
SUBSTITUTE SENATE BILL 6479

State of Washington

62nd Legislature

2012 Regular Session

By Senate Transportation (originally sponsored by Senators Swecker and Haugen)

READ FIRST TIME 02/03/12.

1 AN ACT Relating to technical corrections to certain vehicle and
2 vessel title and registration provisions; amending RCW 15.80.530,
3 46.08.065, 46.10.420, 46.12.675, 46.16A.090, 46.16A.320, 46.17.350,
4 46.18.280, 46.19.050, 46.20.220, 46.20.349, 46.30.020, 46.52.020,
5 46.55.030, 46.61.723, 46.61.725, 46.63.060, 46.68.425, 46.71.080,
6 46.85.060, 46.87.070, 46.87.310, 46.87.400, 69.43.010, 70.160.070,
7 82.38.100, 88.02.530, 88.02.540, 88.02.560, 88.02.590, 88.02.595,
8 88.02.610, and 88.02.620; reenacting and amending RCW 46.18.060,
9 46.70.011, and 88.02.640; adding new sections to chapter 46.04 RCW;
10 creating a new section; recodifying RCW 46.04.622, 46.04.62250,
11 46.04.630, and 46.04.650; repealing RCW 46.04.62240, 46.04.62260, and
12 46.18.050; and providing an effective date.

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

14 NEW SECTION. **Sec. 1.** This act is intended to reconcile and
15 conform amendments made in chapter 161, Laws of 2010 and chapter 171,
16 Laws of 2011 with other legislation passed during the 2010 and 2011
17 legislative sessions, as well as provide technical amendments to
18 codified sections affected by chapter 161, Laws of 2010 and chapter

1 171, Laws of 2011. Any statutory changes made by this act should be
2 interpreted as technical in nature and not be interpreted to have any
3 substantive policy or legal implications.

4 **Sec. 2.** RCW 15.80.530 and 1969 ex.s. c 100 s 24 are each amended
5 to read as follows:

6 The certified weight ticket shall be of a form approved by the
7 director and shall contain the following information:

8 (1) The date of issuance;

9 (2) The kind of commodity weighed, measured, or counted;

10 (3) The name of owner, agent, or consignee of the commodity
11 weighed;

12 (4) The name of seller, agent, or consignor;

13 (5) The accurate weight, measure, or count of the commodity
14 weighed, measured, or counted; including the entry of the gross, tare
15 and/or net weight, where applicable;

16 (6) The identifying numerals or symbols, if any, of each container
17 separately weighed and the (~~motor vehicle~~) license plate number of
18 each vehicle separately weighed;

19 (7) The means by which the commodity was being transported at the
20 time it was weighed, measured, or counted;

21 (8) The name of the city or town where such commodity was weighed;

22 (9) The complete signature of weighmaster or weigher who weighed,
23 measured, or counted the commodity; and

24 (10) Such other available information as may be necessary to
25 distinguish or identify the commodity.

26 Such weight certificates when so made and properly signed and
27 sealed shall be prima facie evidence of the accuracy of the weights,
28 measures, or count shown, as a certified weight, measure, or count.

29 **Sec. 3.** RCW 46.08.065 and 1998 c 111 s 4 are each amended to read
30 as follows:

31 (1) It is unlawful for any public officer having charge of any
32 vehicle owned or controlled by any county, city, town, or public body
33 in this state other than the state of Washington and used in public
34 business to operate the same upon the public highways of this state
35 unless and until there shall be displayed upon such automobile or other
36 motor vehicle in letters of contrasting color not less than one and

1 one-quarter inches in height in a conspicuous place on the right and
2 left sides thereof, the name of such county, city, town, or other
3 public body, together with the name of the department or office upon
4 the business of which the said vehicle is used. This section shall not
5 apply to vehicles of a sheriff's office, local police department, or
6 any vehicles used by local peace officers under public authority for
7 special undercover or confidential investigative purposes. This
8 subsection shall not apply to: (a) Any municipal transit vehicle
9 operated for purposes of providing public mass transportation; (b) any
10 vehicle governed by the requirements of subsection (4) of this section;
11 nor to (c) any motor vehicle on loan to a school district for driver
12 training purposes. It shall be lawful and constitute compliance with
13 the provisions of this section, however, for the governing body of the
14 appropriate county, city, town, or public body other than the state of
15 Washington or its agencies to adopt and use a distinctive insignia
16 which shall be not less than six inches in diameter across its smallest
17 dimension and which shall be displayed conspicuously on the right and
18 left sides of the vehicle. Such insignia shall be in a color or colors
19 contrasting with the vehicle to which applied for maximum visibility.
20 The name of the public body owning or operating the vehicle shall also
21 be included as part of or displayed above such approved insignia in
22 colors contrasting with the vehicle in letters not less than one and
23 one-quarter inches in height. Immediately below the lettering
24 identifying the public entity and agency operating the vehicle or below
25 an approved insignia shall appear the words "for official use only" in
26 letters at least one inch high in a color contrasting with the color of
27 the vehicle. The appropriate governing body may provide by rule or
28 ordinance for marking of passenger motor vehicles as prescribed in
29 subsection (2) of this section or for exceptions to the marking
30 requirements for local governmental agencies for the same purposes and
31 under the same circumstances as permitted for state agencies under
32 subsection (3) of this section.

