
HOUSE BILL 2759

State of Washington 58th Legislature 2004 Regular Session

By Representatives Murray, Dickerson and Rockefeller

Read first time 01/20/2004. Referred to Committee on Transportation.

1 AN ACT Relating to registration of vehicles based on residence;
2 amending RCW 46.16.028, 46.16.040, and 46.20.205; adding a new section
3 to chapter 46.04 RCW; and adding a new section to chapter 46.16 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.04 RCW
6 to read as follows:

7 "Residence address" means the street address of the primary
8 residence of a person within the state of Washington. It is strongly
9 presumed that the residence address will be the same address used in
10 drivers' license records and voter registration records.

11 **Sec. 2.** RCW 46.16.028 and 1997 c 59 s 7 are each amended to read
12 as follows:

13 (1) For the purposes of vehicle license registration, a resident is
14 a person who manifests an intent to live or be located in this state on
15 more than a temporary or transient basis. Evidence of residency
16 includes but is not limited to:

17 (a) Becoming a registered voter in this state; or

1 (b) Receiving benefits under one of the Washington public
2 assistance programs; or

3 (c) Declaring that he or she is a resident for the purpose of
4 obtaining a state license or tuition fees at resident rates.

5 (2) The term "Washington public assistance programs" referred to in
6 subsection (1)(b) of this section includes only public assistance
7 programs for which more than fifty percent of the combined costs of
8 benefits and administration are paid from state funds. Programs which
9 are not included within the term "Washington public assistance
10 programs" pursuant to the above criteria include, but are not limited
11 to the food stamp program under the federal food stamp act of 1964;
12 programs under the child nutrition act of 1966, 42 U.S.C. Secs. 1771
13 through 1788; and temporary assistance for needy families.

14 (3) A resident of the state shall register under chapters 46.12 and
15 46.16 RCW a vehicle to be operated on the highways of the state. New
16 Washington residents shall be allowed thirty days from the date they
17 become residents as defined in this section to procure Washington
18 registration for their vehicles. This thirty-day period shall not be
19 combined with any other period of reciprocity provided for in this
20 chapter or chapter 46.85 RCW. The initial registration of a vehicle
21 previously licensed in another jurisdiction by a new Washington
22 resident is considered a relicensing of the vehicle and a renewal of
23 the vehicle's license.

24 **Sec. 3.** RCW 46.16.040 and 1987 c 244 s 2 are each amended to read
25 as follows:

26 Application for original vehicle license shall be made on ~~((a))~~
27 a form furnished for the purpose by the department. Such application
28 shall be made by the owner of the vehicle or duly authorized agent over
29 the signature of such owner or agent, and the applicant shall certify,
30 under penalty of perjury, that the statements therein are true to the
31 best of the applicant's knowledge. The application must show:

32 (1) Name and residence address of the owner of the vehicle and, if
33 the vehicle is subject to a security agreement, the name and address of
34 the secured party;

35 (2) Trade name of the vehicle, model, year, type of body, the
36 identification number thereof;

1 (3) The power to be used--whether electric, steam, gas or other
2 power;

3 (4) The purpose for which said vehicle is to be used and the nature
4 of the license required;

5 (5) The licensed gross weight for such vehicle which in the case of
6 for hire vehicles and auto stages with seating capacity of more than
7 six shall be the adult seating capacity thereof, including the
8 operator, as provided for in RCW 46.16.111. In the case of motor
9 trucks, tractors, and truck tractors, the licensed gross weight shall
10 be the gross weight declared by the applicant pursuant to the
11 provisions of RCW 46.16.111;

12 (6) The unladen weight of such vehicle, if it be a motor truck or
13 trailer, which shall be the shipping weight thereof as given by the
14 manufacturer thereof unless another weight is shown by weight slip
15 verified by a certified weighmaster, which slip shall be attached to
16 the original application;

17 (7) Such other information as shall be required upon such
18 application by the department.

19 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.16 RCW
20 to read as follows:

21 (1) To renew a vehicle license, an applicant shall satisfy all
22 special motor vehicle excise tax obligations with respect to any taxing
23 district of which the applicant is a resident. If the department or
24 its agents determine that a vehicle registered at an address outside a
25 taxing district is owned by a resident of the taxing district, the
26 renewal application may be processed by the department or its agents
27 only if the applicant:

28 (a) Presents evidence reasonably satisfactory to the department or
29 its agents that the applicant is not a resident of the taxing district;
30 or

31 (b) Establishes eligibility of the applicant for an exemption from
32 the special motor vehicle excise tax; or

33 (c) Tenders payment of the applicable special motor vehicle excise
34 taxes owed, files a change of address under RCW 46.20.205, and pays a
35 fifteen-dollar surcharge.

36 (2) The surcharge will be allocated as follows:

1 (a) Ten dollars will be deposited in the motor vehicle fund to be
2 used exclusively for the administrative costs of the department; and

3 (b) Five dollars will be retained by the agent handling the renewal
4 application to be used by the agent for the administration of this
5 section.

6 (3) The department shall send to a registered owner of a vehicle
7 who has been determined not to be a resident at the registered address
8 of the vehicle, at the time of renewal, a statement setting out the
9 presumed address of residency, the taxing district to which the address
10 relates, the amounts of special motor vehicle excise tax relating to
11 the vehicle, and the surcharge to be collected.

12 **Sec. 5.** RCW 46.20.205 and 1999 c 6 s 24 are each amended to read
13 as follows:

14 (1) Whenever any person after applying for or receiving a driver's
15 license or identicard moves from the residence address named in the
16 application or in the license or identicard issued to him or her, the
17 person shall within ten days thereafter notify the department of the
18 address change. The notification must be in writing on a form provided
19 by the department and must include the number of the person's driver's
20 license. The written notification, or other means as designated by
21 rule of the department, is the exclusive means by which the address of
22 record maintained by the department concerning the licensee or
23 identicard holder may be changed.

24 (a) The form must contain a place for the person to indicate that
25 the address change is not for voting purposes. The department of
26 licensing shall notify the secretary of state by the means described in
27 RCW (~~(29.07.270(3))~~) 29A.08.350 of all change of address information
28 received by means of this form except information on persons indicating
29 that the change is not for voting purposes. The form must also include
30 a certification, under penalty of perjury, that the statements in it
31 are true to the best of the person's knowledge.

32 (b) Any notice regarding the cancellation, suspension, revocation,
33 disqualification, probation, or nonrenewal of the driver's license,
34 commercial driver's license, driving privilege, or identicard mailed to
35 the address of record of the licensee or identicard holder is effective
36 notwithstanding the licensee's or identicard holder's failure to
37 receive the notice.

1 (2) When a licensee or holder of an identicard changes his or her
2 name of record, the person shall notify the department of the name
3 change. The person must make the notification within ten days of the
4 date that the name change is effective. The notification must be in
5 writing on a form provided by the department and must include the
6 number of the person's driver's license. The department of licensing
7 shall not change the name of record of a person under this section
8 unless the person has again satisfied the department regarding his or
9 her identity in the manner provided by RCW 46.20.035.

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