unless the
35 crossing begins and ends on a roadway with a speed limit of forty-five
36 miles per hour or less and occurs at an intersection of approximately
37 ninety degrees, except that the operator of a medium-speed electric
38 vehicle must not cross an uncontrolled intersection of streets and

1 highways that are part of the state highway system subject to Title 47
2 RCW unless that intersection has been authorized by local authorities
3 under subsection (3) of this section.

4 (5) Accidents must be recorded and tracked in compliance with
5 chapter 46.52 RCW. An accident report must indicate and be tracked
6 separately when any of the vehicles involved are a medium-speed
7 electric vehicle.

8 **Sec. 80.** RCW 46.61.725 and 2010 c 144 s 3 are each amended to read
9 as follows:

10 (1) Absent prohibition by local authorities authorized under this
11 section and except as prohibited elsewhere in this section, a person
12 may operate a neighborhood electric vehicle upon a highway of this
13 state having a speed limit of thirty-five miles per hour or less, or
14 forty-five miles per hour or less as provided in subsection (4) of this
15 section, if:

16 (a) The person does not operate a neighborhood electric vehicle
17 upon state highways that are listed in chapter 47.17 RCW;

18 (b) The person does not operate a neighborhood electric vehicle
19 upon a highway of this state without first having obtained and having
20 in full force and effect a current and proper vehicle license and
21 display vehicle license number plates in compliance with chapter
22 ((46.16)) 46.16A RCW. The department must track neighborhood electric
23 vehicles in a separate registration category for reporting purposes;

24 (c) The person does not operate a neighborhood electric vehicle
25 upon a highway of this state without first obtaining a valid driver's
26 license issued to Washington residents in compliance with chapter 46.20
27 RCW;

28 (d) The person does not operate a neighborhood electric vehicle
29 subject to registration under chapter ((46.16)) 46.16A RCW on a highway
30 of this state unless the person is insured under a motor vehicle
31 liability policy in compliance with chapter 46.30 RCW; and

32 (e) The person operating a neighborhood electric vehicle does not
33 cross a roadway with a speed limit in excess of thirty-five miles per
34 hour, or forty-five miles per hour as provided in subsection (4) of
35 this section, unless the crossing begins and ends on a roadway with a
36 speed limit of thirty-five miles per hour or less, or forty-five miles
37 per hour or less as provided in subsection (4) of this section, and

1 occurs at an intersection of approximately ninety degrees, except that
2 the operator of a neighborhood electric vehicle must not cross an
3 uncontrolled intersection of streets and highways that are part of the
4 state highway system subject to Title 47 RCW unless that intersection
5 has been authorized by local authorities provided elsewhere in this
6 section.

7 (2) Any person who violates this section commits a traffic
8 infraction.

9 (3) This section does not prevent local authorities, with respect
10 to streets and highways under their jurisdiction and within the
11 reasonable exercise of their police power, from regulating the
12 operation of neighborhood electric vehicles on streets and highways
13 under their jurisdiction by resolution or ordinance of the governing
14 body, if the regulation is consistent with the provisions of this
15 title, except that:

16 (a) Local authorities may not authorize the operation of
17 neighborhood electric vehicles on streets and highways that are part of
18 the state highway system subject to the provisions of Title 47 RCW;

19 (b) Local authorities may not prohibit the operation of
20 neighborhood electric vehicles upon highways of this state having a
21 speed limit of twenty-five miles per hour or less; and

22 (c) Local authorities are prohibited from establishing any
23 requirements for the registration and licensing of neighborhood
24 electric vehicles.

25 (4) In counties consisting of islands whose only connection to the
26 mainland are ferry routes, a person may operate a neighborhood electric
27 vehicle upon a highway of this state having a speed limit of forty-five
28 miles per hour or less. A person operating a neighborhood electric
29 vehicle as authorized under this subsection must not cross a roadway
30 with a speed limit in excess of forty-five miles per hour, unless the
31 crossing begins and ends on a roadway with a speed limit of forty-five
32 miles per hour or less and occurs at an intersection of approximately
33 ninety degrees, except that the operator of a neighborhood electric
34 vehicle must not cross an uncontrolled intersection of streets and
35 highways that are part of the state highway system subject to Title 47
36 RCW unless that intersection has been authorized by local authorities
37 under subsection (3) of this section.

1 (5) Accidents must be recorded and tracked in compliance with
2 chapter 46.52 RCW. An accident report must indicate and be tracked
3 separately when any of the vehicles involved are a neighborhood
4 electric vehicle.

5 **Sec. 81.** RCW 46.68.020 and 2010 c 161 s 802 are each amended to
6 read as follows:

7 (1) The director shall forward all fees for certificates of title
8 or other moneys accruing under chapters 46.12 and 46.17 RCW to the
9 state treasurer, together with a proper identifying detailed report.
10 The state treasurer shall credit these moneys as follows:

11 FEE	REQUIRED IN	ESTABLISHED IN	DISTRIBUTION
12 ORV (registration) 13 <u>certificate of title fee</u>	RCW 46.09.320	RCW 46.17.100	RCW 47.66.070
14 Original certificate of title	RCW 46.12.530	RCW 46.17.100	RCW 47.66.070
15 Penalty for late transfer	RCW 46.12.650	RCW 46.17.140	RCW 47.66.070
16 Motor change	RCW 46.12.590	RCW 46.17.100	RCW 46.68.280
17 Transfer certificate of title	RCW 46.12.650	RCW 46.17.100	RCW 46.68.280
18 Security interest changes	RCW 46.12.675	RCW 46.17.100	RCW 46.68.280
19 Duplicate certificate of title	RCW 46.12.580	RCW 46.17.100	RCW 46.68.280
20 Stolen vehicle check	RCW 46.12.570	RCW 46.17.120	RCW 46.68.070
21 Vehicle identification 22 number assignment	RCW 46.12.560	RCW 46.17.135	RCW 46.68.070

23 (2) The vehicle identification number inspection fee created in RCW
24 46.17.130 must be credited as follows:

25 (a) Fifteen dollars to the state patrol highway account created in
26 RCW 46.68.030; and

27 (b) Fifty dollars to the motor vehicle fund created in RCW
28 46.68.070.

29 **Sec. 82.** RCW 46.68.030 and 2010 c 161 s 803 are each amended to
30 read as follows:

31 (1) The director shall forward all fees for vehicle registrations
32 under chapters (~~46.16~~) 46.16A and 46.17 RCW, unless otherwise

1 specified by law, to the state treasurer with a proper identifying
2 detailed report. The state treasurer shall credit these moneys to the
3 motor vehicle fund created in RCW 46.68.070.

4 (2) Proceeds from vehicle license fees and renewal vehicle license
5 fees must be deposited by the state treasurer as follows:

6 (a) \$20.35 of each initial or renewal vehicle license fee must be
7 deposited in the state patrol highway account in the motor vehicle
8 fund, hereby created. Vehicle license fees, renewal vehicle license
9 fees, and all other funds in the state patrol highway account must be
10 for the sole use of the Washington state patrol for highway activities
11 of the Washington state patrol, subject to proper appropriations and
12 reappropriations.

13 (b) \$2.02 of each initial vehicle license fee and \$0.93 of each
14 renewal vehicle license fee must be deposited each biennium in the
15 Puget Sound ferry operations account.

16 (c) Any remaining amounts of vehicle license fees and renewal
17 vehicle license fees that are not distributed otherwise under this
18 section must be deposited in the motor vehicle fund.

19 **Sec. 83.** RCW 46.68.380 and 2010 c 161 s 808 are each amended to
20 read as follows:

21 ~~((1))~~ The special license plate applicant trust account is
22 created in the custody of the state treasurer. All receipts from
23 special license plate applicants must be deposited into the account.
24 Only the director or the director's designee may authorize
25 disbursements from the account. The account is not subject to the
26 allotment procedures under chapter 43.88 RCW, and an appropriation is
27 not required for disbursements.

28 ~~((2)(a) Revenues generated from the sale of special license plates
29 for those sponsoring organizations that used the application process in
30 RCW 46.18.110 must be deposited into the motor vehicle fund until the
31 department determines that the state's implementation costs have been
32 fully reimbursed.~~

33 ~~(b) When it is determined that the state has been fully reimbursed,
34 the department must notify the house of representatives and senate
35 transportation committees, the sponsoring organization, and the state
36 treasurer, and commence the distribution of the revenue as otherwise
37 provided by law.~~

1 ~~(3) If reimbursement does not occur within two years from the date~~
2 ~~the plate is first offered for sale to the public, the special license~~
3 ~~plate series must be placed in probationary status for a period of one~~
4 ~~year from that date. If the state is still not fully reimbursed for~~
5 ~~its implementation costs after the one year probation, the plate series~~
6 ~~must be discontinued immediately. Special license plates issued before~~
7 ~~discontinuation are valid until replaced under RCW 46.16A.200(10).)~~

8 **Sec. 84.** RCW 46.68.420 and 2010 c 161 s 809 are each amended to
9 read as follows:

10 (1) The department shall:

11 (a) Collect special license plate fees established under RCW
12 46.17.220 ~~((that were approved by the special license plate review~~
13 ~~board under RCW 46.18.200))~~;

14 (b) Deduct an amount not to exceed twelve dollars for initial issue
15 and two dollars for renewal issue for administration and collection
16 expenses incurred by it; and

17 (c) Remit the remaining proceeds to the custody of the state
18 treasurer with a proper identifying detailed report.

19 (2) The state treasurer shall credit the proceeds to the motor
20 vehicle account until the department determines that the state has been
21 reimbursed for the cost of implementing the special license plate.
22 Upon determination by the department that the state has been
23 reimbursed, the state treasurer shall credit the remaining special
24 license plate fee amounts for each special license plate to the
25 following appropriate account as created in this section:

ACCOUNT	CONDITIONS FOR USE OF FUNDS
Gonzaga University alumni association	Scholarship funds to needy and qualified students attending or planning to attend Gonzaga University
Helping kids speak	Provide free diagnostic and therapeutic services to families of children who suffer from a delay in language or speech development

1	Law enforcement memorial	Provide support and assistance to survivors and families of
2		law enforcement officers in Washington killed in the line
3		of duty and to organize, finance, fund, construct, utilize,
4		and maintain a memorial on the state capitol grounds to
5		honor those fallen officers
6	Lighthouse environmental programs	Support selected Washington state lighthouses that are
7		accessible to the public and staffed by volunteers; provide
8		environmental education programs; provide grants for
9		other Washington lighthouses to assist in funding
10		infrastructure preservation and restoration; encourage and
11		support interpretive programs by lighthouse docents
12	Share the road	Promote bicycle safety and awareness education in
13		communities throughout Washington
14	Ski & ride Washington	Promote winter snowsports, such as skiing and
15		snowboarding, and related programs, such as ski and ride
16		safety programs, underprivileged youth ski and ride
17		programs, and active, healthy lifestyle programs
18	Washington state council of firefighters benevolent fund	Receive and disseminate funds for charitable purposes on
19		behalf of members of the Washington state council of
20		firefighters, their families, and others deemed in need
21	Washington's national park fund	Build awareness of Washington's national parks and
22		support priority park programs and projects in
23		Washington's national parks, such as enhancing visitor
24		experience, promoting volunteerism, engaging
25		communities, and providing educational opportunities
26		related to Washington's national parks
27	We love our pets	Support and enable the Washington federation of animal
28		welfare and control agencies to promote and perform
29		spay/neuter surgery of Washington state pets in order to
30		reduce pet population

31 (3) Only the director or the director's designee may authorize
32 expenditures from the accounts described in subsection (2) of this
33 section. The accounts are subject to allotment procedures under
34 chapter 43.88 RCW, but an appropriation is not required for
35 expenditures.

36 (4) Funds in the special license plate accounts described in
37 subsection (2) of this section must be disbursed subject to the

1 conditions described in subsection (2) of this section and under
2 contract between the department and qualified nonprofit organizations
3 that provide the services described in subsection (2) of this section.

4 (5) For the purposes of this section, a "qualified nonprofit
5 organization" means a not-for-profit corporation operating in
6 Washington that has received a determination of tax exempt status under
7 26 U.S.C. Sec. 501(c)(3). The qualified nonprofit organization must
8 meet all the requirements under RCW 46.18.100(1).

9 **Sec. 85.** RCW 46.68.425 and 2010 c 161 s 810 are each amended to
10 read as follows:

11 (1) The department shall:

12 (a) Collect special license plate fees established under RCW
13 46.17.220 (~~that were approved by the special license plate review~~
14 ~~board under RCW 46.18.200~~);

15 (b) Deduct an amount not to exceed twelve dollars for initial issue
16 and two dollars for renewal issue for administration and collection
17 expenses incurred by it; and

18 (c) Remit the remaining proceeds to the custody of the state
19 treasurer with a proper identifying detailed report.

20 (2) The state treasurer shall credit the proceeds to the motor
21 vehicle fund until the department determines that the state has been
22 reimbursed for the cost of implementing the special license plate.
23 Upon determination by the department that the state has been
24 reimbursed, the state treasurer shall credit the remaining special
25 license plate fees to the following accounts by special license plate
26 type:

27 SPECIAL LICENSE PLATE TYPE	ACCOUNT	CONDITIONS FOR USE OF FUNDS
28 Armed forces	RCW 43.60A.140	N/A
29 Endangered wildlife	RCW 77.12.170	30 Must be used only for the department of 31 fish and wildlife's endangered wildlife 32 program activities
32 Keep kids safe	RCW 43.121.100	As specified in RCW 43.121.050
33 Washington state parks	RCW 79A.05.059	34 Provide public educational opportunities 35 and enhancement of Washington state parks

1	Washington's wildlife collection	RCW 77.12.170	Only for the department of fish and
2			wildlife's game species management
3			activities
4	Wild on Washington	RCW 77.12.170	Dedicated to the department of fish and
5			wildlife's watchable wildlife activities, as
6			defined in RCW 77.32.560

7 **Sec. 86.** RCW 46.68.455 and 2010 c 161 s 815 are each amended to
8 read as follows:

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

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

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

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

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

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

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

23 ~~((d))~~ (5) The remainder to the credit of the motor vehicle fund
24 created in RCW 46.68.070 as an administrative fee.

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

30 ~~((3) The vehicle trip permit surcharge imposed under RCW~~
31 ~~46.17.400(4) must be distributed as follows:~~

32 ~~(a) The portion of the surcharge paid by motor carriers to the~~
33 ~~motor vehicle fund created in RCW 46.68.070 for the purpose of~~
34 ~~supporting vehicle weigh stations, weigh in motion programs, and the~~
35 ~~commercial vehicle information systems and networks program; and~~

36 ~~(b) The remainder to the motor vehicle fund created in RCW~~
37 ~~46.68.070 for the purpose of supporting congestion relief programs.)~~

1 **Sec. 87.** RCW 46.70.027 and 1989 c 337 s 12 are each amended to
2 read as follows:

3 A vehicle dealer is accountable for the dealer's employees, sales
4 personnel, and managerial personnel while in the performance of their
5 official duties. Any violations of this chapter or applicable
6 provisions of chapter 46.12 or (~~46.16~~) 46.16A RCW committed by any of
7 these employees subjects the dealer to license penalties prescribed
8 under RCW 46.70.101. A retail purchaser, consignor who is not a motor
9 vehicle dealer, or a motor vehicle dealer who has purchased from a
10 wholesale dealer, who has suffered a loss or damage by reason of any
11 act by a dealer, salesperson, managerial person, or other employee of
12 a dealership, that constitutes a violation of this chapter or
13 applicable provisions of chapter 46.12 or (~~46.16~~) 46.16A RCW may
14 institute an action for recovery against the dealer and the surety bond
15 as set forth in RCW 46.70.070. However, under this section, motor
16 vehicle dealers who have purchased from wholesale dealers may only
17 institute actions against wholesale dealers and their surety bonds.