33 (2) Except as provided by subsections (3) and (4) of this section,
34 passenger motor vehicles owned or controlled by the state of
35 Washington, and purchased after July 1, 1989, must be plainly and
36 conspicuously marked on the lower left-hand corner of the rear window
37 with the name of the operating agency or institution or the words
38 "state motor pool," as appropriate, the words "state of Washington --

1 for official use only," and the seal of the state of Washington or the
2 appropriate agency or institution insignia, approved by the department
3 of (~~general administration~~) enterprise services. Markings must be on
4 a transparent adhesive material and conform to the standards
5 established by the department of (~~general administration~~) enterprise
6 services. For the purposes of this section, "passenger motor vehicles"
7 means sedans, station wagons, vans, light trucks, or other motor
8 vehicles under ten thousand pounds gross vehicle weight.

9 (3) Subsection (2) of this section shall not apply to vehicles used
10 by the Washington state patrol for general undercover or confidential
11 investigative purposes. Traffic control vehicles of the Washington
12 state patrol may be exempted from the requirements of subsection (2) of
13 this section at the discretion of the chief of the Washington state
14 patrol. The department of (~~general administration~~) enterprise
15 services shall adopt general rules permitting other exceptions to the
16 requirements of subsection (2) of this section for other vehicles used
17 for law enforcement, confidential public health work, and public
18 assistance fraud or support investigative purposes, for vehicles leased
19 or rented by the state on a casual basis for a period of less than
20 ninety days, and those provided for in RCW 46.08.066(~~(+3)~~). The
21 exceptions in this subsection, subsection (4) of this section, and
22 those provided for in RCW 46.08.066(~~(+3)~~) shall be the only exceptions
23 permitted to the requirements of subsection (2) of this section.

24 (4) Any motorcycle, vehicle over 10,000 pounds gross vehicle
25 weight, or other vehicle that for structural reasons cannot be marked
26 as required by subsection (1) or (2) of this section that is owned or
27 controlled by the state of Washington or by any county, city, town, or
28 other public body in this state and used for public purposes on the
29 public highways of this state shall be conspicuously marked in letters
30 of a contrasting color with the words "State of Washington" or the name
31 of such county, city, town, or other public body, together with the
32 name of the department or office that owns or controls the vehicle.

33 (5) All motor vehicle markings required under the terms of this
34 chapter shall be maintained in a legible condition at all times.

35 **Sec. 4.** RCW 46.10.420 and 2010 c 161 s 231 are each amended to
36 read as follows:

37 (1) Each dealer of snowmobiles in this state shall obtain a

1 snowmobile dealer license from the department in a manner prescribed by
2 the department. Upon receipt of an application for a snowmobile
3 dealer's license and the fee provided in subsection (2) of this
4 section, the dealer is licensed and a snowmobile dealer license number
5 must be assigned.

6 (2) The annual license fee for a snowmobile dealer is twenty-five
7 dollars, which covers all of the snowmobiles offered by a dealer for
8 sale and not rented on a regular, commercial basis. Snowmobiles rented
9 on a regular commercial basis by a snowmobile dealer must be registered
10 separately under RCW 46.10.310, 46.10.400, 46.10.430, and 46.10.440.

11 (3) Upon the issuance of a snowmobile dealer license, a snowmobile
12 dealer may purchase, at a cost to be determined by the department,
13 snowmobile dealer license plates of a size and color to be determined
14 by the department. The snowmobile dealer license plates must contain
15 the snowmobile license number assigned to the dealer. Each snowmobile
16 operated by a dealer, dealer representative, or prospective customer
17 for the purposes of demonstration or testing shall display snowmobile
18 dealer license plates in a clearly visible manner.

19 (4) Only a dealer, dealer representative, or prospective customer
20 may display a snowmobile dealer plate, and only a dealer, dealer
21 representative, or prospective customer may use a snowmobile dealer's
22 license plate for the purposes described in subsection (3) of this
23 section.

24 (5) Snowmobile dealer licenses are nontransferable.

25 (6) It is unlawful for any snowmobile dealer to sell a snowmobile
26 at wholesale or retail, or to test or demonstrate any snowmobile,
27 within the state, unless the dealer has a snowmobile dealer license as
28 required under this section.

