

FINAL BILL REPORT

HB 2074

C 40 L 22

Synopsis as Enacted

Brief Description: Concerning fees collected from out-of-state residents who register off-road vehicles in Washington.

Sponsors: Representative Wylie.

House Committee on Transportation
Senate Committee on Transportation

Background:

An off-road vehicle (ORV) is a vehicle that is used for recreational purposes on nonhighway roads, trails, and other natural terrain. Off-road vehicles include all-terrain vehicles, certain motorcycles, dune buggies, and certain four-wheel drive vehicles.

A wheeled all-terrain vehicle (WATV) is a specific category of an ORV that is regulated separately under state law that authorizes travel on public roads under certain conditions. There are two types of WATVs that are so regulated. One is a motorized nonhighway vehicle with certain specifications: handlebars of 50 inches or less in width; a seat with a height of at least 20 inches; a maximum weight of 1,500 pounds; and four tires with a maximum diameter of 30 inches. The second is a utility-type vehicle (UTV) designed for and capable of travel over designated roads with certain specifications: four or more low-pressure tires of 20 pounds per square inch or less; a maximum width of less than 74 inches; a maximum weight of less than 2,000 pounds; and a wheelbase of 110 inches or less. The latter category of WATV must satisfy one of three additional specifications: a minimum width of 50 inches; a minimum weight of 900 pounds; or a wheelbase of over 61 inches.

An owner of an ORV other than a WATV who wishes to operate the vehicle in the state must first register the vehicle with the Department of Licensing (DOL) and pay a licensing fee of \$18, along with any applicable taxes and fees, which include a filing fee of \$4.50, a service fee of \$8, and use tax, if sales tax has not been paid. An owner of a WATV must do the same, unless the owner also wants to register the vehicle for on-road travel, in which

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case the owner must pay an additional \$12 licensing fee. The DOL will issue a decal to the owner of an ORV other than a WATV and a metal tag to the owner of a WATV. The decal or metal tag serves the same function as a license plate for on-road vehicles within Washington and, for states that have reciprocal laws governing out-of-state ORVs, allows the owner to operate the vehicle in that state.

In general, an out-of-state owner of a WATV or other ORV that is properly registered or permitted in another state may operate the vehicle without registering it in Washington if the other state has a reciprocal law that allows out-of-state residents with properly registered or permitted vehicles to operate their vehicles in the other state without having to register there. However, a resident of a state that borders Washington that does not impose sales and use tax on transactions involving ORVs must register the vehicle in Washington but is not required to pay any fee, if the resident presents an unexpired driver's license and a current registration or permit for the vehicle from the other state.

Summary:

A resident of a state that borders Washington that does not impose sales and use tax on transactions involving ORVs is required to pay all applicable fees required for in-state WATV or other ORV registrations, except the licensing fee, if registering a WATV or other ORV in Washington.

Votes on Final Passage:

House	98	0
Senate	46	0

Effective: June 9, 2022