18 **Sec. 88.** RCW 46.70.101 and 2010 c 161 s 1132 are each amended to
19 read as follows:

20 The director may by order deny, suspend, or revoke the license of
21 any vehicle dealer or vehicle manufacturer or, in lieu thereof or in
22 addition thereto, may by order assess monetary penalties of a civil
23 nature not to exceed one thousand dollars per violation, if the
24 director finds that the order is in the public interest and that the
25 applicant or licensee:

26 (1) In the case of a vehicle dealer:

27 (a) The applicant or licensee, or any partner, officer, director,
28 owner of ten percent or more of the assets of the firm, or managing
29 employee:

30 (i) Was the holder of a license issued pursuant to this chapter,
31 which was revoked for cause and never reissued by the department, or
32 which license was suspended for cause and the terms of the suspension
33 have not been fulfilled or which license was assessed a civil penalty
34 and the assessed amount has not been paid;

35 (ii) Has been adjudged guilty of a crime which directly relates to
36 the business of a vehicle dealer and the time elapsed since the
37 adjudication is less than ten years, or suffering any judgment within

1 the preceding five years in any civil action involving fraud,
2 misrepresentation, or conversion. For the purposes of this section,
3 "adjudged guilty" means in addition to a final conviction in either a
4 state or municipal court, an unvacated forfeiture of bail or collateral
5 deposited to secure a defendant's appearance in court, the payment of
6 a fine, a plea of guilty, or a finding of guilt regardless of whether
7 the sentence is deferred or the penalty is suspended;

8 (iii) Has knowingly or with reason to know made a false statement
9 of a material fact in his or her application for license or any data
10 attached thereto, or in any matter under investigation by the
11 department;

12 (iv) Has knowingly, or with reason to know, provided the department
13 with false information relating to the number of vehicle sales
14 transacted during the past one year in order to obtain a vehicle dealer
15 license plate;

16 (v) Does not have an established place of business as required in
17 this chapter;

18 (vi) Refuses to allow representatives or agents of the department
19 to inspect during normal business hours all books, records, and files
20 maintained within this state;

21 (vii) Sells, exchanges, offers, brokers, auctions, solicits, or
22 advertises a new or current model vehicle to which a factory new
23 vehicle warranty attaches and fails to have a valid, written service
24 agreement as required by this chapter, or having such agreement refuses
25 to honor the terms of such agreement within a reasonable time or
26 repudiates the same, except for sales by wholesale motor vehicle
27 auction dealers to franchise motor vehicle dealers of the same make
28 licensed under this title or franchise motor vehicle dealers of the
29 same make licensed by any other state;

30 (viii) Is insolvent, either in the sense that their liabilities
31 exceed their assets, or in the sense that they cannot meet their
32 obligations as they mature;

33 (ix) Fails to pay any civil monetary penalty assessed by the
34 director pursuant to this section within ten days after such assessment
35 becomes final;

36 (x) Fails to notify the department of bankruptcy proceedings in the
37 manner required by RCW 46.70.183;

1 (xi) Knowingly, or with reason to know, allows a salesperson
2 employed by the dealer, or acting as their agent, to commit any of the
3 prohibited practices set forth in subsection (1)(a) of this section and
4 RCW 46.70.180;

5 (xii) Fails to have a current certificate or registration with the
6 department of revenue.

7 (b) The applicant or licensee, or any partner, officer, director,
8 owner of ten percent of the assets of the firm, or any employee or
9 agent:

10 (i) Has failed to comply with the applicable provisions of chapter
11 46.12 or (~~46.16~~) 46.16A RCW or this chapter or any rules and
12 regulations adopted thereunder;

13 (ii) Has defrauded or attempted to defraud the state, or a
14 political subdivision thereof of any taxes or fees in connection with
15 the sale, lease, or transfer of a vehicle;

16 (iii) Has forged the signature of the registered or legal owner on
17 a certificate of title;

18 (iv) Has purchased, sold, disposed of, or has in his or her
19 possession any vehicle which he or she knows or has reason to know has
20 been stolen or appropriated without the consent of the owner;

21 (v) Has willfully failed to deliver to a purchaser or owner a
22 certificate of title to a vehicle which he or she has sold or leased;

23 (vi) Has committed any act in violation of RCW 46.70.090 relating
24 to vehicle dealer license plates or manufacturer license plates;

25 (vii) Has committed any act in violation of RCW 46.70.180 relating
26 to unlawful acts and practices;

27 (viii) Has engaged in practices inimical to the health or safety of
28 the citizens of the state of Washington including but not limited to
29 failure to comply with standards set by the state of Washington or the
30 federal government pertaining to the construction or safety of
31 vehicles, except for sales by wholesale motor vehicle auction dealers
32 to motor vehicle dealers and vehicle wreckers licensed under this title
33 or motor vehicle dealers licensed by any other state;

34 (ix) Has aided or assisted an unlicensed dealer or salesperson in
35 unlawful activity through active or passive participation in sales,
36 allowing use of facilities, dealer license number, or by any other
37 means;

1 (x) Converts or appropriates, whether temporarily or permanently,
2 property or funds belonging to a customer, dealer, or manufacturer,
3 without the consent of the owner of the property or funds; or

4 (xi) Has sold any vehicle with actual knowledge that:

5 (A) It has any of the following brands on the title:
6 "SALVAGE/REBUILT," "JUNK," or "DESTROYED"; or

7 (B) It has been declared totaled out by an insurance carrier and
8 then rebuilt; or

9 (C) The vehicle title contains the specific comment that the
10 vehicle is "rebuilt";

11 without clearly disclosing that brand or comment in writing.

12 (c) The licensee or any partner, officer, director, or owner of ten
13 percent or more of the assets of the firm holds or has held any such
14 position in any other vehicle dealership licensed pursuant to this
15 chapter which is subject to final proceedings under this section.

16 (2) In the case of a manufacturer, or any partner, officer,
17 director, or majority shareholder:

18 (a) Was or is the holder of a license issued pursuant to this
19 chapter which was revoked for cause and never reissued by the
20 department, or which license was suspended for cause and the terms of
21 the suspension have not been fulfilled, or which license was assessed
22 a civil penalty and the assessed amount has not been paid;

23 (b) Has knowingly or with reason to know, made a false statement of
24 a material fact in his or her application for license, or any data
25 attached thereto, or in any matter under investigation by the
26 department;

27 (c) Has failed to comply with the applicable provisions of chapter
28 46.12 or (~~46.16~~) 46.16A RCW or this chapter or any rules and
29 regulations adopted thereunder;

30 (d) Has defrauded or attempted to defraud the state or a political
31 subdivision thereof, of any taxes or fees in connection with the sale,
32 lease, or transfer of a vehicle;

33 (e) Has purchased, sold, leased, disposed of, or has in his or her
34 possession, any vehicle which he or she knows or has reason to know has
35 been stolen or appropriated without the consent of the owner;

36 (f) Has committed any act in violation of RCW 46.70.090 relating to
37 vehicle dealer license plates and manufacturer license plates;

1 (g) Has committed any act in violation of RCW 46.70.180 relating to
2 unlawful acts and practices;

3 (h) Sells or distributes in this state or transfers into this state
4 for resale or for lease, any new or unused vehicle to which a warranty
5 attaches or has attached and refuses to honor the terms of such
6 warranty within a reasonable time or repudiates the same;

7 (i) Fails to maintain one or more resident employees or agents to
8 provide service or repairs to vehicles located within the state of
9 Washington only under the terms of any warranty attached to new or
10 unused vehicles manufactured and which are or have been sold or
11 distributed in this state or transferred into this state for resale or
12 for lease unless such manufacturer requires warranty service to be
13 performed by all of its dealers pursuant to a current service agreement
14 on file with the department;

15 (j) Fails to reimburse within a reasonable time any vehicle dealer
16 within the state of Washington who in good faith incurs reasonable
17 obligations in giving effect to warranties that attach or have attached
18 to any new or unused vehicle sold, leased, or distributed in this state
19 or transferred into this state for resale or for lease by any such
20 manufacturer;

21 (k) Engaged in practices inimical to the health and safety of the
22 citizens of the state of Washington including, but not limited to,
23 failure to comply with standards set by the state of Washington or the
24 federal government pertaining to the construction and safety of
25 vehicles;

26 (l) Is insolvent either in the sense that his or her liabilities
27 exceed his or her assets or in the sense that he or she cannot meet his
28 or her obligations as they mature;

29 (m) Fails to notify the department of bankruptcy proceedings in the
30 manner required by RCW 46.70.183.

31 **Sec. 89.** RCW 46.71.011 and 1993 c 424 s 2 are each amended to read
32 as follows:

33 For purposes of this chapter:

34 (1) An "aftermarket body part" or "nonoriginal equipment
35 manufacturer body part" is an exterior body panel or nonstructural body
36 component manufactured by someone other than the original equipment

1 manufacturer and supplied through suppliers other than those in the
2 manufacturer's normal distribution channels.

3 (2) "Automotive repair" includes but is not limited to:

4 (a) All repairs to vehicles subject to chapter (~~46.16~~) 46.16A RCW
5 that are commonly performed in a repair facility by a motor vehicle
6 technician including the diagnosis, installation, exchange, or repair
7 of mechanical or electrical parts or units for any vehicle, the
8 performance of any electrical or mechanical adjustment to any vehicle,
9 or the performance of any service work required for routine maintenance
10 or repair of any vehicle. However, commercial fleet repair or
11 maintenance transactions involving two or more vehicles or ongoing
12 service or maintenance contracts involving vehicles used primarily for
13 business purposes are not included;

14 (b) All work in facilities that perform one or more specialties
15 within the automotive repair service industry including, but not
16 limited to, body collision repair, refinishing, brake, electrical,
17 exhaust repair or installation, frame, unibody, front-end, radiators,
18 tires, transmission, tune-up, and windshield; and

19 (c) The removal, replacement, or repair of exterior body panels,
20 the removal, replacement, or repair of structural and nonstructural
21 body components, the removal, replacement, or repair of collision
22 damaged suspension components, and the refinishing of automotive
23 components.

24 (3) "Automotive repair facility" or "repair facility" means any
25 person, firm, association, or corporation who for compensation engages
26 in the business of automotive repair or diagnosis, or both, of
27 malfunctions of motor vehicles subject to licensure under chapter
28 (~~46.16~~) 46.16A RCW and repair and refinishing auto-body collision
29 damage as well as overall refinishing and cosmetic repairs.

30 (4) A "rebuilt" part consists of a used assembly that has been
31 dismantled and inspected with only the defective parts being replaced.

32 (5) A "remanufactured" part consists of a used assembly that has
33 been dismantled with the core parts being remachined and all other
34 parts replaced with new parts so as to provide performance comparable
35 to that found originally.

36 **Sec. 90.** RCW 46.71.080 and 1982 c 62 s 10 are each amended to read
37 as follows:

1 Whenever a vehicle license renewal form under RCW ((~~46.16.210~~))
2 46.16A.110 is given to the registered owner of any vehicle, the
3 department of licensing shall give to the owner written notice of the
4 provisions of this chapter in a manner prescribed by the director of
5 licensing.

6 **Sec. 91.** RCW 46.85.100 and 1987 c 244 s 13 are each amended to
7 read as follows:

8 All agreements, arrangements, or declarations or amendments thereto
9 shall be in writing and shall be filed with the department. Upon
10 becoming effective, they shall supersede the provisions of RCW
11 ((~~46.16.030~~)) 46.16A.160, chapter 46.87 RCW, or this chapter to the
12 extent that they are inconsistent therewith. The department shall
13 provide copies for public distribution upon request.

14 **Sec. 92.** RCW 46.87.010 and 2010 c 161 s 1140 are each amended to
15 read as follows:

16 This chapter applies to proportional registration and reciprocity
17 granted under the provisions of the International Registration Plan
18 (IRP). This chapter shall become effective and be implemented
19 beginning with the 1988 registration year.

20 (1) Provisions and terms of the IRP prevail unless given a
21 different meaning in chapter 46.04 RCW, this chapter, or in rules
22 adopted under the authority of this chapter.

23 (2) The director may adopt and enforce rules deemed necessary to
24 implement and administer this chapter.

25 (3) Owners having a fleet of apportionable vehicles operating in
26 two or more IRP member jurisdictions may elect to proportionally
27 register the vehicles of the fleet under the provisions of the IRP and
28 this chapter in lieu of full or temporary registration as provided for
29 in chapter ((~~46.16~~)) 46.16A RCW.

30 (4) If a due date or an expiration date established under authority
31 of this chapter falls on a Saturday, Sunday, or a state legal holiday,
32 such period is automatically extended through the end of the next
33 business day.

34 **Sec. 93.** RCW 46.87.023 and 1994 c 227 s 2 are each amended to read
35 as follows:

1 (1) Rental car businesses must register with the department of
2 licensing. This registration must be renewed annually by the rental
3 car business.

4 (2) Rental cars must be titled and registered under the provisions
5 of chapters 46.12 and (~~46.16~~) 46.16A RCW. The vehicle must be
6 identified at the time of application with the rental car company
7 business number issued by the department.

8 (3) Use of rental cars is restricted to the rental customer unless
9 otherwise provided by rule.

10 (4) The department may suspend or cancel the exemptions, benefits,
11 or privileges granted under this section to a rental car business that
12 violates the laws of this state relating to the operation or
13 registration of vehicles or rules lawfully adopted thereunder. The
14 department may initiate and conduct audits, investigations, and
15 enforcement actions as may be reasonably necessary for administering
16 this section.

17 (5) The department shall adopt such rules as may be necessary to
18 administer and enforce the provisions of this section.

19 **Sec. 94.** RCW 46.87.080 and 2005 c 194 s 6 are each amended to read
20 as follows:

21 (1) Upon making satisfactory application and payment of applicable
22 fees and taxes for proportional registration under this chapter, the
23 department shall issue a cab card and validation tab for each vehicle,
24 and to vehicles of Washington-based fleets, two distinctive
25 apportionable license plates for each motor vehicle. License plates
26 shall be displayed on vehicles as required by RCW (~~46.16.240~~)
27 46.16A.200(5). The number and plate shall be of a design, size, and
28 color determined by the department. The plates shall be treated with
29 reflectorized material and clearly marked with the words "WASHINGTON"
30 and "APPORTIONED," both words to appear in full and without
31 abbreviation.

32 (2) The cab card serves as the certificate of registration for a
33 proportionally registered vehicle. The face of the cab card shall
34 contain the name and address of the registrant as contained in the
35 records of the department, the license plate number assigned to the
36 vehicle by the base jurisdiction, the vehicle identification number,
37 and such other description of the vehicle and data as the department

1 may require. The cab card shall be signed by the registrant, or a
2 designated person if the registrant is a business firm, and shall at
3 all times be carried in or on the vehicle to which it was issued.

4 (3) The apportioned license plates are not transferrable from
5 vehicle to vehicle unless otherwise determined by rule and shall be
6 used only on the vehicle to which they are assigned by the department
7 for as long as they are legible or until such time as the department
8 requires them to be removed and returned to the department.

9 (4) Distinctive validation tab(s) of a design, size, and color
10 determined by the department shall be affixed to the apportioned
11 license plate(s) as prescribed by the department to indicate the month,
12 if necessary, and year for which the vehicle is registered.

13 (5) Renewals shall be effected by the issuance and display of such
14 tab(s) after making satisfactory application and payment of applicable
15 fees and taxes.

16 (6) Fleet vehicles so registered and identified shall be deemed to
17 be fully licensed and registered in this state for any type of movement
18 or operation. However, in those instances in which a grant of
19 authority is required for interstate or intrastate movement or
20 operation, no such vehicle may be operated in interstate or intrastate
21 commerce in this state unless the owner has been granted interstate
22 operating authority in the case of interstate operations or intrastate
23 operating authority by the Washington utility and transportation
24 commission in the case of intrastate operations and unless the vehicle
25 is being operated in conformity with that authority.

26 (7) The department may issue temporary authorization permits (TAPs)
27 to qualifying operators for the operation of vehicles pending issuance
28 of license identification. A fee of one dollar plus a one dollar
29 filing fee shall be collected for each permit issued. The permit fee
30 shall be deposited in the motor vehicle fund, and the filing fee shall
31 be deposited in the highway safety fund. The department may adopt
32 rules for use and issuance of the permits.

33 (8) The department may refuse to issue any license or permit
34 authorized by subsection (1) or (7) of this section to any person: (a)
35 Who formerly held any type of license or permit issued by the
36 department pursuant to chapter ((46.16)) 46.16A, 46.85, 46.87, 82.36,
37 or 82.38 RCW that has been revoked for cause, which cause has not been
38 removed; or (b) who is a subterfuge for the real party in interest

1 whose license or permit issued by the department pursuant to chapter
2 ((46.16)) 46.16A, 46.85, 46.87, 82.36, or 82.38 RCW and has been
3 revoked for cause, which cause has not been removed; or (c) who, as an
4 individual licensee, or officer, director, owner, or managing employee
5 of a nonindividual licensee, has had a license or permit issued by the
6 department pursuant to chapter ((46.16)) 46.16A, 46.85, 46.87, 82.36,
7 or 82.38 RCW which has been revoked for cause, which cause has not been
8 removed; or (d) who has an unsatisfied debt to the state assessed under
9 either chapter ((46.16)) 46.16A, 46.85, 46.87, 82.36, 82.38, or 82.44
10 RCW.

11 (9) The department may revoke the license or permit authorized by
12 subsection (1) or (7) of this section issued to any person for any of
13 the grounds constituting cause for denial of licenses or permits set
14 forth in subsection (8) of this section.

15 (10) Before such refusal or revocation under subsection (8) or (9)
16 of this section, the department shall grant the applicant a hearing and
17 at least ten days written notice of the time and place of the hearing.

18 **Sec. 95.** RCW 46.87.140 and 2010 c 161 s 1143 are each amended to
19 read as follows:

20 (1) Any owner engaged in interstate operations of one or more
21 fleets of apportionable vehicles may, in lieu of registration of the
22 vehicles under chapter ((46.16)) 46.16A RCW, register and license the
23 vehicles of each fleet under this chapter by filing a proportional
24 registration application for each fleet with the department. The
25 application shall contain the following information and such other
26 information pertinent to vehicle registration as the department may
27 require:

28 (a) A description and identification of each vehicle of the fleet.

29 (b) The member jurisdictions in which registration is desired and
30 such other information as member jurisdictions require.

31 (c) An original or renewal application shall also be accompanied by
32 a mileage schedule for each fleet.

33 (d) The USDOT number issued to the registrant and the USDOT number
34 of the motor carrier responsible for the safety of the vehicle, if
35 different.

36 (e) A completed Motor Carrier Identification Report (MCS-150) at

1 the time of fleet renewal or at the time of vehicle registration, if
2 required by the department.

3 (f) The Taxpayer Identification Number of the registrant and the
4 motor carrier responsible for the safety of the vehicle, if different.