29 (7) When a snowmobile is sold by a snowmobile dealer, the dealer:

30 (a) Shall apply for licensing in the purchaser's name (~~within~~
31 ~~fifteen days following the sale~~) as provided by rules adopted by the
32 department; and

33 (b) May issue a temporary license as provided by rules adopted by
34 the department.

35 **Sec. 5.** RCW 46.12.675 and 2010 c 161 s 316 are each amended to
36 read as follows:

1 (1) A security interest in a vehicle other than one held as
2 inventory by a manufacturer or a dealer and for which a certificate of
3 title is required is perfected only by:

4 (a) Complying with the requirements of RCW 46.12.660 or this
5 section;

6 (b) Receipt by the department, county auditor or other agent, or
7 subagent appointed by the director of:

8 (i) The existing certificate of title, if any;

9 (ii) An application for a certificate of title containing the name
10 and address of the secured party; and

11 (iii) Payment of the required fees.

12 (2) A security interest is perfected when it is created if the
13 secured party's name and address appear on the most recently issued
14 certificate of title or, if not, it is created when the department,
15 county auditor or other agent, or subagent appointed by the director
16 receives the certificate of title or an application for a certificate
17 of title and the fees required in subsection (1) of this section.

18 (3) If a vehicle is subject to a security interest when brought
19 into this state, perfection of the security interest is determined by
20 the law of the jurisdiction where the vehicle was when the security
21 interest was attached, subject to the following:

22 (a) The security interest continues perfected in this state if the
23 name of the secured party is shown on the existing certificate of title
24 issued by that jurisdiction. The name of the secured party must be
25 shown on the certificate of title issued for the vehicle by this state.
26 The security interest continues perfected in this state when the
27 department issues the certificate of title.

28 (b) If the security interest was not perfected under the law of the
29 jurisdiction where the vehicle was when the security interest was
30 attached, it may be perfected in this state. Perfection begins when
31 the department receives the information and fees required in subsection
32 (1) of this section.

33 (4)(a) After a certificate of title has been issued, the registered
34 owner or secured party must apply to the department, county auditor or
35 other agent, or subagent appointed by the director for a new
36 certificate of title when a security interest is granted on a vehicle.
37 Within ten days after creating a security agreement, the registered
38 owner or secured party must submit:

1 (i) An application for a certificate of title;
2 (ii) The certificate of title last issued for the vehicle, or other
3 documentation required by the department; and
4 (iii) The fee required in RCW 46.17.100.

5 (b) If satisfied that a certificate of title should be reissued,
6 the department shall change the vehicle record and issue a new
7 certificate of title to the secured party.

8 (5) A secured party shall release the security interest when the
9 conditions within the security agreement have been met and there is no
10 further secured obligation. The secured party must either:

11 (a) Assign the certificate of title to the registered owner or the
12 registered owner's designee and send the certificate of title to the
13 department, county auditor or other agent, or subagent appointed by the
14 director with the fee required in RCW 46.17.100; or

15 (b) Assign the certificate of title to the person acquiring the
16 vehicle from the registered owner with the registered owner's release
17 of interest.

18 (6) The department shall issue a new certificate of title to the
19 registered owner when the department receives the release of interest
20 and required fees as provided in subsection (5)(a) of this section.

21 (7) A secured party is liable for one hundred dollars payable to
22 the registered owner or person acquiring the vehicle from the
23 registered owner when:

24 (a) The secured party fails to either assign the certificate of
25 title to the registered owner or to the person acquiring the vehicle
26 from the registered owner or apply for a new certificate of title
27 within ten days after proper demand; and

28 (b) The failure of the secured party to act as described in (a) of
29 this subsection results in a loss to the registered owner or person
30 acquiring the vehicle from the registered owner.

31 **Sec. 6.** RCW 46.16A.090 and 2011 c 320 s 12 are each amended to
32 read as follows:

33 (1) The department, county auditor or other agent, or subagent
34 appointed by the director shall provide an opportunity for a vehicle
35 owner to make a voluntary donation as provided in this section when
36 applying for an initial or renewal vehicle registration.

1 (2)(a) A vehicle owner who registers a vehicle under this chapter
2 may donate one dollar or more to the organ and tissue donation
3 awareness account to promote the donation of organs and tissues under
4 the uniform anatomical gift act as described in chapter 68.64 RCW. The
5 donation of one or more dollars is voluntary and may be refused by the
6 vehicle owner.

7 (b) The department, county auditor or other agent, or subagent
8 appointed by the director shall:

9 (i) Ask a vehicle owner applying for a vehicle registration if the
10 owner would like to donate one dollar or more;

11 (ii) Inform a vehicle owner of the option for organ and tissue
12 donations as required under RCW 46.20.113; and

13 (iii) Make information booklets or other informational material
14 available regarding the importance of organ and tissue donations to
15 vehicle owners.

