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SENATE BILL 5338

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State of Washington

65th Legislature

2017 Regular Session

By Senators Wilson and Takko

Read first time 01/20/17. Referred to Committee on Transportation.

1 AN ACT Relating to registration enforcement for off-road vehicles  
2 and snowmobiles; adding a new section to chapter 46.09 RCW; adding a  
3 new section to chapter 46.10 RCW; adding a new section to chapter  
4 46.93 RCW; creating new sections; prescribing penalties; and  
5 providing an effective date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that many residents  
8 of Washington enjoy recreational opportunities for off-road vehicle  
9 and snowmobile use afforded by the natural beauty of the state and do  
10 so in compliance with vehicle titling and registration laws and other  
11 laws that govern off-road vehicle and snowmobile use. At the same  
12 time, the legislature recognizes that the current law and  
13 corresponding enforcement regime may not be robust enough to ensure  
14 full compliance with legal registration requirements and a level  
15 playing field for all users. It is therefore the intent of the  
16 legislature to modify the statutory framework governing penalties for  
17 off-road vehicle and snowmobile registration violations and to add  
18 requirements to the department of licensing in order to improve  
19 registration compliance.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 46.09  
2 RCW under the subchapter heading "uses and violations" to read as  
3 follows:

4        It is a gross misdemeanor, punishable as provided under chapter  
5 9A.20 RCW, for a resident, as identified in RCW 46.16A.140, to  
6 register an off-road vehicle in another state, or to hold a  
7 manufacturer's statement of origin and not apply for a Washington  
8 state certificate of title within fifteen days of having the off-road  
9 vehicle brought to this state, to avoid the payment of any tax or  
10 vehicle license fee imposed in connection with Washington state  
11 registration. Excise taxes owed and fines assessed must be deposited  
12 in the manner provided under RCW 46.16A.030(6).

13       NEW SECTION.    **Sec. 3.**    A new section is added to chapter 46.10  
14 RCW under the subchapter heading "uses and violations" to read as  
15 follows:

16       It is a gross misdemeanor, punishable as provided under chapter  
17 9A.20 RCW, for a resident, as identified in RCW 46.16A.140, to  
18 register a snowmobile in another state, or to hold a manufacturer's  
19 statement of origin and not apply for a Washington state certificate  
20 of title within fifteen days of having the snowmobile brought to this  
21 state, to avoid the payment of any tax or vehicle license fee imposed  
22 in connection with Washington state registration. Excise taxes owed  
23 and fines assessed must be deposited in the manner provided under RCW  
24 46.16A.030(6).

25       NEW SECTION.    **Sec. 4.**    A new section is added to chapter 46.93  
26 RCW to read as follows:

27       (1) In January of each year, beginning in 2018, motorsports  
28 vehicle manufacturers must report to the department of licensing a  
29 listing of all motorsports vehicle warranties for off-road vehicles  
30 under chapter 46.09 RCW and snowmobiles under chapter 46.10 RCW  
31 registered to Washington residents but sold by out-of-state  
32 motorsports vehicle dealers in the previous calendar year.

33       (2) The department of licensing shall examine the listing  
34 reported in subsection (1) of this section to verify whether the  
35 vehicles are properly registered in the state. By the end of February  
36 of each year, beginning in 2018, the department shall notify by  
37 first-class mail the owners of the warranties of the off-road  
38 vehicles and snowmobiles that are not properly registered in the

1 state of the owner's obligations under state law regarding vehicle  
2 titling, registration, and use tax payment, as well as of the  
3 penalties for failure to comply with the law.

4 NEW SECTION. **Sec. 5.** Section 4 of this act applies to the sales  
5 of off-road vehicles and snowmobiles beginning in January 2017.

6 NEW SECTION. **Sec. 6.** This act takes effect August 1, 2017.

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