5 (2) Each application shall, at the time and in the manner required
6 by the department, be supported by payment of a fee computed as
7 follows:

8 (a) Divide the in-jurisdiction miles by the total miles and carry
9 the answer to the nearest thousandth of a percent (three places beyond
10 the decimal, e.g. 10.543%). This factor is known as the prorate
11 percentage.

12 (b) Determine the total proratable fees and taxes required for each
13 vehicle in the fleet for which registration is requested, based on the
14 regular annual fees and taxes or applicable fees and taxes for the
15 unexpired portion of the registration year under the laws of each
16 jurisdiction for which fees or taxes are to be calculated.

17 Applicable fees and taxes for vehicles of Washington-based fleets
18 are those prescribed under RCW 46.17.350(1)(c), 46.17.355, and
19 82.38.075, as applicable. If, during the registration period, the
20 lessor of an apportioned vehicle changes and the vehicle remains in the
21 fleet of the registrant, the department shall only charge those fees
22 prescribed for the issuance of new apportioned license plates,
23 validation tabs, and cab card.

24 (c) Multiply the total, proratable fees or taxes for each motor
25 vehicle by the prorate percentage applicable to the desired
26 jurisdiction and round the results to the nearest cent.

27 (d) Add the total fees and taxes determined in (c) of this
28 subsection for each vehicle to the nonproratable fees required under
29 the laws of the jurisdiction for which fees are being calculated.
30 Nonproratable fees required for vehicles of Washington-based fleets are
31 the administrative fee required by RCW 82.38.075, if applicable, and
32 the vehicle transaction fee pursuant to the provisions of RCW
33 46.87.130.

34 (e) The amount due and payable for the application is the sum of
35 the fees and taxes calculated for each member jurisdiction in which
36 registration of the fleet is desired.

37 (3) All assessments for proportional registration fees are due and
38 payable in United States funds on the date presented or mailed to the

1 registrant at the address listed in the proportional registration
2 records of the department. The registrant may petition for
3 reassessment of the fees or taxes due under this section within thirty
4 days of the date of original service as provided for in this chapter.

5 **Sec. 96.** RCW 46.87.230 and 1987 c 244 s 36 are each amended to
6 read as follows:

7 Whenever an act or omission is declared to be unlawful under
8 chapter 46.12, (~~46.16~~) 46.16A, or 46.44 RCW or this chapter, and if
9 the operator of the vehicle is not the owner or lessee of the vehicle
10 but is so operating or moving the vehicle with the express or implied
11 permission of the owner or lessee, then the operator and the owner or
12 lessee are both subject to this chapter, with the primary
13 responsibility to be that of the owner or lessee.

14 If the person operating the vehicle at the time of the unlawful act
15 or omission is not the owner or the lessee of the vehicle, that person
16 is fully authorized to accept the citation or notice of infraction and
17 execute the promise to appear on behalf of the owner or lessee.

18 **Sec. 97.** RCW 46.87.294 and 2007 c 419 s 15 are each amended to
19 read as follows:

20 The department shall refuse to register a vehicle under this
21 chapter if the registrant or motor carrier responsible for the safety
22 of the vehicle has been prohibited under federal law from operating by
23 the federal motor carrier safety administration. The department shall
24 not register a vehicle if the Washington state patrol has placed an
25 out-of-service order on the vehicle's department of transportation
26 number, as defined in RCW (~~46.16.004~~) 46.16A.010.

27 **Sec. 98.** RCW 46.87.296 and 2007 c 419 s 16 are each amended to
28 read as follows:

29 The department shall suspend or revoke the registration of a
30 vehicle registered under this chapter if the registrant or motor
31 carrier responsible for the safety of the vehicle has been prohibited
32 under federal law from operating by the federal motor carrier safety
33 administration. The department shall not register a vehicle if the
34 Washington state patrol has placed an out-of-service order on the

1 vehicle's department of transportation number, as defined in RCW
2 ((~~46.16.004~~)) 46.16A.010.

3 **Sec. 99.** RCW 46.93.020 and 2003 c 354 s 2 are each amended to read
4 as follows:

5 The definitions in this section apply throughout this chapter.

6 (1) "Department" means the department of licensing.

7 (2) "Director" means the director of the department of licensing.

8 (3) "Franchise" means one or more agreements, whether oral or
9 written, between a manufacturer and a new motorsports vehicle dealer,
10 under which the new motorsports vehicle dealer is authorized to sell,
11 service, and repair new motorsports vehicles, parts, and accessories
12 under a common name, trade name, trademark, or service mark of the
13 manufacturer.

14 "Franchise" includes an oral or written contract and includes a
15 dealer agreement, either expressed or implied, between a manufacturer
16 and a new motorsports vehicle dealer that purports to fix the legal
17 rights and liabilities between the parties and under which (a) the
18 dealer is granted the right to purchase and resell motorsports vehicles
19 manufactured, distributed, or imported by the manufacturer; (b) the
20 dealer's business is associated with the trademark, trade name,
21 commercial symbol, or advertisement designating the franchisor or the
22 products distributed by the manufacturer; and (c) the dealer's business
23 relies on the manufacturer for a continued supply of motorsports
24 vehicles, parts, and accessories.

25 (4) "Good faith" means honesty in fact and fair dealing in the
26 trade as defined and interpreted in RCW 62A.2-103.

27 (5) "Designated successor" means:

28 (a) The spouse, biological or adopted child, grandchild, parent,
29 brother, or sister of the owner of a new motorsports vehicle dealership
30 who, in the case of the owner's death, is entitled to inherit the
31 ownership interest in the new motorsports vehicle dealership under the
32 terms of the owner's will or similar document, and if there is no such
33 will or similar document, then under applicable intestate laws;

34 (b) A qualified person experienced in the business of a new
35 motorsports vehicle dealer who has been nominated by the owner of a new
36 motorsports vehicle dealership as the successor in a written,
37 notarized, and witnessed instrument submitted to the manufacturer; or

1 (c) In the case of an incapacitated owner of a new motorsports
2 vehicle dealership, the person who has been appointed by a court as the
3 legal representative of the incapacitated owner's property.

4 (6) "Manufacturer" means a person, firm, association, corporation,
5 or trust, resident or nonresident, who manufactures or assembles new
6 and unused motorsports vehicles or remanufactures motorsports vehicles
7 in whole or in part and further includes the terms:

8 (a) "Distributor," which means a person, firm, association,
9 corporation, or trust, resident or nonresident, who in whole or in part
10 offers for sale, sells, or distributes new and unused motorsports
11 vehicles to vehicle dealers or who maintains factory representatives.

12 (b) "Factory branch," which means a branch office maintained by a
13 manufacturer for the purpose of selling or offering for sale,
14 motorsports vehicles to a distributor, wholesaler, or vehicle dealer,
15 or for directing or supervising in whole or in part factory or
16 distributor representatives, and further includes a sales promotion
17 organization, whether a person, firm, or corporation, that is engaged
18 in promoting the sale of new and unused motorsports vehicles in this
19 state of a particular brand or make to vehicle dealers.

20 (c) "Factory representative," which means a representative employed
21 by a manufacturer, distributor, or factory branch for the purpose of
22 making or promoting for the sale of their motorsports vehicles or for
23 supervising or contracting with their dealers or prospective dealers.

24 (7) "Motorsports vehicle" means a motorcycle as defined in RCW
25 46.04.330; a moped as defined in RCW 46.04.304; a motor-driven cycle as
26 defined in RCW 46.04.332; a personal watercraft as defined in RCW
27 79A.60.010; a snowmobile as defined in RCW ((~~46.10.010~~)) 46.04.546; a
28 four-wheel, all-terrain vehicle; and any other motorsports vehicle
29 defined under RCW 46.93.200 by the department that is otherwise not
30 subject to chapter 46.96 RCW.

31 (8) "New motorsports vehicle dealer" or "dealer" means a person
32 engaged in the business of buying, selling, exchanging, or otherwise
33 dealing in new motorsports vehicles or new and used motorsports
34 vehicles at an established place of business under a franchise, sales
35 and service agreement, or any other contract with a manufacturer of any
36 one or more types of new motorsports vehicles. The term does not
37 include a miscellaneous vehicle dealer as defined in RCW 46.70.011.

1 (9) "Owner" means a person holding an ownership interest in the
2 business entity operating as a new motorsports vehicle dealer and who
3 is the designated dealer in the new motorsports vehicle franchise
4 agreement.

5 (10) "Person" means a natural person, partnership, stock company,
6 corporation, trust, agency, or any other legal entity, as well as any
7 individual officers, directors, or other persons in active control of
8 the activities of the entity.

9 (11) "Place of business" means a permanent, enclosed commercial
10 building, situated within this state, and the real property on which it
11 is located, at which the business of a motorsports vehicle dealer,
12 including the display and repair of motorsports vehicles, may be
13 lawfully conducted in accordance with the terms of all applicable laws
14 and at which the public may contact the motorsports vehicle dealer and
15 employees at all reasonable times.

16 (12) "Relevant market area" is defined as follows:

17 (a) If the population in the county in which the existing, proposed
18 new, or relocated dealership is located or is to be located is four
19 hundred thousand or more, the relevant market area is the geographic
20 area within the radius of ten miles around the existing, proposed new,
21 or relocated place of business for the dealership;

22 (b) If the population in the county in which the existing, proposed
23 new, or relocated dealership is to be located is two hundred thousand
24 or more and less than four hundred thousand, the relevant market area
25 is the geographic area within a radius of twelve miles around the
26 existing, proposed new, or relocated place of business for the
27 dealership;

28 (c) If the population in the county in which the existing, proposed
29 new, or relocated dealership is to be located is less than two hundred
30 thousand, the relevant market area is the geographic area within a
31 radius of twenty miles around the existing, proposed new, or relocated
32 place of business for the dealership;

33 (d) In determining population for this definition, the most recent
34 census by the United States Bureau of Census or the most recent
35 population update, either from the National Planning Data Corporation
36 or other similar recognized source, will be accumulated for all census
37 tracts either wholly or partially within the relevant market area.

1 **Sec. 100.** RCW 47.01.440 and 2008 c 14 s 8 are each amended to read
2 as follows:

3 To support the implementation of RCW 47.04.280 and 47.01.078(4),
4 the department shall adopt broad statewide goals to reduce annual per
5 capita vehicle miles traveled by 2050 consistent with the stated goals
6 of executive order 07-02. Consistent with these goals, the department
7 shall:

8 (1) Establish the following benchmarks using a statewide baseline
9 of seventy-five billion vehicle miles traveled less the vehicle miles
10 traveled attributable to vehicles licensed under RCW ((~~46.16.070~~))
11 46.16A.455 and weighing ten thousand pounds or more, which are exempt
12 from this section:

13 (a) Decrease the annual per capita vehicle miles traveled by
14 eighteen percent by 2020;

15 (b) Decrease the annual per capita vehicle miles traveled by thirty
16 percent by 2035; and

17 (c) Decrease the annual per capita vehicle miles traveled by fifty
18 percent by 2050;

19 (2) By July 1, 2008, establish and convene a collaborative process
20 to develop a set of tools and best practices to assist state, regional,
21 and local entities in making progress towards the benchmarks
22 established in subsection (1) of this section. The collaborative
23 process must provide an opportunity for public review and comment and
24 must:

25 (a) Be jointly facilitated by the department, the department of
26 ecology, and the department of community, trade, and economic
27 development;

28 (b) Provide for participation from regional transportation planning
29 organizations, the Washington state transit association, the Puget
30 Sound clean air agency, a statewide business organization representing
31 the sale of motor vehicles, at least one major private employer that
32 participates in the commute trip reduction program, and other
33 interested parties, including but not limited to parties representing
34 diverse perspectives on issues relating to growth, development, and
35 transportation;

36 (c) Identify current strategies to reduce vehicle miles traveled in
37 the state as well as successful strategies in other jurisdictions that
38 may be applicable in the state;

1 (d) Identify potential new revenue options for local and regional
2 governments to authorize to finance vehicle miles traveled reduction
3 efforts;

4 (e) Provide for the development of measurement tools that can, with
5 a high level of confidence, measure annual progress toward the
6 benchmarks at the local, regional, and state levels, measure the
7 effects of strategies implemented to reduce vehicle miles traveled and
8 adequately distinguish between common travel purposes, such as moving
9 freight or commuting to work, and measure trends of vehicle miles
10 traveled per capita on a five-year basis;

11 (f) Establish a process for the department to periodically evaluate
12 progress toward the vehicle miles traveled benchmarks, measure achieved
13 and projected emissions reductions, and recommend whether the
14 benchmarks should be adjusted to meet the state's overall goals for the
15 reduction of greenhouse gas emissions;

16 (g) Estimate the projected reductions in greenhouse gas emissions
17 if the benchmarks are achieved, taking into account the expected
18 implementation of existing state and federal mandates for vehicle
19 technology and fuels, as well as expected growth in population and
20 vehicle travel;

21 (h) Examine access to public transportation for people living in
22 areas with affordable housing to and from employment centers, and make
23 recommendations for steps necessary to ensure that areas with
24 affordable housing are served by adequate levels of public
25 transportation; and

26 (i) By December 1, 2008, provide a report to the transportation
27 committees of the legislature on the collaborative process and
28 resulting recommended tools and best practices to achieve the reduction
29 in annual per capita vehicle miles traveled goals.

30 (3) Included in the December 1, 2008, report to the transportation
31 committees of the legislature, the department shall identify strategies
32 to reduce vehicle miles traveled in the state as well as successful
33 strategies in other jurisdictions that may be applicable in the state
34 that recognize the differing urban and rural transportation
35 requirements.

36 (4) Prior to implementation of the goals in this section, the
37 department, in consultation with the department of community, trade,
38 and economic development, cities, counties, local economic development

1 organizations, and local and regional chambers of commerce, shall
2 provide a report to the appropriate committees of the legislature on
3 the anticipated impacts of the goals established in this section on the
4 following:

5 (a) The economic hardship on small businesses as it relates to the
6 ability to hire and retain workers who do not reside in the county in
7 which they are employed;

8 (b) Impacts on low-income residents;

9 (c) Impacts on agricultural employers and their employees,
10 especially on the migrant farmworker community;

11 (d) Impacts on distressed rural counties; and

12 (e) Impacts in counties with more than fifty percent of the land
13 base of the county in public or tribal lands.

14 **Sec. 101.** RCW 48.110.020 and 2010 c 89 s 1 are each reenacted and
15 amended to read as follows:

16 The definitions in this section apply throughout this chapter.

17 (1) "Administrator" means the person who is responsible for the
18 administration of the service contracts, the service contracts plan, or
19 the protection product guarantees.

20 (2) "Commissioner" means the insurance commissioner of this state.

21 (3) "Consumer" means an individual who buys any tangible personal
22 property that is primarily for personal, family, or household use.

23 (4) "Home heating fuel service contract" means a contract or
24 agreement for a separately stated consideration for a specific duration
25 to perform the repair, replacement, or maintenance of a home heating
26 fuel supply system including the fuel tank and all visible pipes, caps,
27 lines, and associated parts or the indemnification for repair,
28 replacement, or maintenance for operational or structural failure due
29 to a defect in materials or workmanship, or normal wear and tear.

30 (5) "Incidental costs" means expenses specified in the guarantee
31 incurred by the protection product guarantee holder related to damages
32 to other property caused by the failure of the protection product to
33 perform as provided in the guarantee. "Incidental costs" may include,
34 without limitation, insurance policy deductibles, rental vehicle
35 charges, the difference between the actual value of the stolen vehicle
36 at the time of theft and the cost of a replacement vehicle, sales
37 taxes, registration fees, transaction fees, and mechanical inspection

1 fees. Incidental costs may be paid under the provisions of the
2 protection product guarantee in either a fixed amount specified in the
3 protection product guarantee or sales agreement, or by the use of a
4 formula itemizing specific incidental costs incurred by the protection
5 product guarantee holder to be paid.

6 (6) "Maintenance agreement" means a contract of limited duration
7 that provides for scheduled maintenance only.

8 (7) "Motor vehicle" means any vehicle subject to registration under
9 chapter ((~~46.16~~) 46.16A) RCW.

10 (8) "Person" means an individual, partnership, corporation,
11 incorporated or unincorporated association, joint stock company,
12 reciprocal insurer, syndicate, or any similar entity or combination of
13 entities acting in concert.

14 (9) "Premium" means the consideration paid to an insurer for a
15 reimbursement insurance policy.

16 (10) "Protection product" means any product offered or sold with a
17 guarantee to repair or replace another product or pay incidental costs
18 upon the failure of the product to perform pursuant to the terms of the
19 protection product guarantee.

20 (11) "Protection product guarantee" means a written agreement by a
21 protection product guarantee provider to repair or replace another
22 product or pay incidental costs upon the failure of the protection
23 product to perform pursuant to the terms of the protection product
24 guarantee.

25 (12) "Protection product guarantee holder" means a person who is
26 the purchaser or permitted transferee of a protection product
27 guarantee.

28 (13) "Protection product guarantee provider" means a person who is
29 contractually obligated to the protection product guarantee holder
30 under the terms of the protection product guarantee. Protection
31 product guarantee provider does not include an authorized insurer
32 providing a reimbursement insurance policy.

33 (14) "Protection product seller" means the person who sells the
34 protection product to the consumer.

35 (15) "Provider fee" means the consideration paid by a consumer for
36 a service contract.