16 (c) All reasonable costs associated with the creation of the
17 donation program created under this section must be paid proportionally
18 or by another agreement by a participating Washington state organ
19 procurement organization established for organ and tissue donation
20 awareness purposes by the Washington state organ procurement
21 organizations. For the purposes of this section, "reasonable costs"
22 and "Washington state organ procurement organization" have the same
23 meaning as in RCW 68.64.010.

24 (3) The department shall collect from a vehicle owner who pays a
25 vehicle license fee under RCW 46.17.350(1) (a), (d), (e), (g), (h),
26 (j), (n), (o), or (q) or who registers a vehicle under RCW 46.16A.455
27 with a declared gross weight of ten thousand pounds or less a voluntary
28 donation of five dollars. The donation may not be collected from any
29 vehicle owner actively opting not to participate in the donation
30 program. The department shall ensure that the opt-out donation under
31 this section is clear, visible, and prominently displayed in both paper
32 and online vehicle registration renewals. Notification of intent to
33 not participate in the donation program must be provided annually at
34 the time of vehicle registration renewal. The donation must be
35 deposited in the state parks renewal and stewardship account
36 established in RCW 79A.05.215 to be used for the operation and
37 maintenance of state parks.

1 (4) Beginning with vehicle license fees that are due or will become
2 due on or after October 1, 2011, a vehicle owner who registers a
3 vehicle under this chapter may purchase a discover pass for a fee of
4 thirty dollars, as may be adjusted for inflation under RCW 79A.80.020.
5 Purchase of the discover pass is voluntary by the vehicle owner. The
6 discover pass fee must be deposited in the recreation access pass
7 account created in RCW 79A.80.090. The department, county auditor((7))
8 or other agent, or subagent appointed by the director is not
9 responsible for delivering a purchased discover pass to a motor vehicle
10 owner. The agencies, as defined in RCW 79A.80.010, must deliver the
11 purchased discover pass to a motor vehicle owner.

12 **Sec. 7.** RCW 46.16A.320 and 2010 c 161 s 425 are each amended to
13 read as follows:

14 (1)(a) A vehicle owner may operate an unregistered vehicle on
15 public highways under the authority of a trip permit issued by this
16 state. For purposes of trip permits, a vehicle is considered
17 unregistered if:

18 (i) Under reciprocal relations with another jurisdiction, the owner
19 would be required to register the vehicle in this state;

20 (ii) Not registered when registration is required under this
21 chapter;

22 (iii) The license tabs have expired; or

23 ~~((+iii))~~ (iv) The current gross weight license is insufficient for
24 the load being carried. The licensed gross weight may not exceed
25 eighty thousand pounds for a combination of vehicles or forty thousand
26 pounds for a single unit vehicle with three or more axles.

27 (b) Trip permits are required to move mobile homes or park model
28 trailers and may only be issued if property taxes are paid in full.

29 (2) Trip permits may not be:

30 (a) Issued to vehicles registered under RCW 46.16A.455(5) in lieu
31 of further registration within the same registration year; or

32 (b) Used for commercial motor vehicles owned by a motor carrier
33 subject to RCW 46.32.080 if the motor carrier's department of
34 transportation number has been placed out of service by the Washington
35 state patrol. A violation of or a failure to comply with this
36 subsection is a gross misdemeanor, subject to a minimum monetary

1 penalty of two thousand five hundred dollars for the first violation
2 and five thousand dollars for each subsequent violation.

3 (3)(a) Each trip permit authorizes the operation of a single
4 vehicle at the maximum legal weight limit for the vehicle for a period
5 of three consecutive days beginning with the day of first use. No more
6 than three trip permits may be used for any one vehicle in any thirty
7 consecutive day period. No more than two trip permits may be used for
8 any one recreational vehicle, as defined in RCW 43.22.335, in a one-
9 year period. Every trip permit must:

10 (i) Identify the vehicle for which it is issued;

11 (ii) Be completed in its entirety;

12 (iii) Be signed by the operator before operation of the vehicle on
13 the public highways of this state;

14 (iv) Not be altered or corrected. Altering or correcting data on
15 the trip permit invalidates the trip permit; and

16 (v) Be displayed on the vehicle for which it is issued as required
17 by the department.

18 (b) Vehicles operating under the authority of trip permits are
19 subject to all laws, rules, and regulations affecting the operation of
20 similar vehicles in this state.

21 (4) Prorate operators operating commercial vehicles on trip permits
22 in Washington shall retain the customer copy of each permit for four
23 years.

24 (5) Trip permits may be obtained from field offices of the
25 department of transportation, department of licensing, county auditors
26 or other agents, and subagents appointed by the department for the fee
27 provided in RCW 46.17.400(1)(h). Exchanges, credits, or refunds may
28 not be given for trip permits after they have been purchased.

29 (6) Except as provided in subsection (2)(b) of this section, a
30 violation of or a failure to comply with this section is a gross
31 misdemeanor.

32 (7) The department may adopt rules necessary to administer this
33 section.

34 **Sec. 8.** RCW 46.17.350 and 2010 c 161 s 531 are each amended to
35 read as follows:

36 (1) Before accepting an application for a vehicle registration, the

1 department, county auditor or other agent, or subagent appointed by the
2 director shall require the applicant, unless specifically exempt, to
3 pay the following vehicle license fee by vehicle type:

4	VEHICLE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
5	(a) Auto stage, six seats or less	\$ 30.00	\$ 30.00	RCW 46.68.030
6	(b) Camper	\$ 4.90	\$ 3.50	RCW 46.68.030
7	(c) Commercial trailer	\$ 34.00	\$ 30.00	RCW 46.68.035
8	(d) For hire vehicle, six seats	\$ 30.00	\$ 30.00	RCW 46.68.030
9	or less			
10	(e) Mobile home (if registered)	\$ 30.00	\$ 30.00	RCW 46.68.030
11	(f) Moped	\$ 30.00	\$ 30.00	RCW 46.68.030
12	(g) Motor home	\$ 30.00	\$ 30.00	RCW 46.68.030
13	(h) Motorcycle	\$ 30.00	\$ 30.00	RCW 46.68.030
14	(i) Off-road vehicle	\$ 18.00	\$ 18.00	RCW 46.68.045
15	(j) Passenger car	\$ 30.00	\$ 30.00	RCW 46.68.030
16	(k) Private use single-axle	\$ 15.00	\$ 15.00	RCW 46.68.035(((2)))
17	trailer			
18	(l) Snowmobile	\$ 30.00	\$ 30.00	RCW 46.68.350
19	(m) Snowmobile, vintage	\$ 12.00	\$ 12.00	RCW 46.68.350
20	(n) Sport utility vehicle	\$ 30.00	\$ 30.00	RCW 46.68.030
21	(o) Tow truck	\$ 30.00	\$ 30.00	RCW 46.68.030
22	(p) Trailer, over 2000 pounds	\$ 30.00	\$ 30.00	RCW 46.68.030
23	(q) Travel trailer	\$ 30.00	\$ 30.00	RCW 46.68.030

24 (2) The vehicle license fee required in subsection (1) of this
25 section is in addition to the filing fee required under RCW 46.17.005,
26 and any other fee or tax required by law.

27 **Sec. 9.** RCW 46.18.060 and 2011 c 367 s 703, 2011 c 229 s 5, 2011
28 c 225 s 4, and 2011 c 171 s 66 are each reenacted and amended to read
29 as follows:

30 (1) The department must process, review, and either approve or
31 reject special license plate applications submitted by sponsoring
32 organizations. The department must also confirm that the sponsoring
33 organization has submitted all required documentation. If an

1 incomplete application is received, the department must return it to
2 the sponsoring organization.

3 (2) Duties of the department include, but are not limited to, the
4 following:

5 (a) Compile, review, and approve the annual financial reports
6 submitted by sponsoring organizations with active special license plate
7 series and present those annual financial reports to the joint
8 transportation committee;

9 (b) Report annually to the joint transportation committee on the
10 special license plate applications that were considered by the
11 department;

12 (c) Issue approval and rejection notification letters to sponsoring
13 organizations, the executive committee of the joint transportation
14 committee, and the legislative sponsors identified in each application.
15 The letters must be issued within seven days of making a determination
16 on the status of an application; and

17 (d) Review annually the number of plates sold for each special
18 license plate series created after January 1, 2003. The department may
19 submit a recommendation to discontinue a special plate series to the
20 executive committee of the joint transportation committee.

21 (3) Except as provided in RCW 46.18.245, in order to assess the
22 effects and impact of the proliferation of special license plates, the
23 legislature declares a temporary moratorium on the issuance of any
24 additional plates until July 1, 2013. During this period of time, the
25 department is prohibited from accepting, reviewing, processing, or
26 approving any applications. Additionally, a special license plate may
27 not be enacted by the legislature during the moratorium, unless the
28 proposed license plate has been approved by the former special license
29 plate review board before February 15, 2005.

30 (4) ~~((The volunteer firefighters license plates created under RCW~~
31 ~~46.18.200 are exempt from the requirements of subsection (3) of this~~
32 ~~section.~~

33 ~~(5) The Music Matters license plates created under RCW 46.18.200~~
34 ~~are exempt from the requirements of subsection (3) of this section))~~
35 The limitations under subsection (3) of this section do not apply to
36 the following special license plates:

37 (a) Music Matters license plates created under RCW 46.18.200;

1 (b) Volunteer firefighters license plates created under RCW
2 46.18.200.