37 (16) "Reimbursement insurance policy" means a policy of insurance
38 that is issued to a service contract provider or a protection product

1 guarantee provider to provide reimbursement to the service contract
2 provider or the protection product guarantee provider or to pay on
3 behalf of the service contract provider or the protection product
4 guarantee provider all contractual obligations incurred by the service
5 contract provider or the protection product guarantee provider under
6 the terms of the insured service contracts or protection product
7 guarantees issued or sold by the service contract provider or the
8 protection product guarantee provider.

9 (17)(a) "Service contract" means a contract or agreement for
10 consideration over and above the lease or purchase price of the
11 property for a specific duration to perform the repair, replacement, or
12 maintenance of property or the indemnification for repair, replacement,
13 or maintenance for operational or structural failure due to a defect in
14 materials or workmanship, or normal wear and tear. Service contracts
15 may provide for the repair, replacement, or maintenance of property for
16 damage resulting from power surges and accidental damage from handling,
17 with or without additional provision for incidental payment of
18 indemnity under limited circumstances, including towing, rental,
19 emergency road services, or other expenses relating to the failure of
20 the product or of a component part thereof.

21 (b) "Service contract" also includes a contract or agreement sold
22 for separately stated consideration for a specific duration to perform
23 the repair or replacement of tires and/or wheels damaged as a result of
24 coming into contact with road hazards including but not limited to
25 potholes, rocks, wood debris, metal parts, glass, plastic, curbs, or
26 composite scraps. However, a contract or agreement meeting the
27 definition under this subsection (17)(b) in which the party obligated
28 to perform is either a tire or wheel manufacturer or a motor vehicle
29 manufacturer is exempt from the requirements of this chapter.

30 (18) "Service contract holder" or "contract holder" means a person
31 who is the purchaser or holder of a service contract.

32 (19) "Service contract provider" means a person who is
33 contractually obligated to the service contract holder under the terms
34 of the service contract.

35 (20) "Service contract seller" means the person who sells the
36 service contract to the consumer.

37 (21) "Warranty" means a warranty made solely by the manufacturer,
38 importer, or seller of property or services without consideration; that

1 is not negotiated or separated from the sale of the product and is
2 incidental to the sale of the product; and that guarantees indemnity
3 for defective parts, mechanical or electrical breakdown, labor, or
4 other remedial measures, such as repair or replacement of the property
5 or repetition of services.

6 **Sec. 102.** RCW 50.40.071 and 2010 c 215 s 2 are each amended to
7 read as follows:

8 (1) The accessible communities account is created in the custody of
9 the state treasurer. One hundred dollars of the assessment imposed
10 under RCW (~~((46.16.381 (7), (8), and (9)))~~) 46.19.050 (2), (3), and (4)
11 must be deposited into the account. Any reduction in the penalty or
12 fine and assessment imposed under section 6, chapter 215, Laws of 2010
13 shall be applied proportionally between the penalty or fine and the
14 assessment.

15 (2) The account is subject to the allotment procedures under
16 chapter 43.88 RCW, but an appropriation is not required for
17 expenditures. Only the commissioner may authorize expenditures from
18 the account.

19 (3) Expenditures from the account may be used for promoting greater
20 awareness of disability issues and improved access for and inclusion
21 and acceptance of persons with disabilities in communities in the state
22 of Washington, including:

23 (a) Reimbursing travel, per diem, and reasonable accommodation for
24 county accessible community advisory committee meetings and committee
25 sponsored activities including, but not limited to, supporting the
26 involvement of people with disabilities and disability
27 (~~(organization[s])~~) organizations in emergency planning and emergency
28 preparedness activities;

29 (b) Establishing and maintaining an accessible communities web
30 site;

31 (c) Providing training or technical assistance for county
32 accessible community advisory committees;

33 (d) A grant program for funding proposals developed and submitted
34 by county accessible community advisory committees to promote greater
35 awareness of disability issues and acceptance, inclusion, and access
36 for persons with disabilities within the community;

1 (e) Reimbursing the state agency that provides administrative
2 support to the governor's committee on disability issues and employment
3 for costs associated with implementing chapter 215, Laws of 2010; and

4 (f) Programming changes to the judicial information system
5 accounting module required for disbursement of funds to this account.

6 **Sec. 103.** RCW 64.44.050 and 2008 c 201 s 1 are each amended to
7 read as follows:

8 (1) An owner of contaminated property who desires to have the
9 property decontaminated, demolished, or disposed of shall use the
10 services of an authorized contractor unless otherwise authorized by the
11 local health officer. The contractor and property owner shall prepare
12 and submit a written work plan for decontamination, demolition, or
13 disposal to the local health officer. The local health officer may
14 charge a reasonable fee for review of the work plan. If the work plan
15 is approved and the decontamination, demolition, or disposal is
16 completed and the property is retested according to the plan and
17 properly documented, then the health officer shall allow reuse of the
18 property. A release for reuse document shall be recorded in the real
19 property records indicating the property has been decontaminated,
20 demolished, or disposed of in accordance with rules of the state
21 department of health. The property owner is responsible for: (a) The
22 costs of any property testing which may be required to demonstrate the
23 presence or absence of hazardous chemicals; and (b) the costs of the
24 property's decontamination, demolition, and disposal expenses, as well
25 as costs incurred by the local health officer resulting from the
26 enforcement of this chapter.

27 (2)(a) In a case where the contaminated property is a motor vehicle
28 as defined in RCW 46.04.320, a vehicle as defined in RCW 46.04.670, or
29 a vessel as defined in RCW (~~88.02.010~~) 88.02.310, and the local
30 health officer has issued an order declaring the property unfit and
31 prohibiting its use, the city or county in which the property is
32 located shall take action to prohibit use, occupancy, or removal, and
33 shall require demolition, disposal, or decontamination of the property.
34 The city, county, or local law enforcement agency may impound the
35 vehicle or vessel to enforce this chapter.

36 (b) The property owner shall have the property demolished, disposed
37 of, or decontaminated by an authorized contractor, or under a written

1 work plan approved by the local health officer, within thirty days of
2 receiving the order declaring the property unfit and prohibited from
3 use. After all procedures granting the right of notice and the
4 opportunity to appeal in RCW 64.44.030 have been exhausted, if the
5 property owner has not demolished, disposed of, or decontaminated the
6 property using an authorized contractor, or under a written work plan
7 approved by the local health officer within thirty days, then the local
8 health officer or the local law enforcement agency may demolish,
9 dispose of, or decontaminate the property. The property owner is
10 responsible for the costs of the property's demolition, disposal, or
11 decontamination, as well as all costs incurred by the local health
12 officer or the local law enforcement agency resulting from the
13 enforcement of this chapter, except as otherwise provided under this
14 subsection.

15 (c) The legal owner of a motor vehicle as defined in RCW 46.04.320,
16 a vehicle as defined in RCW 46.04.670, or a vessel as defined in RCW
17 (~~88.02.010~~) 88.02.310 whose sole basis of ownership is a bona fide
18 security interest is responsible for costs under this subsection if the
19 legal owner had knowledge of or consented to any act or omission that
20 caused contamination of the vehicle or vessel.

21 (d) If the vehicle or vessel has been stolen and the property owner
22 neither had knowledge of nor consented to any act or omission that
23 contributed to the theft and subsequent contamination of the vehicle or
24 vessel, the owner is not responsible for costs under this subsection.
25 However, if the registered owner is insured, the registered owner
26 shall, within fifteen calendar days of receiving an order declaring the
27 property unfit and prohibiting its use, submit a claim to his or her
28 insurer for reimbursement of costs of the property's demolition,
29 disposal, or decontamination, as well as all costs incurred by the
30 local health officer or the local law enforcement agency resulting from
31 the enforcement of this chapter, and shall provide proof of claim to
32 the local health officer or the local law enforcement agency.

33 (e) If the property owner has not acted to demolish, dispose of, or
34 decontaminate as set forth in this subsection regardless of
35 responsibility for costs, and the local health officer or local law
36 enforcement agency has taken responsibility for demolition, disposal,
37 or decontamination, including all associated costs, then all rights,

1 title, and interest in the property shall be deemed forfeited to the
2 local health jurisdiction or the local law enforcement agency.

3 (f) This subsection may not be construed to limit the authority of
4 a city, county, local law enforcement agency, or local health officer
5 to take action under this chapter to require the owner of the real
6 property upon which the contaminated vehicle or vessel is located to
7 comply with the requirements of this chapter, including provisions for
8 the right of notice and opportunity to appeal as provided in RCW
9 64.44.030.

10 (3) Except as provided in subsection (2) of this section, the local
11 health officer has thirty days from the issuance of an order declaring
12 a property unfit and prohibiting its use to establish a reasonable
13 timeline for decontamination. The department of health shall establish
14 the factors to be considered by the local health officer in
15 establishing the appropriate amount of time.

16 The local health officer shall notify the property owner of the
17 proposed time frame by United States mail to the last known address.
18 Notice shall be postmarked no later than the thirtieth day from the
19 issuance of the order. The property owner may request a modification
20 of the time frame by submitting a letter identifying the circumstances
21 which justify such an extension to the local health officer within
22 thirty-five days of the date of the postmark on the notification
23 regardless of when received.

24 **Sec. 104.** RCW 70.107.030 and 1974 ex.s. c 183 s 3 are each amended
25 to read as follows:

26 The department is empowered as follows:

27 (1) The department, after consultation with state agencies
28 expressing an interest therein, shall adopt, by rule, maximum noise
29 levels permissible in identified environments in order to protect
30 against adverse affects of noise on the health, safety and welfare of
31 the people, the value of property, and the quality of environment:
32 PROVIDED, That in so doing the department shall take also into account
33 the economic and practical benefits to be derived from the use of
34 various products in each such environment, whether the source of the
35 noise or the use of such products in each environment is permanent or
36 temporary in nature, and the state of technology relative to the

1 control of noise generated by all such sources of the noise or the
2 products.

3 (2) At any time after the adoption of maximum noise levels under
4 subsection (1) of this section the department shall, in consultation
5 with state agencies and local governments expressing an interest
6 therein, adopt rules, consistent with the Federal Noise Control Act of
7 1972 (86 Stat. 1234; 42 U.S.C. Sec. 4901-4918 and 49 U.S.C. Sec. 1431),
8 for noise abatement and control in the state designed to achieve
9 compliance with the noise level adopted in subsection (1) of this
10 section, including reasonable implementation schedules where
11 appropriate, to insure that the maximum noise levels are not exceeded
12 and that application of the best practicable noise control technology
13 and practice is provided. These rules may include, but shall not be
14 limited to:

15 (a) Performance standards setting allowable noise limits for the
16 operation of products which produce noise;

17 (b) Use standards regulating, as to time and place, the operation
18 of individual products which produce noise above specified levels
19 considering frequency spectrum and duration: PROVIDED, The rules shall
20 provide for temporarily exceeding those standards for stated purposes;
21 and

22 (c) Public information requirements dealing with disclosure of
23 levels and characteristics of noise produced by products.

24 (3) The department may, as desirable in the performance of its
25 duties under this chapter, conduct surveys, studies and public
26 education programs, and enter into contracts.

27 (4) The department is authorized to apply for and accept moneys
28 from the federal government and other sources to assist in the
29 implementation of this chapter.

30 (5) The legislature recognizes that the operation of motor vehicles
31 on public highways as defined in RCW ((46.09.020)) 46.09.310
32 contributes significantly to environmental noise levels and directs the
33 department, in exercising the rule-making authority under the
34 provisions of this section, to give first priority to the adoption of
35 motor vehicle noise performance standards.

36 (6) Noise levels and rules adopted by the department pursuant to
37 this chapter shall not be effective prior to March 31, 1975.

1 **Sec. 105.** RCW 70.120.010 and 1991 c 199 s 201 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this chapter.

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

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

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

10 (4) "Motor vehicle" means any self-propelled vehicle required to be
11 licensed pursuant to chapter ((46.16)) 46.16A RCW.

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

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

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

20 **Sec. 106.** RCW 70.120.160 and 1989 c 240 s 3 are each amended to
21 read as follows:

22 (1) The director shall review annually the air quality and
23 forecasted air quality of each area in the state designated as a
24 noncompliance area for motor vehicle emissions.

25 (2) An area shall no longer be designated as a noncompliance area
26 if the director determines that:

27 (a) Air quality standards for contaminants derived from motor
28 vehicle emissions are no longer being violated in the noncompliance
29 area; and

30 (b) The standards would not be violated if the emission inspection
31 system in the emission contributing area was discontinued and the
32 requirements of RCW ((46.16.015)) 46.16A.060 no longer applied.

33 **Sec. 107.** RCW 70.120.170 and 2005 c 295 s 6 are each amended to
34 read as follows:

35 (1) The department shall administer a system for emission
36 inspections of all motor vehicles, except those described in RCW

1 ((~~46.16.015(2)~~)) 46.16A.060(2), that are registered within the
2 boundaries of each emission contributing area. Under such system a
3 motor vehicle shall be inspected biennially except where an annual
4 program would be required to meet federal law and prevent federal
5 sanctions. In addition, motor vehicles shall be inspected at each
6 change of registered owner of a ((~~licensed~~)) registered vehicle as
7 provided under RCW ((~~46.16.015~~)) 46.16A.060.

8 (2) The director shall:

9 (a) Adopt procedures for conducting emission inspections of motor
10 vehicles. The inspections may include idle and high revolution per
11 minute emission tests. The emission test for diesel vehicles shall
12 consist solely of a smoke opacity test.

13 (b) Adopt criteria for calibrating emission testing equipment.
14 Electronic equipment used to test for emissions standards provided for
15 in this chapter shall be properly calibrated. The department shall
16 examine frequently the calibration of the emission testing equipment
17 used at the stations.

18 (c) Authorize, through contracts, the establishment and operation
19 of inspection stations for conducting vehicle emission inspections
20 authorized in this chapter. No person contracted to inspect motor
21 vehicles may perform for compensation repairs on any vehicles. No
22 public body may establish or operate contracted inspection stations.
23 Any contracts ((~~must~~)) must comply with the procedures established
24 for competitive bids in chapter 43.19 RCW.

25 (d) Beginning in 2012, authorize businesses other than those
26 contracted to operate inspection stations under (c) of this subsection
27 to conduct vehicle emission inspections. Businesses authorized under
28 this subsection may also inspect and perform, for compensation, repairs
29 on vehicles. The fee limitations under subsection (4) of this section
30 do not apply to the fee charged for a vehicle emissions inspection by
31 a business authorized to conduct vehicle emission inspections under
32 this subsection. The director may establish by rule a fee to be paid
33 to the department for the oversight costs for each vehicle emission
34 inspection performed by a business authorized under this subsection
35 (2)(d).

36 (3) Subsection (2)(c) of this section does not apply to volunteer
37 motor vehicle inspections under RCW 70.120.020(1) if the inspections
38 are conducted for the following purposes:

1 (a) Auditing;

2 (b) Contractor evaluation;

3 (c) Collection of data for establishing calibration and performance
4 standards; or

5 (d) Public information and education.

6 (4)(a) The director shall establish by rule the fee to be charged
7 for emission inspections. The inspection fee shall be a standard fee
8 applicable statewide or throughout an emission contributing area and
9 shall be no greater than fifteen dollars. Surplus moneys collected
10 from fees over the amount due the contractor shall be paid to the state
11 and deposited in the general fund. Fees shall be set at the minimum
12 whole dollar amount required to (i) compensate the contractor or
13 inspection facility owner, and (ii) offset the general fund
14 appropriation to the department to cover the administrative costs of
15 the motor vehicle emission inspection program.

16 (b) Before each inspection, a person whose motor vehicle is to be
17 inspected shall pay to the inspection station the fee established under
18 this section. The person whose motor vehicle is inspected shall
19 receive the results of the inspection. If the inspected vehicle
20 complies with the standards established by the director, the person
21 shall receive a dated certificate of compliance. If the inspected
22 vehicle does not comply with those standards, one reinspection of the
23 vehicle shall be afforded without charge.

24 (5) All units of local government and agencies of the state with
25 motor vehicles garaged or regularly operated in an emissions
26 contributing area shall test the emissions of those vehicles annually
27 to ensure that the vehicle's emissions comply with the emission
28 standards established by the director. All state agencies outside of
29 emission contributing areas with more than twenty motor vehicles housed
30 at a single facility or contiguous facilities shall test the emissions
31 of those vehicles annually to ensure that the vehicles' emissions
32 comply with standards established by the director. A report of the
33 results of the tests shall be submitted to the department.

34 (6) This section expires January 1, 2020.

35 **Sec. 108.** RCW 70.285.020 and 2010 c 147 s 2 are each amended to
36 read as follows:

1 The definitions in this section apply throughout this chapter
2 unless the context clearly requires otherwise.

3 (1) "Accredited laboratory" means a laboratory that is:

4 (a) Qualified and equipped for testing of products, materials,
5 equipment, and installations in accordance with national or
6 international standards; and

7 (b) Accredited by a third-party organization approved by the
8 department to accredit laboratories for purposes of this chapter.

9 (2) "Alternative brake friction material" means brake friction
10 material that:

11 (a) Does not contain:

12 (i) More than 0.5 percent copper or its compounds by weight;

13 (ii) The constituents identified in RCW 70.285.030 at or above the
14 concentrations specified; and

15 (iii) Other materials determined by the department to be more
16 harmful to human health or the environment than existing brake friction
17 material;

18 (b) Enables motor vehicle brakes to meet applicable federal safety
19 standards, or if no federal safety standard exists, a widely accepted
20 industry standard;

21 (c) Is available at a cost and quantity that does not cause
22 significant financial hardship across the majority of brake friction
23 material and vehicle manufacturing industries; and

24 (d) Is available to enable brake friction material and vehicle
25 manufacturers to produce viable products meeting consumer expectations
26 regarding braking noise, shuddering, and durability.