3 **Sec. 10.** RCW 46.18.280 and 2011 c 332 s 8 are each amended to read
4 as follows:

5 (1) A registered owner who has been awarded a Purple Heart medal by
6 any branch of the United States armed forces, including the merchant
7 marines and the women's air forces service pilots may apply to the
8 department for special license plates for use on only one motor vehicle
9 required to display one or two license plates, excluding vehicles
10 registered under chapter 46.87 RCW, upon terms and conditions
11 established by the department, and owned by the qualified applicant.
12 The applicant must:

13 (a) Be a resident of this state;

14 (b) Have been wounded during one of this nation's wars or conflicts
15 identified in RCW 41.04.005;

16 (c) Have received an honorable discharge from the United States
17 armed forces;

18 (d) Provide a copy of the armed forces document showing the
19 recipient was awarded the Purple Heart medal;

20 (e) Be recorded as the registered owner of the motor vehicle on
21 which the Purple Heart ((~~survivor~~)) license plate or plates will be
22 displayed; and

23 (f) Pay all fees and taxes required by law for registering the
24 motor vehicle.

25 (2) Purple Heart license plates must be issued without the payment
26 of any special license plate fee.

27 (3) Purple Heart license plates may be issued to the surviving
28 spouse or domestic partner of a Purple Heart recipient who met the
29 requirements in subsection (1) of this section. The surviving spouse
30 or domestic partner must be a resident of this state. If the surviving
31 spouse remarries or the surviving domestic partner marries or enters
32 into a new domestic partnership, he or she must return the special
33 license plates to the department within fifteen days and apply for
34 regular license plates or another type of special license plate.

35 (4) A Purple Heart license plate or plates may be transferred from
36 one motor vehicle to another motor vehicle owned by the Purple Heart

1 recipient or the surviving spouse or domestic partner as described in
2 subsection (3) of this section upon application to the department,
3 county auditor or other agent, or subagent appointed by the director.

4 **Sec. 11.** RCW 46.19.050 and 2011 c 171 s 74 are each amended to
5 read as follows:

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

10 (2) **Unauthorized use.** Any unauthorized use of the special placard,
11 special license, or identification card issued under this chapter is a
12 parking infraction with a monetary penalty of two hundred fifty
13 dollars. In addition to any penalty or fine imposed under this
14 subsection, two hundred dollars must be assessed.

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

22 (4) **Parking without placard/plate.** It is a parking infraction,
23 with a monetary penalty of two hundred fifty dollars, for any person to
24 park a vehicle in a parking place provided on private property without
25 charge or on public property reserved for persons with physical
26 disabilities without a placard or special license plate issued under
27 this chapter. In addition to any penalty or fine imposed under this
28 subsection, two hundred dollars must be assessed. If a person is
29 charged with a violation, the person will not be determined to have
30 committed an infraction if the person produces in court or before the
31 court appearance the placard or special license plate issued under this
32 chapter as required under this chapter. A local jurisdiction providing
33 nonmetered, on-street parking places reserved for persons with physical
34 disabilities may impose by ordinance time restrictions of no less than
35 four hours on the use of these parking places.

36 (5) **Time restrictions.** A local jurisdiction may impose by
37 ordinance time restrictions of no less than four hours on the use of

1 nonreserved, on-street parking spaces by vehicles displaying the
2 special parking placards or special license plates issued under this
3 chapter. All time restrictions must be clearly posted.

4 (6) **Allocation and use of funds - reimbursement.** (a) The
5 assessment imposed under subsections (2), (3), and (4) of this section
6 must be allocated as follows:

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

9 (ii) One hundred dollars must be deposited in the multimodal
10 transportation account under RCW 47.66.070 for the sole purpose of
11 supplementing a grant program for special needs transportation provided
12 by transit agencies and nonprofit providers of transportation that is
13 administered by the department of transportation.

14 (b) Any reduction in any penalty or fine and assessment imposed
15 under subsections (2), (3), and (4) of this section must be applied
16 proportionally between the penalty or fine and the assessment. When a
17 reduced penalty is imposed under subsection (2), (3), or (4) of this
18 section, the amount deposited in the accounts identified in (a) of this
19 subsection must be reduced equally and proportionally.

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

25 (7) **Illegal obtainment.** Except as provided in subsection (1) of
26 this section, it is a traffic infraction with a monetary penalty of two
27 hundred fifty dollars for any person willfully to obtain a special
28 license plate, placard, or identification card issued under this
29 chapter in a manner other than that established under this chapter.

30 (8) **Volunteer appointment.** A law enforcement agency authorized to
31 enforce parking laws may appoint volunteers, with a limited commission,
32 to issue notices of infractions for violations of ((~~RCW 46.19.010~~))
33 this section and RCW 46.19.030 or 46.61.581. Volunteers must be at
34 least twenty-one years of age. The law enforcement agency appointing
35 volunteers may establish any other qualifications that the agency deems
36 desirable.

37 (a) An agency appointing volunteers under this section must provide

1 training to the volunteers before authorizing them to issue notices of
2 infractions.

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

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

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

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

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

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

21 **Sec. 12.** RCW 46.20.220 and 2010 c 8 s 9020 are each amended to
22 read as follows:

23 (1) It shall be unlawful for any person to rent a motor vehicle of
24 any kind including a motorcycle to any other person unless the latter
25 person is then duly licensed as a vehicle driver for the kind of motor
26 vehicle being rented in this state or, in case of a nonresident, then
27 that he or she is duly licensed as a driver under the laws of the state
28 or country of his or her residence except a nonresident whose home
29 state or country does not require that a motor vehicle driver be
30 licensed;

31 (2) It shall be unlawful for any person to rent a motor vehicle to
32 another person until he or she has inspected the vehicle driver's
33 license of such other person and compared and verified the signature
34 thereon with the signature of such other person written in his or her
35 presence;

36 (3) Every person renting a motor vehicle to another person shall
37 keep a record of the ((~~vehicle~~)) license plate number of the motor

1 vehicle so rented, the name and address of the person to whom the motor
2 vehicle is rented, the number of the vehicle driver's license of the
3 person renting the vehicle, and the date and place when and where such
4 vehicle driver's license was issued. Such record shall be open to
5 inspection by any police officer or anyone acting for the director.

6 **Sec. 13.** RCW 46.20.349 and 2010 c 8 s 9026 are each amended to
7 read as follows:

8 Any police officer who has received notice of the suspension or
9 revocation of a driver's license from the department of licensing may,
10 during the reported period of such suspension or revocation, stop any
11 motor vehicle identified by its (~~vehicle~~) license plate number as
12 being registered to the person whose driver's license has been
13 suspended or revoked. The driver of such vehicle shall display his or
14 her driver's license upon request of the police officer.

15 **Sec. 14.** RCW 46.30.020 and 2011 c 171 s 76 are each amended to
16 read as follows:

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

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

33 (c) When asked to do so by a law enforcement officer, failure to
34 display an insurance identification card as specified under RCW
35 46.30.030 creates a presumption that the person does not have motor
36 vehicle insurance.

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

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

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

21 (a) The operation of a motor vehicle registered under RCW 46.18.220
22 or 46.18.255, governed by RCW 46.16A.170, or registered with the
23 Washington utilities and transportation commission as common or
24 contract carriers; or

25 (b) The operation of a motorcycle as defined in RCW 46.04.330, a
26 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined
27 in RCW 46.04.304.

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

31 **Sec. 15.** RCW 46.52.020 and 2002 c 194 s 1 are each amended to read
32 as follows:

33 (1) A driver of any vehicle involved in an accident resulting in
34 the injury to or death of any person or involving striking the body of
35 a deceased person shall immediately stop such vehicle at the scene of
36 such accident or as close thereto as possible but shall then forthwith
37 return to, and in every event remain at, the scene of such accident

1 until he or she has fulfilled the requirements of subsection (3) of
2 this section; every such stop shall be made without obstructing traffic
3 more than is necessary.

4 (2)(a) The driver of any vehicle involved in an accident resulting
5 only in damage to a vehicle which is driven or attended by any person
6 or damage to other property must move the vehicle as soon as possible
7 off the roadway or freeway main lanes, shoulders, medians, and adjacent
8 areas to a location on an exit ramp shoulder, the frontage road, the
9 nearest suitable cross street, or other suitable location. The driver
10 shall remain at the suitable location until he or she has fulfilled the
11 requirements of subsection (3) of this section. Moving the vehicle in
12 no way affects fault for an accident.

13 (b) A law enforcement officer or representative of the department
14 of transportation may cause a motor vehicle, cargo, or debris to be
15 moved from the roadway; and neither the department of transportation
16 representative, nor anyone acting under the direction of the officer or
17 the department of transportation representative is liable for damage to
18 the motor vehicle, cargo, or debris caused by reasonable efforts of
19 removal.

20 (3) Unless otherwise provided in subsection (7) of this section,
21 the driver of any vehicle involved in an accident resulting in injury
22 to or death of any person, or involving striking the body of a deceased
23 person, or resulting in damage to any vehicle which is driven or
24 attended by any person or damage to other property shall give his or
25 her name, address, insurance company, insurance policy number, and
26 vehicle license plate number and shall exhibit his or her vehicle
27 driver's license to any person struck or injured or the driver or any
28 occupant of, or any person attending, any such vehicle collided with
29 and shall render to any person injured in such accident reasonable
30 assistance, including the carrying or the making of arrangements for
31 the carrying of such person to a physician or hospital for medical
32 treatment if it is apparent that such treatment is necessary or if such
33 carrying is requested by the injured person or on his or her behalf.
34 Under no circumstances shall the rendering of assistance or other
35 compliance with the provisions of this subsection be evidence of the
36 liability of any driver for such accident.