27 (3) "Brake friction material" means that part of a motor vehicle
28 brake designed to retard or stop the movement of a motor vehicle
29 through friction against a rotor made of more durable material.

30 (4) "Committee" means the brake friction material advisory
31 committee.

32 (5) "Department" means the department of ecology.

33 (6)(a) "Motor vehicle" has the same meaning as defined in RCW
34 46.04.320 that are subject to (~~licensing~~) registration requirements
35 under RCW (~~46.16.010~~) 46.16A.030.

36 (b) "Motor vehicle" does not include:

37 (i) Motorcycles as defined in RCW 46.04.330;

1 (ii) Motor vehicles employing internal closed oil immersed motor
2 vehicle brakes or similar brake systems that are fully contained and
3 emit no debris or fluid under normal operating conditions;

4 (iii) Military combat vehicles;

5 (iv) Race cars, dual-sport vehicles, or track day vehicles, whose
6 primary use is for off-road purposes and are permitted under RCW
7 (~~46.16.160~~) 46.16A.320; or

8 (v) Collector vehicles, as defined in RCW 46.04.126.

9 (7)(a) "Motor vehicle brake" means an energy conversion mechanism
10 used to retard or stop the movement of a motor vehicle.

11 (b) "Motor vehicle brake" does not include brakes designed
12 primarily to hold motor vehicles stationary and not for use while motor
13 vehicles are in motion.

14 (8) "Original equipment service" means brake friction material
15 provided as service parts originally designed for and using the same
16 brake friction material formulation sold with a new motor vehicle.

17 (9) "Small volume motor vehicle manufacturer" means a manufacturer
18 of motor vehicles with Washington annual sales of less than one
19 thousand new passenger cars, light-duty trucks, medium-duty vehicles,
20 heavy-duty vehicles, and heavy-duty engines based on the average number
21 of vehicles sold for the three previous consecutive model years.

22 **Sec. 109.** RCW 77.12.170 and 2009 c 333 s 13 are each amended to
23 read as follows:

24 (1) There is established in the state treasury the state wildlife
25 account which consists of moneys received from:

26 (a) Rentals or concessions of the department;

27 (b) The sale of real or personal property held for department
28 purposes, unless the property is seized or recovered through a fish,
29 shellfish, or wildlife enforcement action;

30 (c) The assessment of administrative penalties, and the sale of
31 licenses, permits, tags, and stamps required by chapter 77.32 RCW and
32 RCW 77.65.490, except annual resident adult saltwater and all annual
33 razor clam and shellfish licenses, which shall be deposited into the
34 state general fund;

35 (d) Fees for informational materials published by the department;

36 (e) Fees for personalized vehicle, Wild on Washington, and

1 Endangered Wildlife license plates and Washington's Wildlife license
2 plate collection as provided in chapter (~~46.16~~) 46.17 RCW;

3 (f) Articles or wildlife sold by the director under this title;

4 (g) Compensation for damage to department property or wildlife
5 losses or contributions, gifts, or grants received under RCW 77.12.320.
6 However, this excludes fish and shellfish overages, and court-ordered
7 restitution or donations associated with any fish, shellfish, or
8 wildlife enforcement action, as such moneys must be deposited pursuant
9 to RCW 77.15.425;

10 (h) Excise tax on anadromous game fish collected under chapter
11 82.27 RCW;

12 (i) The department's share of revenues from auctions and raffles
13 authorized by the commission; and

14 (j) The sale of watchable wildlife decals under RCW 77.32.560.

15 (2) State and county officers receiving any moneys listed in
16 subsection (1) of this section shall deposit them in the state treasury
17 to be credited to the state wildlife account.

18 **Sec. 110.** RCW 77.12.879 and 2009 c 333 s 22 are each amended to
19 read as follows:

20 (1) The aquatic invasive species prevention account is created in
21 the state treasury. Moneys directed to the account from RCW
22 (~~88.02.050~~) 88.02.640(3)(a)(i) must be deposited in the account.
23 Expenditures from the account may only be used as provided in this
24 section. Moneys in the account may be spent only after appropriation.

25 (2) Funds in the aquatic invasive species prevention account may be
26 appropriated to the department to develop an aquatic invasive species
27 prevention program for recreational and commercial watercraft. Funds
28 must be expended as follows:

29 (a) To inspect recreational and commercial watercraft;

30 (b) To educate general law enforcement officers on how to enforce
31 state laws relating to preventing the spread of aquatic invasive
32 species;

33 (c) To evaluate and survey the risk posed by recreational and
34 commercial watercraft in spreading aquatic invasive species into
35 Washington state waters;

36 (d) To evaluate the risk posed by float planes in spreading aquatic
37 invasive species into Washington state waters; and

1 (e) To implement an aquatic invasive species early detection and
2 rapid response plan. The plan must address the treatment and immediate
3 response to the introduction to Washington waters of aquatic invasive
4 species. Agency and public review of the plan must be conducted under
5 chapter 43.21C RCW, the state environmental policy act. If the
6 implementation measures or actions would have a probable significant
7 adverse environmental impact, a detailed statement under chapter 43.21C
8 RCW must be prepared on the plan.

9 (3) Funds in the aquatic invasive species enforcement account
10 created in RCW 43.43.400 may be appropriated to the department and
11 Washington state patrol to develop an aquatic invasive species
12 enforcement program for recreational and commercial watercraft. The
13 department shall provide training to Washington state patrol employees
14 working at port of entry weigh stations, and other local law
15 enforcement employees, on how to inspect recreational and commercial
16 watercraft for the presence of aquatic invasive species. A person who
17 enters Washington by road transporting any commercial or recreational
18 watercraft that has been used in any designated aquatic invasive
19 species state or foreign country as defined by rule of the department
20 must have in his or her possession valid documentation that the
21 watercraft has been inspected and found free of aquatic invasive
22 species. The department is authorized to require persons transporting
23 recreational and commercial watercraft to stop at check stations.
24 Check stations must be plainly marked by signs, operated by at least
25 one uniformed fish and wildlife officer, and operated in a safe manner.
26 Any person stopped at a check station who possesses a recreational or
27 commercial watercraft that has been used in any designated aquatic
28 invasive species state or foreign country as defined by rule of the
29 department, or that is contaminated with aquatic invasive species, must
30 bear the expense for any necessary impoundment, transportation,
31 cleaning, and decontamination of the watercraft. Any person stopped at
32 a check station who possesses a recreational or commercial watercraft
33 that has been used in any designated aquatic invasive species state or
34 foreign country as defined by rule of the department, or that is
35 contaminated with aquatic invasive species, is exempt from the criminal
36 penalties found in RCW 77.15.253 and 77.15.290, and forfeiture under
37 RCW 77.15.070, if that person complies with all department directives
38 for the proper decontamination of the watercraft and equipment.

1 (4) The department shall submit a biennial report to the
2 appropriate legislative committees describing the actions taken to
3 implement this section along with suggestions on how to better fulfill
4 the intent of chapter 464, Laws of 2005.

5 **Sec. 111.** RCW 79A.05.020 and 1999 c 249 s 301 are each amended to
6 read as follows:

7 In addition to whatever other duties may exist in law or be imposed
8 in the future, it is the duty of the commission to:

9 (1) Implement integrated pest management practices and regulate
10 pests as required by RCW 17.15.020;

11 (2) Take steps necessary to control spartina and purple loosestrife
12 as required by RCW 17.26.020;

13 (3) Participate in the implementation of chapter 19.02 RCW;

14 (4) Coordinate planning and provide staffing and administrative
15 assistance to the Lewis and Clark trail committee as required by RCW
16 27.34.340;

17 (5) Administer those portions of chapter 46.10 RCW not dealing with
18 the registration (~~(and licensing)~~) of snowmobiles as required by RCW
19 (~~(46.10.210)~~) 46.10.370;

20 (6) Consult and participate in the scenic and recreational highway
21 system as required by chapter 47.39 RCW; and

22 (7) Develop, prepare, and distribute information relating to marine
23 oil recycling tanks and sewage holding tank pumping stations, in
24 cooperation with other departments, as required by chapter 88.02 RCW.

25 The commission has the power reasonably necessary to carry out
26 these duties.

27 **Sec. 112.** RCW 79A.05.065 and 2010 c 161 s 1163 are each amended to
28 read as follows:

29 (1)(a) The commission shall grant to any person who meets the
30 eligibility requirements specified in this section a senior citizen's
31 pass which shall: (i) Entitle such a person, and members of his or her
32 camping unit, to a fifty percent reduction in the campsite rental fee
33 prescribed by the commission; and (ii) entitle such a person to free
34 admission to any state park.

35 (b) The commission shall grant a senior citizen's pass to any

1 person who applies for the senior citizen's pass and who meets the
2 following requirements:

3 (i) The person is at least sixty-two years of age;

4 (ii) The person is a domiciliary of the state of Washington and
5 meets reasonable residency requirements prescribed by the commission;
6 and

7 (iii) The person and his or her spouse have a combined income that
8 would qualify the person for a property tax exemption pursuant to RCW
9 84.36.381. The financial eligibility requirements of this subsection
10 (1)(b)(iii) apply regardless of whether the applicant for a senior
11 citizen's pass owns taxable property or has obtained or applied for
12 such property tax exemption.

13 (c) Each senior citizen's pass granted pursuant to this section is
14 valid as long as the senior citizen meets the requirements of (b)(ii)
15 of this subsection. A senior citizen meeting the eligibility
16 requirements of this section may make a voluntary donation for the
17 upkeep and maintenance of state parks.

18 (d) A holder of a senior citizen's pass shall surrender the pass
19 upon request of a commission employee when the employee has reason to
20 believe the holder fails to meet the criteria in (b) of this
21 subsection. The holder shall have the pass returned upon providing
22 proof to the satisfaction of the director that the holder meets the
23 eligibility criteria for obtaining the senior citizen's pass.

24 (2)(a) Any resident of Washington who is disabled as defined by the
25 social security administration and who receives social security
26 benefits for that disability, or any other benefits for that disability
27 from any other governmental or nongovernmental source, or who is
28 entitled to benefits for permanent disability under RCW 71A.10.020(3)
29 due to unemployability full time at the minimum wage, or who is legally
30 blind or profoundly deaf, or who has been issued a card, decal, or
31 special license plate for a permanent disability under RCW
32 ((46.16.381)) 46.19.010 shall be entitled to receive, regardless of age
33 and upon making application therefor, a disability pass at no cost to
34 the holder. The pass shall: (i) Entitle such a person, and members of
35 his or her camping unit, to a fifty percent reduction in the campsite
36 rental fee prescribed by the commission; and (ii) entitle such a person
37 to free admission to any state park.

1 (b) A card, decal, or special license plate issued for a permanent
2 disability under RCW 46.19.010 may serve as a pass for the holder to
3 entitle that person and members of the person's camping unit to a fifty
4 percent reduction in the campsite rental fee prescribed by the
5 commission, and to allow the holder free admission to state parks.

6 (3) Any resident of Washington who is a veteran and has a service-
7 connected disability of at least thirty percent shall be entitled to
8 receive a lifetime veteran's disability pass at no cost to the holder.
9 The pass shall: (a) Entitle such a person, and members of his or her
10 camping unit, to free use of any campsite within any state park; (b)
11 entitle such a person to free admission to any state park; and (c)
12 entitle such a person to an exemption from any reservation fees.

13 (4)(a) Any Washington state resident who provides out-of-home care
14 to a child, as either a licensed foster-family home or a person related
15 to the child, is entitled to a foster home pass.

16 (b) An applicant for a foster home pass must request a pass in the
17 manner required by the commission. Upon receipt of a properly
18 submitted request, the commission shall verify with the department of
19 social and health services that the applicant qualifies under (a) of
20 this subsection. Once issued, a foster home pass is valid for the
21 period, which may not be less than one year, designated by the
22 commission.

23 (c) When accompanied by a child receiving out-of-home care from the
24 pass holder, a foster home pass: (i) Entitles such a person, and
25 members of his or her camping unit, to free use of any campsite within
26 any state park; and (ii) entitles such a person to free admission to
27 any state park.

28 (d) For the purposes of this subsection (4):

29 (i) "Out-of-home care" means placement in a foster-family home or
30 with a person related to the child under the authority of chapter
31 13.32A, 13.34, or 74.13 RCW;

32 (ii) "Foster-family home" has the same meaning as defined in RCW
33 74.15.020; and

34 (iii) "Person related to the child" means those persons referred to
35 in RCW 74.15.020(2)(a) (i) through (vi).

36 (5) All passes issued pursuant to this section are valid at all
37 parks any time during the year. However, the pass is not valid for
38 admission to concessionaire operated facilities.

1 (6) The commission shall negotiate payment and costs, to allow
2 holders of a foster home pass free access and usage of park campsites,
3 with the following nonoperated, nonstate-owned parks: Central Ferry,
4 Chief Timothy, Crow Butte, and Lyons Ferry. The commission shall seek
5 state general fund reimbursement on a biennial basis.

6 (7) The commission may deny or revoke any Washington state park
7 pass issued under this section for cause, including but not limited to
8 the following:

9 (a) Residency outside the state of Washington;

10 (b) Violation of laws or state park rules resulting in eviction
11 from a state park;

12 (c) Intimidating, obstructing, or assaulting a park employee or
13 park volunteer who is engaged in the performance of official duties;

14 (d) Fraudulent use of a pass;

15 (e) Providing false information or documentation in the application
16 for a state parks pass;

17 (f) Refusing to display or show the pass to park employees when
18 requested; or

19 (g) Failing to provide current eligibility information upon request
20 by the agency or when eligibility ceases or changes.

21 (8) This section shall not affect or otherwise impair the power of
22 the commission to continue or discontinue any other programs it has
23 adopted for senior citizens.

24 (9) The commission may engage in a mutually agreed upon reciprocal
25 or discounted program for all or specific pass programs with other
26 outdoor recreation agencies.

27 (10) The commission shall adopt those rules as it finds appropriate
28 for the administration of this section. Among other things, the rules
29 shall prescribe a definition of "camping unit" which will authorize a
30 reasonable number of persons traveling with the person having a pass to
31 stay at the campsite rented by such a person, a minimum Washington
32 residency requirement for applicants for a senior citizen's pass, and
33 an application form to be completed by applicants for a senior
34 citizen's pass.

35 **Sec. 113.** RCW 79A.05.225 and 1999 c 249 s 1401 are each amended to
36 read as follows:

1 In addition to its other powers, duties, and functions the
2 commission may:

3 (1) Plan, construct, and maintain suitable facilities for winter
4 recreational activities on lands administered or acquired by the
5 commission or as authorized on lands administered by other public
6 agencies or private landowners by agreement;

7 (2) Provide and issue upon payment of the proper fee, under RCW
8 79A.05.230, 79A.05.240, and 46.61.585, with the assistance of such
9 authorized agents as may be necessary for the convenience of the
10 public, special permits to park in designated winter recreational area
11 parking spaces;

12 (3) Administer the snow removal operations for all designated
13 winter recreational area parking spaces; and

14 (4) Compile, publish, and distribute maps indicating such parking
15 spaces, adjacent trails, and areas and facilities suitable for winter
16 recreational activities.

17 The commission may contract with any public or private agency for
18 the actual conduct of such duties, but shall remain responsible for the
19 proper administration thereof. The commission is not liable for
20 unintentional injuries to users of lands administered for winter
21 recreation purposes under this section or under RCW (~~46.10.210~~)
22 46.10.370, whether the lands are administered by the commission, by
23 other public agencies, or by private landowners through agreement with
24 the commission. Nothing in this section prevents the liability of the
25 commission for injuries sustained by a user by reason of a known
26 dangerous artificial latent condition for which warning signs have not
27 been conspicuously posted. A road covered with snow and groomed for
28 the purposes of winter recreation consistent with this chapter and
29 chapter 46.10 RCW shall not be presumed to be a known dangerous
30 artificial latent condition for the purposes of this chapter.

31 **Sec. 114.** RCW 79A.60.510 and 2007 c 341 s 57 are each amended to
32 read as follows:

33 The legislature finds that the waters of Washington state provide
34 a unique and valuable recreational resource to large and growing
35 numbers of boaters. Proper stewardship of, and respect for, these
36 waters requires that, while enjoying them for their scenic and
37 recreational benefits, boaters must exercise care to assure that such

1 activities do not contribute to the despoliation of these waters, and
2 that watercraft be operated in a safe and responsible manner. The
3 legislature has specifically addressed the topic of access to clean and
4 safe waterways by requiring the 1987 boating safety study and by
5 establishing the Puget Sound partnership.

6 The legislature finds that there is a need to educate Washington's
7 boating community about safe and responsible actions on our waters and
8 to increase the level and visibility of the enforcement of boating
9 laws. To address the incidence of fatalities and injuries due to
10 recreational boating on our state's waters, local and state efforts
11 directed towards safe boating must be stimulated. To provide for safe
12 waterways and public enjoyment, portions of the watercraft excise tax
13 and boat registration fees should be made available for boating safety
14 and other boating recreation purposes.

15 In recognition of the need for clean waterways, and in keeping with
16 the Puget Sound partnership's water quality work plan, the legislature
17 finds that adequate opportunities for responsible disposal of boat
18 sewage must be made available. There is hereby established a five-year
19 initiative to install sewage pumpout or sewage dump stations at
20 appropriate marinas.

21 To assure the use of these sewage facilities, a boater
22 environmental education program must accompany the five-year initiative
23 and continue to educate boaters about boat wastes and aquatic
24 resources.

25 The legislature also finds that, in light of the increasing numbers
26 of boaters utilizing state waterways, a program to acquire and develop
27 sufficient waterway access facilities for boaters must be undertaken.

28 To support boating safety, environmental protection and education,
29 and public access to our waterways, the legislature declares that a
30 portion of the income from boating-related activities, as specified in
31 RCW 82.49.030 and (~~88.02.040~~) 88.02.650, should support these
32 efforts.

33 **Sec. 115.** RCW 79A.60.630 and 2005 c 392 s 3 are each amended to
34 read as follows:

35 (1) The commission shall establish and implement by rule a program
36 to provide required boating safety education. The boating safety
37 education program shall include training on preventing the spread of

1 aquatic invasive species. The program shall be phased in so that all
2 boaters not exempted under RCW 79A.60.640(3) are required to obtain a
3 boater education card by January 1, 2016. To obtain a boater education
4 card, a boater shall provide a certificate of accomplishment issued by
5 a boating educator for taking and passing an accredited boating safety
6 education course, or pass an equivalency exam, or provide proof of
7 completion of a course that meets the standard adopted by the
8 commission.

9 (2) As part of the boating safety education program, the commission
10 shall:

11 (a) Establish a program to be phased over eleven years starting
12 July 1, 2005, with full implementation by January 1, 2016. The period
13 July 1, 2005, through December 31, 2007, will be program development,
14 boater notification of the new requirements for mandatory education,
15 and processing cards to be issued to individuals having taken an
16 accredited course prior to January 1, 2008. The schedule for phase-in
17 of the mandatory education requirement by age group is as follows:

- 18 January 1, 2008 - All boat operators twenty years old and younger;
- 19 January 1, 2009 - All boat operators twenty-five years old and younger;
- 20 January 1, 2010 - All boat operators thirty years old and younger;
- 21 January 1, 2011 - All boat operators thirty-five years old and younger;
- 22 January 1, 2012 - All boat operators forty years old and younger;
- 23 January 1, 2013 - All boat operators fifty years old and younger;
- 24 January 1, 2014 - All boat operators sixty years old and younger;
- 25 January 1, 2015 - All boat operators seventy years old and younger;
- 26 January 1, 2016 - All boat operators;

27 (b) Establish a minimum standard of boating safety education
28 accomplishment. The standard must be consistent with the applicable
29 standard established by the national association of state boating law
30 administrators;

31 (c) Adopt minimum standards for boating safety education course of
32 instruction and examination that ensures compliance with the national
33 association of state boating law administrators minimum standards;

34 (d) Approve and provide accreditation to boating safety education
35 courses operated by volunteers, or commercial or nonprofit
36 organizations, including, but not limited to, courses given by the
37 United States coast guard auxiliary and the United States power
38 squadrons;

1 (e) Develop an equivalency examination that may be taken as an
2 alternative to the boating safety education course;

3 (f) Establish a fee of ten dollars for the boater education card to
4 fund all commission activities related to the boating safety education
5 program created by chapter 392, Laws of 2005, including the initial
6 costs of developing the program. Any surplus funds resulting from the
7 fees received shall be distributed by the commission as grants to local
8 marine law enforcement programs approved by the commission as provided
9 in RCW (~~88.02.040~~) 88.02.650;

10 (g) Establish a fee for the replacement of the boater education
11 card that covers the cost of replacement;

12 (h) Consider and evaluate public agency and commercial
13 opportunities to assist in program administration with the intent to
14 keep administrative costs to a minimum;

15 (i) Approve and provide accreditation to boating safety education
16 courses offered online; and

17 (j) Provide a report to the legislature by January 1, 2008, on its
18 progress of implementation of the mandatory education program.

19 **Sec. 116.** RCW 79A.60.670 and 2007 c 311 s 2 are each amended to
20 read as follows:

21 (1) The boating activities program is created in the (~~interagency~~
22 ~~committee for outdoor recreation~~) recreation and conservation funding
23 board.

24 (2) The (~~interagency committee for outdoor recreation~~) recreation
25 and conservation funding board shall distribute moneys appropriated
26 from the boating activities account created in RCW 79A.60.690 as
27 follows, or as otherwise appropriated by the legislature, after
28 deduction for the (~~committee's~~) board's expenses in administering the
29 boating activities (~~grant~~) program and for related studies:

30 (a) To the commission for boater safety, boater education, boating-
31 related law enforcement activities, activities included in RCW
32 (~~88.02.040~~) 88.02.650, related administrative expenses, and boating-
33 related environmental programs, such as pumpout stations, to enhance
34 clean waters for boating;

35 (b) For grants to state agencies, counties, municipalities, port
36 districts, federal agencies, nonprofit organizations, and Indian tribes
37 to improve boating access to water and marine parks, enhance the boater

1 experience, boater safety, boater education, and boating-related law
2 enforcement activities, and to provide funds for boating-related
3 environmental programs, such as pumpout stations, to enhance clean
4 waters for boating; and

5 (c) If the amount available for distribution from the boating
6 activities account is equal to or less than two million five hundred
7 thousand dollars per fiscal year, then eighty percent of the amount
8 available must be distributed to the commission for the purposes of (a)
9 of this subsection and twenty percent for grants in (b) of this
10 subsection. Amounts available for distribution in excess of two
11 million five hundred thousand dollars per fiscal year shall be
12 distributed by the (~~committee~~) board for purposes of (a) and (b) of
13 this subsection.

14 (3) The (~~interagency committee for outdoor recreation~~) recreation
15 and conservation funding board shall establish an application process
16 for boating activities grants.

17 (4) Agencies receiving grants for capital purposes from the boating
18 activities account shall consider the possibility of contracting with
19 the commission, the department of natural resources, or other federal,
20 state, and local agencies to employ the youth development and
21 conservation corps or other youth crews in completing the project.

22 (5) To solicit input on the boating activities grant application
23 process, criteria for grant awards, and use of grant moneys, and to
24 determine the interests of the boating community, the (~~interagency~~
25 ~~committee for outdoor recreation~~) recreation and conservation funding
26 board shall solicit input from a boating activities advisory committee.
27 The (~~interagency committee for outdoor recreation~~) recreation and
28 conservation funding board may utilize a currently established boating
29 issues committee that has similar responsibility for input on
30 recreational boating-related funding issues. Members of the boating
31 activities advisory committee are not eligible for compensation but may
32 be reimbursed for travel expenses as provided in RCW 43.03.050 and
33 43.03.060.

34 (6) The (~~interagency committee for outdoor recreation~~) recreation
35 and conservation funding board may adopt rules to implement this
36 section.

1 **Sec. 117.** RCW 82.08.020 and 2010 c 106 s 212 are each amended to
2 read as follows:

3 (1) There is levied and collected a tax equal to six and five-
4 tenths percent of the selling price on each retail sale in this state
5 of:

6 (a) Tangible personal property, unless the sale is specifically
7 excluded from the RCW 82.04.050 definition of retail sale;

8 (b) Digital goods, digital codes, and digital automated services,
9 if the sale is included within the RCW 82.04.050 definition of retail
10 sale;

11 (c) Services, other than digital automated services, included
12 within the RCW 82.04.050 definition of retail sale;

13 (d) Extended warranties to consumers; and

14 (e) Anything else, the sale of which is included within the RCW
15 82.04.050 definition of retail sale.

16 (2) There is levied and collected an additional tax on each retail
17 car rental, regardless of whether the vehicle is licensed in this
18 state, equal to five and nine-tenths percent of the selling price. The
19 revenue collected under this subsection must be deposited in the
20 multimodal transportation account created in RCW 47.66.070.

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

27 (4) For purposes of subsection (3) of this section, "motor vehicle"
28 has the meaning provided in RCW 46.04.320, but does not include farm
29 tractors or farm vehicles as defined in RCW 46.04.180 and 46.04.181,
30 off-road ~~((and))~~ vehicles as defined in RCW 46.04.365, nonhighway
31 vehicles as defined in RCW ~~((46.09.020))~~ 46.09.310, and snowmobiles as
32 defined in RCW ~~((46.10.010))~~ 46.04.546.

33 (5) Beginning on December 8, 2005, 0.16 percent of the taxes
34 collected under subsection (1) of this section must be dedicated to
35 funding comprehensive performance audits required under RCW 43.09.470.
36 The revenue identified in this subsection must be deposited in the
37 performance audits of government account created in RCW 43.09.475.

1 (6) The taxes imposed under this chapter apply to successive retail
2 sales of the same property.

3 (7) The rates provided in this section apply to taxes imposed under
4 chapter 82.12 RCW as provided in RCW 82.12.020.

5 **Sec. 118.** RCW 82.12.800 and 1997 c 293 s 1 are each amended to
6 read as follows:

7 (1) The tax imposed under RCW 82.12.020 shall not apply to the
8 following uses of a vessel, as defined in RCW (~~(88.02.010)~~) 88.02.310,
9 by the manufacturer of the vessel:

10 (a) Activities to test, set-up, repair, remodel, evaluate, or
11 otherwise make a vessel seaworthy, to include performance, endurance,
12 and sink testing, if the vessel is to be held for sale;

13 (b) Training activities of a manufacturer's employees, agents, or
14 subcontractors involved in the development and manufacturing of the
15 manufacturer's vessels, if the vessel is to be held for sale;

16 (c) Activities to promote the sale of the manufacturer's vessels,
17 to include photography and video sessions to be used in promotional
18 materials; traveling directly to and from vessel promotional events for
19 the express purpose of displaying a manufacturer's vessels;

20 (d) Any vessels loaned or donated to a civic, religious, nonprofit,
21 or educational organization for continuous periods of use not exceeding
22 seventy-two hours, or longer if approved by the department; or to
23 vessels loaned or donated to governmental entities;

24 (e) Direct transporting, displaying, or demonstrating any vessel at
25 a wholesale or retail vessel show;

26 (f) Delivery of a vessel to a buyer, vessel manufacturer,
27 registered vessel dealer as defined in RCW (~~(88.02.010)~~) 88.02.310, or
28 to any other person involved in the manufacturing or sale of that
29 vessel for the purpose of the manufacturing or sale of that vessel; and

30 (g) Displaying, showing, and operating a vessel for sale to a
31 prospective buyer to include the short-term testing, operating, and
32 examining by a prospective buyer.

33 (2) Subsection (1) of this section shall apply to any trailer or
34 other similar apparatus used to transport, display, show, or operate a
35 vessel, if the trailer or other similar apparatus is held for sale.

1 **Sec. 119.** RCW 82.12.801 and 1997 c 293 s 2 are each amended to
2 read as follows:

3 (1) The tax imposed under RCW 82.12.020 shall not apply to the
4 following uses of a vessel, as defined in RCW (~~(88.02.010)~~) 88.02.310,
5 by a vessel dealer registered under chapter 88.02 RCW:

6 (a) Activities to test, set-up, repair, remodel, evaluate, or
7 otherwise make a vessel seaworthy, if the vessel is held for sale;

8 (b) Training activity of a dealer's employees, agents, or
9 subcontractors involved in the sale of the dealer's vessels, if the
10 vessel is held for sale;

11 (c) Activities to promote the sale of the dealer's vessels, to
12 include photography and video sessions to be used in promotional
13 materials; traveling directly to and from promotional vessel events for
14 the express purpose of displaying a dealer's vessels for sale, provided
15 it is displayed on the vessel that it is, in fact, for sale and the
16 identification of the registered vessel dealer offering the vessel for
17 sale is also displayed on the vessel;

18 (d) Any vessel loaned or donated to a civic, religious, nonprofit,
19 or educational organization for continuous periods of use not exceeding
20 seventy-two hours, or longer if approved by the department; or to
21 vessels loaned or donated to governmental entities;

22 (e) Direct transporting, displaying, or demonstrating any vessel at
23 a wholesale or retail vessel show;

24 (f) Delivery of a vessel to a buyer, vessel manufacturer,
25 registered vessel dealer as defined in RCW (~~(88.02.010)~~) 88.02.310, or
26 to any other person involved in the manufacturing or sale of that
27 vessel for the purpose of the manufacturing or sale of that vessel; and

28 (g) Displaying, showing, and operating a vessel for sale to a
29 prospective buyer to include the short-term testing, operating, and
30 examining by a prospective buyer.

31 (2) Subsection (1) of this section shall apply to any trailer or
32 other similar apparatus used to transport, display, show, or operate a
33 vessel, if the trailer or other similar apparatus is held for sale.

34 **Sec. 120.** RCW 82.14.430 and 2006 c 311 s 17 are each amended to
35 read as follows:

36 (1) If approved by the majority of the voters within its boundaries
37 voting on the ballot proposition, a regional transportation investment

1 district may impose a sales and use tax of up to 0.1 percent of the
2 selling price or value of the article used in the case of a use tax.
3 The tax authorized by this section is in addition to the tax authorized
4 by RCW 82.14.030 and must be collected from those persons who are
5 taxable by the state under chapters 82.08 and 82.12 RCW upon the
6 occurrence of any taxable event within the taxing district. Motor
7 vehicles are exempt from the sales and use tax imposed under this
8 subsection.

9 (2) If approved by the majority of the voters within its boundaries
10 voting on the ballot proposition, a regional transportation investment
11 district may impose a tax on the use of a motor vehicle within a
12 regional transportation investment district. The tax applies to those
13 persons who reside within the regional transportation investment
14 district. The rate of the tax may not exceed 0.1 percent of the value
15 of the motor vehicle. The tax authorized by this subsection is in
16 addition to the tax authorized under RCW 82.14.030 and must be imposed
17 and collected at the time a taxable event under RCW 82.08.020(1) or
18 82.12.020 takes place. All revenue received under this subsection must
19 be deposited in the local sales and use tax account and distributed to
20 the regional transportation investment district according to RCW
21 82.14.050. The following provisions apply to the use tax in this
22 subsection:

23 (a) Where persons are taxable under chapter 82.08 RCW, the seller
24 shall collect the use tax from the buyer using the collection
25 provisions of RCW 82.08.050.

26 (b) Where persons are taxable under chapter 82.12 RCW, the use tax
27 must be collected using the provisions of RCW 82.12.045.

28 (c) "Motor vehicle" has the meaning provided in RCW 46.04.320, but
29 does not include farm tractors or farm vehicles as defined in RCW
30 46.04.180 and 46.04.181, off-road (~~and~~) vehicles as defined in RCW
31 46.04.365, nonhighway vehicles as defined in RCW (~~(46.09.020)~~)
32 46.09.310, and snowmobiles as defined in RCW (~~(46.10.010)~~) 46.04.546.

33 (d) "Person" has the meaning given in RCW 82.04.030.

34 (e) The value of a motor vehicle must be determined under RCW
35 82.12.010.

36 (f) Except as specifically stated in this subsection (2), chapters
37 82.12 and 82.32 RCW apply to the use tax. The use tax is a local tax

1 imposed under the authority of chapter 82.14 RCW, and chapter 82.14 RCW
2 applies fully to the use tax.

3 (3) In addition to fulfilling the notice requirements under RCW
4 82.14.055(1), and unless waived by the department, a regional
5 transportation investment district shall provide the department of
6 revenue with digital mapping and legal descriptions of areas in which
7 the tax will be collected.

8 **Sec. 121.** RCW 82.50.250 and 1967 ex.s. c 149 s 59 are each amended
9 to read as follows:

10 Whenever this chapter refers to chapter(~~s~~) 46.12, (~~46.16~~)
11 46.16A, or 82.44 RCW, with references to "house trailers", the term
12 "house trailer" as used in those chapters shall be construed to include
13 and embrace "mobile home and travel trailer" as used in chapter 149,
14 Laws of 1967 ex. sess.

15 **Sec. 122.** RCW 82.80.100 and 2002 c 56 s 408 are each amended to
16 read as follows:

17 (1) Upon approval of a majority of the voters within its boundaries
18 voting on the ballot proposition, a regional transportation investment
19 district may set and impose an annual local option vehicle license fee,
20 or a schedule of fees based upon the age of the vehicle, of up to one
21 hundred dollars per motor vehicle registered within the boundaries of
22 the region on every motor vehicle. As used in this section "motor
23 vehicle" has the meaning provided in RCW 46.04.320, but does not
24 include farm tractors or farm vehicles as defined in RCW 46.04.180 and
25 46.04.181, off-road (~~and~~) vehicles as defined in RCW 46.04.365,
26 nonhighway vehicles as defined in RCW (~~46.09.020~~) 46.09.310, and
27 snowmobiles as defined in RCW (~~46.10.010~~) 46.04.546. Vehicles
28 registered under chapter 46.87 RCW and the international registration
29 plan are exempt from the annual local option vehicle license fee set
30 forth in this section. The department of licensing shall administer
31 and collect this fee on behalf of regional transportation investment
32 districts and remit this fee to the custody of the state treasurer for
33 monthly distribution under RCW 82.80.080.

34 (2) The local option vehicle license fee applies only when renewing
35 a vehicle registration, and is effective upon the registration renewal
36 date as provided by the department of licensing.

1 (3) A regional transportation investment district imposing the
2 local option vehicle license fee or initiating an exemption process
3 shall enter into a contract with the department of licensing. The
4 contract must contain provisions that fully recover the costs to the
5 department of licensing for collection and administration of the fee.

6 (4) A regional transportation investment district imposing the
7 local option fee shall delay the effective date of the local option
8 vehicle license fee imposed by this section at least six months from
9 the date of the final certification of the approval election to allow
10 the department of licensing to implement the administration and
11 collection of or exemption from the fee.

12 **Sec. 123.** RCW 84.36.080 and 2000 c 103 s 24 are each amended to
13 read as follows:

14 (1) All ships and vessels which are exempt from excise tax under
15 RCW 82.49.020(2) and excepted from the registration requirements of RCW
16 (~~88.02.030(9)~~) 88.02.570(10) shall be and are hereby made exempt from
17 all ad valorem taxes, except taxes levied for any state purpose.

18 (2) All ships and vessels listed in the state or federal register
19 of historical places are exempt from all ad valorem taxes.

20 **Sec. 124.** RCW 88.02.530 and 2010 c 161 s 1015 are each amended to
21 read as follows:

22 (1) A legal owner or the legal owner's authorized representative
23 shall promptly apply for a duplicate certificate of title if a
24 certificate of title is lost, stolen, mutilated, or destroyed, or
25 becomes illegible. The application for a duplicate certificate of
26 title must:

27 (a) Include information required by the department;

28 (b) Be accompanied by an affidavit of loss or destruction;

29 (c) Be accompanied by the fee required in RCW 88.02.640(1)(~~+~~))

30 (k).

31 (2) The duplicate certificate of title must contain the word
32 "duplicate." It must be mailed to the first priority secured party
33 named in it or, if none, to the registered owner.

34 (3) A person recovering a certificate of title for which a
35 duplicate has been issued shall promptly return the certificate of
36 title that has been recovered to the department.

1 **Sec. 125.** RCW 88.02.560 and 2010 c 161 s 1019 are each amended to
2 read as follows:

3 (1) An application for vessel registration must be made by the
4 owner or the owner's authorized representative to the department,
5 county auditor or other agent, or subagent appointed by the director on
6 a form furnished or approved by the department. The application must
7 contain:

8 (a) The name and address of each owner of the vessel;

9 (b) Other information the department may require; and

10 (c) The signature of at least one owner.

11 (2) The application for vessel registration must be accompanied by
12 the:

13 (a) Vessel registration fee required under RCW 88.02.640(1)(~~(h)~~)
14 (i);

15 (b) Derelict vessel and invasive species removal fee under RCW
16 88.02.640(3)(a) and derelict vessel removal surcharge required under
17 RCW 88.02.640(~~(3)(a)~~) (4);

18 (c) Filing fee required under RCW 88.02.640(1)(~~(d)~~) (e);

19 (d) License plate technology fee required under RCW
20 88.02.640(1)(~~(e)~~) (f);

21 (e) License service fee required under RCW 88.02.640(1)(~~(f)~~) (g);
22 and

23 (f) Watercraft excise tax required under chapter 82.49 RCW.

24 (3) Upon receipt of an application for vessel registration and the
25 required fees and taxes, the department shall assign a registration
26 number and issue a decal for the vessel. The registration number and
27 decal must be issued and affixed to the vessel in a manner prescribed
28 by the department consistent with the standard numbering system for
29 vessels required in 33 C.F.R. Part 174. A valid decal affixed as
30 prescribed shall indicate compliance with the annual registration
31 requirements of this chapter.

32 (4) Vessel registrations and decals are valid for a period of one
33 year, except that the director may extend or diminish vessel
34 registration periods and vessel decals for the purpose of staggered
35 renewal periods. For registration periods of more or less than one
36 year, the department may collect prorated annual registration fees and
37 excise taxes based upon the number of months in the registration
38 period.

1 (5) Vessel registrations are renewable every year in a manner
2 prescribed by the department upon payment of the fees and taxes
3 described in subsection (2) of this section. Upon renewing a vessel
4 registration, the department shall issue a new decal to be affixed as
5 prescribed by the department.

6 (6) When the department issues either a notice to renew a vessel
7 registration or a decal for a new or renewed vessel registration, it
8 shall also provide information on the location of marine oil recycling
9 tanks and sewage holding tank pumping stations. This information will
10 be provided to the department by the state parks and recreation
11 commission in a form ready for distribution. The form must be
12 developed and prepared by the state parks and recreation commission
13 with the cooperation of the department of ecology. The department, the
14 state parks and recreation commission, and the department of ecology
15 shall enter into a memorandum of agreement to implement this process.

16 (7) A person acquiring a vessel from a dealer or a vessel already
17 validly registered under this chapter shall, within fifteen days of the
18 acquisition or purchase of the vessel, apply to the department, county
19 auditor or other agent, or subagent appointed by the director for
20 transfer of the vessel registration, and the application must be
21 accompanied by a transfer fee as required in RCW 88.02.640(1)((~~h~~))
22 (l).

23 **Sec. 126.** RCW 88.02.560 and 2010 c 161 s 1020 are each amended to
24 read as follows:

25 (1) An application for a vessel registration must be made by the
26 owner or the owner's authorized representative to the department,
27 county auditor or other agent, or subagent appointed by the director on
28 a form furnished or approved by the department. The application must
29 contain:

- 30 (a) The name and address of each owner of the vessel;
- 31 (b) Other information the department may require; and
- 32 (c) The signature of at least one owner.

33 (2) The application for vessel registration must be accompanied by
34 the:

- 35 (a) Vessel registration fee required under RCW 88.02.640(1)((~~h~~))
36 (i);

1 (b) Derelict vessel and invasive species removal fee under RCW
2 88.02.640(3)(b) and derelict vessel removal surcharge required under
3 RCW 88.02.640(~~(3)(b)~~) (4);

4 (c) Filing fee required under RCW 88.02.640(1)(~~(d)~~) (e);

5 (d) License plate technology fee required under RCW
6 88.02.640(1)(~~(e)~~) (f);

7 (e) License service fee required under RCW 88.02.640(1)(~~(f)~~) (g);
8 and

9 (f) Watercraft excise tax required under chapter 82.49 RCW.

10 (3) Upon receipt of an application for vessel registration and the
11 required fees and taxes, the department shall assign a registration
12 number and issue a decal for each vessel. The registration number and
13 decal must be issued and affixed to the vessel in a manner prescribed
14 by the department consistent with the standard numbering system for
15 vessels required in 33 C.F.R. Part 174. A valid decal affixed as
16 prescribed must indicate compliance with the annual registration
17 requirements of this chapter.

18 (4) Vessel registrations and decals are valid for a period of one
19 year, except that the director may extend or diminish vessel
20 registration periods and vessel decals for the purpose of staggered
21 renewal periods. For registration periods of more or less than one
22 year, the department may collect prorated annual registration fees and
23 excise taxes based upon the number of months in the registration
24 period.

25 (5) Vessel registrations are renewable every year in a manner
26 prescribed by the department upon payment of the fees and taxes
27 described in subsection (2) of this section. Upon renewing a vessel
28 registration, the department shall issue a new decal to be affixed as
29 prescribed by the department.

30 (6) When the department issues either a notice to renew a vessel
31 registration or a decal for a new or renewed vessel registration, it
32 shall also provide information on the location of marine oil recycling
33 tanks and sewage holding tank pumping stations. This information must
34 be provided to the department by the state parks and recreation
35 commission in a form ready for distribution. The form must be
36 developed and prepared by the state parks and recreation commission
37 with the cooperation of the department of ecology. The department, the

1 state parks and recreation commission, and the department of ecology
2 shall enter into a memorandum of agreement to implement this process.

3 (7) A person acquiring a vessel from a dealer or a vessel already
4 validly registered under this chapter shall, within fifteen days of the
5 acquisition or purchase of the vessel, apply to the department, county
6 auditor or other agent, or subagent appointed by the director for
7 transfer of the vessel registration, and the application must be
8 accompanied by a transfer fee as required in RCW 88.02.640(1)((~~+~~))
9 (l).

10 **Sec. 127.** RCW 88.02.590 and 2010 c 161 s 1021 are each amended to
11 read as follows:

12 (1) A registered owner or the registered owner's authorized
13 representative shall promptly apply for a duplicate registration
14 certificate when a registration certificate is lost, stolen, mutilated,
15 or destroyed, or becomes illegible. The application for a duplicate
16 registration certificate must:

- 17 (a) Be accompanied by an affidavit of loss or destruction;
 - 18 (b) Include information required by the department; and
 - 19 (c) Be accompanied by the fee required in RCW 88.02.640(1)((~~e~~))
- 20 (d), in addition to any other fees or taxes required for the
21 transaction.

22 (2) A person recovering a registration certificate for which a
23 duplicate has been issued shall promptly return the registration
24 certificate that has been recovered to the department.

25 **Sec. 128.** RCW 88.02.595 and 2010 c 161 s 1022 are each amended to
26 read as follows:

27 (1) A registered owner or the registered owner's authorized
28 representative shall promptly apply for a pair of replacement decals
29 when the decals are lost, stolen, mutilated, or destroyed, or become
30 illegible. The application for replacement decals must:

- 31 (a) Be accompanied by an affidavit of loss or destruction;
 - 32 (b) Include information required by the department;
 - 33 (c) Be accompanied by the fee required in RCW 88.02.640(1)((~~i~~))
- 34 (j), in addition to any other fees or taxes required for the
35 transaction.

1 (2) A person recovering decals for which a replacement has been
2 issued shall promptly return the decals that have been recovered to the
3 department.

4 **Sec. 129.** RCW 88.02.610 and 2010 c 161 s 1026 are each amended to
5 read as follows:

6 (1) A vessel owner shall apply for a vessel visitor permit if the
7 vessel is:

8 (a) Currently registered or numbered under the laws of a country
9 other than the United States or has a valid United States customs
10 service cruising license issued under 19 C.F.R. Sec. 4.94; and

11 (b) Being used on Washington state waters for the personal use of
12 the owner for more than sixty days.

13 (2) A vessel visitor permit:

14 (a) May be obtained from the department, county auditor or other
15 agent, or subagent appointed by the director;

16 (b) Must show the date the vessel first came into Washington state;
17 and

18 (c) Is valid as long as the vessel remains currently registered or
19 numbered under the laws of a country other than the United States or
20 the United States customs service cruising license remains valid.

21 (3) The department, county auditor or other agent, or subagent
22 appointed by the director shall collect the fee required in RCW
23 88.02.640(1)((+1+)) (m) when issuing a vessel visitor permit.

24 (4) The department shall adopt rules to implement this section,
25 including rules on issuing and displaying the vessel visitor permit.

26 **Sec. 130.** RCW 88.02.620 and 2010 c 161 s 1027 are each amended to
27 read as follows:

28 (1) A vessel owner who is a nonresident natural person shall apply
29 for a nonresident vessel permit on or before the sixty-first day of use
30 in Washington state if the vessel:

31 (a) Is currently registered or numbered under the laws of the state
32 of principal operation or has been issued a valid number under federal
33 law; and

34 (b) Has been brought into Washington state for personal use for not
35 more than six months in any continuous twelve-month period.

36 (2) A nonresident vessel permit:

1 (a) May be obtained from the department, county auditor or other
2 agent, or subagent appointed by the director;

3 (b) Must show the date the vessel first came into Washington state;
4 and

5 (c) Is valid for two months.

6 (3) The department, county auditor or other agent, or subagent
7 appointed by the director shall collect the fee required in RCW
8 88.02.640(1)((~~g~~)) (h) when issuing nonresident vessel permits.

9 (4) A nonresident vessel permit is not required under this section
10 if the vessel is used in conducting temporary business activity within
11 Washington state.

12 (5) The department shall adopt rules to implement this section,
13 including rules on issuing and displaying the nonresident vessel
14 permit.

15 **Sec. 131.** RCW 88.02.640 and 2010 c 161 s 1028 are each amended to
16 read as follows:

17 (1) In addition to any other fees and taxes required by law, the
18 department, county auditor or other agent, or subagent appointed by the
19 director shall charge the following vessel fees and surcharge:

FEE	AMOUNT	AUTHORITY	DISTRIBUTION
(a) Dealer temporary permit	\$5.00	RCW 88.02.800(2)	General fund
(b) Derelict vessel and invasive species removal	Subsection (3) of this section	Subsections (3) and (4) of this section	Subsection (3) of this section
(c) <u>Derelict vessel removal surcharge</u>	<u>\$1.00</u>	<u>Subsection (4) of this section</u>	<u>Subsection (4) of this section</u>
<u>(d)</u> Duplicate registration	\$1.25	RCW 88.02.590(1)(c)	General fund
((f)) <u>(e)</u> Filing	RCW 46.17.005	RCW 46.17.005	RCW ((46.68.440)) <u>46.68.400</u>
((e)) <u>(f)</u> License plate technology	RCW 46.17.015	RCW 46.17.015	RCW ((46.68.400)) <u>46.68.370</u>
((f)) <u>(g)</u> License service	RCW 46.17.025	RCW 46.17.025	RCW 46.68.220
((g)) <u>(h)</u> Nonresident vessel permit	\$25.00	RCW 88.02.620(3)	Subsection (6) of this section
((h)) <u>(i)</u> Registration	\$10.50	RCW 88.02.560(2)	General fund

1	((+)) (j) Replacement	\$1.25	RCW 88.02.595(1)(c)	General fund
2	decal			
3	((+)) (k) Title application	\$5.00	RCW 88.02.515	General fund
4	((+)) (l) Transfer	\$1.00	RCW 88.02.560(7)	General fund
5	((+)) (m) Vessel visitor	\$30.00	RCW 88.02.610(3)	General fund
6	permit			

7 (2) The five dollar dealer temporary permit fee required in
8 subsection (1) of this section must be credited to the payment of
9 registration fees at the time application for registration is made.

10 (3)(a) Until June 30, 2012, the derelict vessel and invasive
11 species removal fee required in subsection (1) of this section is five
12 dollars and must be distributed as follows:

13 (i) One dollar and fifty cents must be deposited in the aquatic
14 invasive species prevention account created in RCW 77.12.879;

15 (ii) One dollar must be deposited into the freshwater aquatic algae
16 control account created in RCW 43.21A.667;

17 (iii) Fifty cents must be deposited into the aquatic invasive
18 species enforcement account created in RCW 43.43.400; and

19 (iv) Two dollars must be deposited in the derelict vessel removal
20 account created in RCW 79.100.100.

21 (b) On and after June 30, 2012, the derelict vessel and invasive
22 species removal fee is two dollars and must be deposited into the
23 derelict vessel removal account created in RCW 79.100.100. If the
24 department of natural resources indicates that the balance of the
25 derelict vessel removal account, not including any transfer or
26 appropriation of funds into the account or funds deposited into the
27 account collected under subsection (5) of this section reaches one
28 million dollars as of March 1st of any year, the collection of the two
29 dollar derelict vessel and invasive species removal fee must be
30 suspended for the following fiscal year.

31 (4) Until January 1, 2014, an annual derelict vessel removal
32 surcharge of one dollar must be charged with each vessel registration.
33 The surcharge:

34 (a) Is to address the significant backlog of derelict vessels
35 accumulated in Washington state waters that pose a threat to the health
36 and safety of the people and to the environment;

1 (b) Is to be used only for the removal of vessels that are less
2 than seventy-five feet in length; and

3 (c) Must be deposited into the derelict vessel removal account
4 created in RCW 79.100.100.

5 (5) The twenty-five dollar nonresident vessel permit fee must be
6 paid by the vessel owner to the department for the cost of providing
7 the identification document by the department. Any moneys remaining
8 from the fee after the payment of costs must be allocated to counties
9 by the state treasurer for approved boating safety programs under RCW
10 ((88.02.655)) 88.02.650.

11 (6) The thirty dollar vessel visitor permit fee must be distributed
12 as follows:

13 (a) Five dollars must be deposited in the derelict vessel removal
14 account created in RCW 79.100.100;

15 (b) The department may keep an amount to cover costs for providing
16 the vessel visitor permit;

17 (c) Any moneys remaining must be allocated to counties by the state
18 treasurer for approved boating safety programs under RCW ((88.02.655))
19 88.02.650; and

20 (d) Any fees required for licensing agents under RCW 46.17.005 are
21 in addition to any other fee or tax due for the titling and
22 registration of vessels.

23 **Sec. 132.** RCW 88.02.650 and 2010 c 161 s 1029 are each amended to
24 read as follows:

25 General fees for vessel registrations collected by the director
26 must be deposited in the general fund. Any amount above one million
27 one hundred thousand dollars per fiscal year must be allocated to
28 counties by the state treasurer for boating safety/education and law
29 enforcement programs. Eligibility for boating safety/education and law
30 enforcement program allocations is contingent upon approval of the
31 local boating safety program by the state parks and recreation
32 commission. Fund allocation must be based on the numbers of registered
33 vessels by county of moorage. Each benefitting county is responsible
34 for equitable distribution of such allocation to other jurisdictions
35 with approved boating safety programs within the county. Any fees not
36 allocated to counties due to the absence of an approved boating safety
37 program must be allocated to the state parks and recreation commission

1 for awards to local governments to offset law enforcement and boating
2 safety impacts of boaters recreating in jurisdictions other than where
3 registered. Jurisdictions receiving funds under this section shall
4 deposit the funds into an account dedicated solely for supporting the
5 jurisdiction's boating safety programs. These funds may not replace
6 existing local funds used for boating safety programs.

7 **Sec. 133.** 2010 c 161 s 438 (uncodified) is amended to read as
8 follows:

9 The following acts or parts of acts are each repealed:

10 (1) RCW 46.16.0105 (Exemption--Vehicles in national recreation
11 areas) and 2005 c 79 s 1;

12 (2) RCW 46.16.016 (Emission control inspections--Rules for
13 licensing requirements) and 1979 ex.s. c 163 s 15;

14 (3) RCW 46.16.017 (Emission standards--Compliance required to
15 register, lease, rent, or sell vehicles--Exemptions) and 2005 c 295 s
16 7;

17 (4) RCW 46.16.023 (Ride-sharing vehicles--Special plates--Gross
18 misdemeanor) and 2004 c 223 s 2, 1993 c 488 s 5, & 1987 c 175 s 2;

19 (5) RCW 46.16.035 (Exemptions--Private school buses) and 1990 c 33
20 s 584 & 1980 c 88 s 1;

21 (6) RCW 46.16.0621 (License fee) and 2003 c 1 s 2, 2002 c 352 s 7,
22 & 2000 1st sp.s. c 1 s 1;

23 (7) RCW 46.16.063 (Additional fee for recreational vehicles) and
24 1996 c 237 s 1 & 1980 c 60 s 2;

25 (8) RCW 46.16.071 (Additional fees) and 1996 c 315 s 4;

26 (9) RCW 46.16.079 (Fixed load motor vehicle equipped for lifting or
27 towing--Capacity fee in addition to and in lieu) and 1986 c 18 s 5,
28 1975 c 25 s 16, & 1963 c 18 s 1;

29 (10) RCW 46.16.085 (Commercial trailers, pole trailers--Fee in
30 lieu) and 1991 c 163 s 3, 1989 c 156 s 2, 1987 c 244 s 4, 1986 c 18 s
31 8, & 1985 c 380 s 16;

32 (11) RCW 46.16.088 (Transfer of license plates--Penalty) and 1986
33 c 18 s 9 & 1985 c 380 s 17;

34 (12) RCW 46.16.111 (Gross weight, how computed) and 1987 c 244 s 5,
35 1986 c 18 s 11, 1971 ex.s. c 231 s 1, 1969 ex.s. c 170 s 6, & 1967
36 ex.s. c 83 s 57;

1 (13) RCW 46.16.121 (Seating capacity fees on stages, for hire
2 vehicles) and 1967 ex.s. c 83 s 58;

3 (14) RCW 46.16.135 (Monthly license fee--Penalty) and 1986 c 18 s
4 12, 1985 c 380 s 19, 1979 ex.s. c 136 s 46, 1979 c 134 s 1, 1975-'76
5 2nd ex.s. c 64 s 3, 1975 1st ex.s. c 118 s 6, 1969 ex.s. c 170 s 7, &
6 1961 c 12 s 46.16.135;

7 (15) RCW 46.16.150 (School buses exempt from load and seat capacity
8 fees) and 1961 c 12 s 46.16.150;

9 (16) RCW 46.16.200 (Applications to agents--Transmittal to
10 director) and 1961 c 12 s 46.16.200;

11 (17) RCW 46.16.220 (Time of renewal of licenses--Duration) and 1997
12 c 241 s 9, 1991 c 339 s 20, 1975 1st ex.s. c 118 s 9, 1969 ex.s. c 170
13 s 9, & 1961 c 12 s 46.16.220;

14 (18) RCW 46.16.230 (License plates furnished) and 1992 c 7 s 41,
15 1975 c 25 s 19, & 1961 c 12 s 46.16.230;

16 (19) RCW 46.16.233 (Standard background--Periodic replacement--
17 Retention of current plate number) and 2003 c 361 s 501, 2003 c 196 s
18 401, 2000 c 37 s 1, & 1997 c 291 s 2;

19 (20) RCW 46.16.235 (State name not abbreviated) and 1965 ex.s. c 78
20 s 2;

21 (21) RCW 46.16.237 (Reflectorized materials--Fee) and 2005 c 314 s
22 301, 1987 c 52 s 1, & 1967 ex.s. c 145 s 60;

23 (22) RCW 46.16.240 (Attachment of plates to vehicles--Violations
24 enumerated) and 2006 c 326 s 1;

25 (23) RCW 46.16.270 (Replacement of plates--Fee) and 2005 c 314 s
26 302, 1997 c 291 s 3, 1990 c 250 s 32, & 1987 c 178 s 2;

27 (24) RCW 46.16.280 (Sale, loss, or destruction of commercial
28 vehicle--Credit for unused fee--Change in license classification) and
29 1987 c 244 s 7, 1986 c 18 s 17, 1967 c 32 s 20, & 1961 c 12 s
30 46.16.280;

31 (25) RCW 46.16.290 (Disposition of license plates, certificate on
32 vehicle transfer) and 2004 c 223 s 3, 1997 c 291 s 4, 1986 c 18 s 18,
33 1983 c 27 s 2, & 1961 c 12 s 46.16.290;

34 (26) RCW 46.16.295 (Returned plates--Reuse) and 2003 c 359 s 1;

35 (27) RCW 46.16.305 (Special license plates--Continuance of earlier
36 issues--Conditions for current issues) and 2008 c 72 s 1;

37 (28) RCW 46.16.307 (Collectors' vehicles--Use restrictions) and
38 1996 c 225 s 11;

1 (29) RCW 46.16.30901 (Professional firefighters and paramedics
2 plate) and 2004 c 35 s 1;
3 (30) RCW 46.16.30902 (Washington State Council of Firefighters
4 benevolent fund) and 2004 c 35 s 4;
5 (31) RCW 46.16.30903 (Helping Kids Speak plate) and 2004 c 48 s 1;
6 (32) RCW 46.16.30904 ("Helping Kids Speak" account) and 2004 c 48
7 s 4;
8 (33) RCW 46.16.30905 (Law enforcement memorial plate) and 2004 c
9 221 s 1;
10 (34)RCW 46.16.30906 (Law enforcement memorial account) and 2004 c
11 221 s 4;
12 (35) RCW 46.16.30907 (Washington's Wildlife plate collection) and
13 2005 c 42 s 1;
14 (36) RCW 46.16.30908 (Washington's Wildlife license plate
15 collection--Definition) and 2005 c 42 s 2;
16 (37) RCW 46.16.30909 (Washington state parks and recreation
17 commission plate) and 2005 c 44 s 1;
18 (38) RCW 46.16.30910 (Washington state parks and recreation
19 commission special license plate--Definition) and 2005 c 44 s 2;
20 (39) RCW 46.16.30911 ("Washington Lighthouses" plate) and 2005 c 48
21 s 1;
22 (40) RCW 46.16.30912 (Lighthouse environmental programs account)
23 and 2005 c 48 s 4;
24 (41) RCW 46.16.30913 ("Keep Kids Safe" plate) and 2005 c 53 s 1;
25 (42) RCW 46.16.30914 ("We love our pets" plate) and 2005 c 71 s 1;
26 (43) RCW 46.16.30915 (We love our pets account) and 2005 c 71 s 4;
27 (44) RCW 46.16.30916 (Gonzaga University alumni association plate)
28 and 2005 c 85 s 1;
29 (45) RCW 46.16.30917 (Gonzaga University alumni association
30 account) and 2005 c 85 s 4;
31 (46) RCW 46.16.30918 ("Washington's National Park Fund" plate) and
32 2005 c 177 s 1;
33 (47) RCW 46.16.30919 ("Washington's National Park Fund" account)
34 and 2005 c 177 s 4;
35 (48) RCW 46.16.30920 (Armed forces plate collection) and 2008 c 183
36 s 1 & 2005 c 216 s 1;
37 (49) RCW 46.16.30921 (Armed forces license plate collection--
38 Definition--No free issuance) and 2008 c 183 s 2 & 2005 c 216 s 2;

1 (50) RCW 46.16.30923 ("Ski & Ride Washington" account) and 2005 c
2 220 s 4;
3 (51) RCW 46.16.30924 (Wild On Washington plate) and 2005 c 224 s 1;
4 (52) RCW 46.16.30925 (Wild On Washington license plates--
5 Definition) and 2005 c 224 s 2;
6 (53) RCW 46.16.30926 (Endangered Wildlife plate) and 2005 c 225 s
7 1;
8 (54) RCW 46.16.30927 (Endangered Wildlife license plates--
9 Definition) and 2005 c 225 s 2;
10 (55) RCW 46.16.30928 ("Share the Road" plate) and 2005 c 426 s 1;
11 (56) RCW 46.16.30929 ("Share the Road" account) and 2005 c 426 s 4;
12 (57) RCW 46.16.313 (Special license plates--Fees) and 2005 c 426 s
13 3, 2005 c 225 s 3, 2005 c 224 s 3, 2005 c 220 s 3, 2005 c 216 s 3, 2005
14 c 177 s 3, 2005 c 85 s 3, 2005 c 71 s 3, 2005 c 53 s 3, 2005 c 48 s 3,
15 2005 c 44 s 3, & 2005 c 42 s 3;
16 (58) RCW 46.16.316 (Special license plates--Transfer of vehicle--
17 Replacement plates) and 2005 c 210 s 2;
18 (59) RCW 46.16.333 (Cooper Jones emblems) and 2005 c 426 s 5 & 2002
19 c 264 s 3;
20 (60) (~~RCW 46.16.335 (Special license plates and emblems Rules)~~
21 ~~and 1990 c 250 s 10;~~
22 ~~(+61+)~~) RCW 46.16.340 (Amateur radio operator plates--Information
23 furnished to various agencies) and 1995 c 391 s 8, 1986 c 266 s 49,
24 1985 c 7 s 112, 1974 ex.s. c 171 s 43, 1967 c 32 s 23, & 1961 c 12 s
25 46.16.340;
26 ~~(+62+)~~) (61) RCW 46.16.350 (Amateur radio operator plates--
27 Expiration or revocation of radio license--Penalty) and 1997 c 291 s
28 11, 1990 c 250 s 11, 1979 ex.s. c 136 s 49, 1967 c 32 s 24, & 1961 c 12
29 s 46.16.350;
30 ~~(+63+)~~) (62) RCW 46.16.371 (Special plates for honorary consul,
31 foreign government representative) and 1987 c 237 s 1;
32 ~~(+64+)~~) (63) RCW 46.16.374 (Taipei Economic and Cultural Office--
33 Special plates) and 2001 c 64 s 5 & 1996 c 139 s 1;
34 ~~(+65+)~~) (64) RCW 46.16.376 (Taipei Economic and Cultural Office--
35 Fee exemption) and 1996 c 139 s 2;
36 ~~(+66+)~~) (65) RCW 46.16.381 (Special parking for persons with
37 disabilities-- Penalties--Enforcement--Definition) and 2007 c 262 s 1,
38 2007 c 44 s 1, 2006 c 357 s 2, 2005 c 390 s 2, 2004 c 222 s 2, 2003 c

1 371 s 1, 2002 c 175 s 33, 2001 c 67 s 1, 1999 c 136 s 1, 1998 c 294 s
2 1, 1995 c 384 s 1, 1994 c 194 s 6, 1993 c 106 s 1, 1992 c 148 s 1, 1991
3 c 339 s 21, 1990 c 24 s 1, 1986 c 96 s 1, & 1984 c 154 s 2;

4 ((+67+)) (66) RCW 46.16.385 (Versions of special plates for persons
5 with disabilities) and 2005 c 390 s 3, 2005 c 210 s 3, & 2004 c 222 s
6 1;

7 ((+68+)) (67) RCW 46.16.470 (Temporary license--Display) and 1967
8 c 202 s 5;

9 ((+69+)) (68) RCW 46.16.480 (Nonresident members of armed forces--
10 Exemption from sales, use, or motor vehicle excise taxes--Extent of
11 exemption) and 1967 c 202 s 6;

12 ((+70+)) (69) RCW 46.16.490 (Nonresident members of armed forces--
13 Rules and regulations--Proof) and 1979 c 158 s 142 & 1967 c 202 s 7;

14 ((+71+)) (70) RCW 46.16.505 (Campers--License and plates--
15 Application--Fee) and 1975 1st ex.s. c 118 s 11, 1975 c 41 s 1, & 1971
16 ex.s. c 231 s 7;

17 ((+72+)) (71) RCW 46.16.560 (Personalized license plates--Defined)
18 and 1975 c 59 s 1 & 1973 1st ex.s. c 200 s 2;

19 ((+73+)) (72) RCW 46.16.565 (Personalized license plates--
20 Application) and 1985 c 173 s 1, 1983 c 27 s 4, 1975 c 59 s 2, & 1973
21 1st ex.s. c 200 s 3;

22 ((+74+)) (73) RCW 46.16.570 (Personalized license plates--Design)
23 and 2005 c 210 s 4, 1986 c 108 s 1, 1983 1st ex.s. c 24 s 1, 1975 c 59
24 s 3, & 1973 1st ex.s. c 200 s 4;

25 ((+75+)) (74) RCW 46.16.575 (Personalized license plates--Issuance
26 to registered owner only) and 1973 1st ex.s. c 200 s 5;

27 ((+76+)) (75) RCW 46.16.580 (Personalized license plates--
28 Application requirements) and 1973 1st ex.s. c 200 s 6;

29 ((+77+)) (76) RCW 46.16.585 (Personalized license plates--Fees--
30 Renewal-- Penalty) and 1979 ex.s. c 136 s 51, 1975 c 59 s 4, & 1973 1st
31 ex.s. c 200 s 7;

32 ((+78+)) (77) RCW 46.16.590 (Personalized license plates--Transfer
33 fees) and 2004 c 223 s 5, 1975 c 59 s 5, & 1973 1st ex.s. c 200 s 8;

34 ((+79+)) (78) RCW 46.16.595 (Personalized license plates--Transfer
35 or surrender upon sale or release of vehicle--Penalty) and 1979 ex.s.
36 c 136 s 52, 1975 c 59 s 6, & 1973 1st ex.s. c 200 s 9;

37 ((+80+)) (79) RCW 46.16.600 (Personalized license plates--Rules and

1 regulations) and 2005 c 210 s 5, 1979 c 158 s 143, & 1973 1st ex.s. c
2 200 s 10;
3 ((+81+)) (80) RCW 46.16.601 (Personalized special plates) and 2005
4 c 210 s 1;
5 ((+82+)) (81) RCW 46.16.605 (Personalized license plates--
6 Disposition of fees--Costs) and 1988 c 36 s 27, 1983 1st ex.s. c 24 s
7 2, 1983 c 3 s 118, 1979 c 158 s 144, & 1973 1st ex.s. c 200 s 11;
8 ((+83+)) (82) RCW 46.16.606 (Personalized license plates--
9 Additional fee) and 2007 c 246 s 2 & 1991 sp.s. c 7 s 13;
10 ((+84+)) (83) RCW 46.16.630 (Moped registration) and 2002 c 352 s
11 9, 1997 c 241 s 11, & 1979 ex.s. c 213 s 5;
12 ((+85+)) (84) RCW 46.16.640 (Wheelchair conveyances) and 1983 c 200
13 s 2;
14 ((+86+)) (85) RCW 46.16.670 (Boat trailers--Fee for freshwater
15 aquatic weeds account) and 1991 c 302 s 3;
16 ((+87+)) (86) RCW 46.16.680 (Kit vehicles) and 2009 c 284 s 2 &
17 1996 c 225 s 10;
18 ((+88+)) (87) RCW 46.17.010 (Vehicle weight fee--Motor vehicles,
19 except motor homes) and 2006 c 337 s 9 & 2005 c 314 s 201; and
20 ((+89+)) (88) RCW 46.17.020 (Vehicle weight fee--Motor homes) and
21 2005 c 314 s 202.

22 NEW SECTION. **Sec. 134.** The following acts or parts of acts are
23 each repealed:

24 (1) RCW 46.04.1961 (Helping kids speak license plates) and 2010 c
25 161 s 119;

26 (2) RCW 46.04.7051 (We love our pets license plates) and 2010 c 161
27 s 160;

28 (3) RCW 46.10.405 (Registration--Valid before transfer) and 2010
29 c 161 s 230, 1982 c 17 s 3, 1979 ex.s. c 182 s 6, & 1975 1st ex.s. c
30 181 s 4;

31 (4) RCW 46.16.30922 ("Ski & Ride Washington" plate) and 2010 1st
32 sp.s. c 7 s 109 & 2005 c 220 s 1;

33 (5) RCW 46.18.030 (Authority to continue) and 2003 c 196 s 501 &
34 1997 c 291 s 9; and

35 (6) RCW 88.02.655 (Allocation of funds under RCW 88.02.650 to
36 counties--Deposit to account for boating safety programs) and 2010 c
37 161 s 1030 & 1993 c 244 s 40.

1 NEW SECTION. **Sec. 135.** RCW 46.04.391 is recodified as RCW
2 46.04.4141.

3 NEW SECTION. **Sec. 136.** RCW 46.16.900 is recodified as RCW
4 46.16A.900.

5 NEW SECTION. **Sec. 137.** Section 125 of this act expires June 30,
6 2012.

7 NEW SECTION. **Sec. 138.** Section 126 of this act takes effect June
8 30, 2012.

9 NEW SECTION. **Sec. 139.** Except for section 126 of this act, this
10 act is necessary for the immediate preservation of the public peace,
11 health, or safety, or support of the state government and its existing
12 public institutions, and takes effect July 1, 2011.

--- END ---