37 (4)(a) Any driver covered by the provisions of subsection (1) of
38 this section failing to stop or comply with any of the requirements of

1 subsection (3) of this section in the case of an accident resulting in
2 death is guilty of a class B felony and, upon conviction, is punishable
3 according to chapter 9A.20 RCW.

4 (b) Any driver covered by the provisions of subsection (1) of this
5 section failing to stop or comply with any of the requirements of
6 subsection (3) of this section in the case of an accident resulting in
7 injury is guilty of a class C felony and, upon conviction, is
8 punishable according to chapter 9A.20 RCW.

9 (c) Any driver covered by the provisions of subsection (1) of this
10 section failing to stop or comply with any of the requirements of
11 subsection (3) of this section in the case of an accident involving
12 striking the body of a deceased person is guilty of a gross
13 misdemeanor.

14 (d) This subsection shall not apply to any person injured or
15 incapacitated by such accident to the extent of being physically
16 incapable of complying with this section.

17 (5) Any driver covered by the provisions of subsection (2) of this
18 section failing to stop or to comply with any of the requirements of
19 subsection (3) of this section under said circumstances shall be guilty
20 of a gross misdemeanor: PROVIDED, That this provision shall not apply
21 to any person injured or incapacitated by such accident to the extent
22 of being physically incapable of complying herewith.

23 (6) The license or permit to drive or any nonresident privilege to
24 drive of any person convicted under this section or any local ordinance
25 consisting of substantially the same language as this section of
26 failure to stop and give information or render aid following an
27 accident with any vehicle driven or attended by any person shall be
28 revoked by the department.

29 (7) If none of the persons specified are in condition to receive
30 the information to which they otherwise would be entitled under
31 subsection (3) of this section, and no police officer is present, the
32 driver of any vehicle involved in such accident after fulfilling all
33 other requirements of subsections (1) and (3) of this section insofar
34 as possible on his or her part to be performed, shall forthwith report
35 such accident to the nearest office of the duly authorized police
36 authority and submit thereto the information specified in subsection
37 (3) of this section.

1 **Sec. 16.** RCW 46.55.030 and 2010 c 8 s 9061 are each amended to
2 read as follows:

3 (1) Application for licensing as a registered tow truck operator
4 shall be made on forms furnished by the department, shall be
5 accompanied by an inspection certification from the Washington state
6 patrol, shall be signed by the applicant or an agent, and shall include
7 the following information:

8 (a) The name and address of the person, firm, partnership,
9 association, or corporation under whose name the business is to be
10 conducted;

11 (b) The names and addresses of all persons having an interest in
12 the business, or if the owner is a corporation, the names and addresses
13 of the officers of the corporation;

14 (c) The names and addresses of all employees who serve as tow truck
15 drivers;

16 (d) Proof of minimum insurance required by subsection (3) of this
17 section;

18 (e) The vehicle license plate and vehicle identification numbers of
19 all tow trucks of which the applicant is the registered owner;

20 (f) Any other information the department may require; and

21 (g) A certificate of approval from the Washington state patrol
22 certifying that:

23 (i) The applicant has an established place of business and that
24 mail is received at the address shown on the application;

25 (ii) The address of any storage locations where vehicles may be
26 stored is correctly stated on the application;

27 (iii) The place of business has an office area that is accessible
28 to the public without entering the storage area; and

29 (iv) The place of business has adequate and secure storage
30 facilities, as defined in this chapter and the rules of the department,
31 where vehicles and their contents can be properly stored and protected.

32 (2) Before issuing a registration certificate to an applicant, the
33 department shall require the applicant to file with the department a
34 surety bond in the amount of five thousand dollars running to the state
35 and executed by a surety company authorized to do business in this
36 state. The bond shall be approved as to form by the attorney general
37 and conditioned that the operator shall conduct his or her business in
38 conformity with the provisions of this chapter pertaining to abandoned

1 or unauthorized vehicles, and to compensate any person, company, or the
2 state for failure to comply with this chapter or the rules adopted
3 hereunder, or for fraud, negligence, or misrepresentation in the
4 handling of these vehicles. Any person injured by the tow truck
5 operator's failure to fully perform duties imposed by this chapter and
6 the rules adopted hereunder, or an ordinance or resolution adopted by
7 a city, town, or county is entitled to recover actual damages,
8 including reasonable attorneys' fees against the surety and the tow
9 truck operator. Successive recoveries against the bond shall be
10 permitted, but the aggregate liability of the surety to all persons
11 shall not exceed the amount of the bond. As a condition of authority
12 to do business, the operator shall keep the bond in full force and
13 effect. Failure to maintain the penalty value of the bond or
14 cancellation of the bond by the surety automatically cancels the
15 operator's registration.

16 (3) Before the department may issue a registration certificate to
17 an applicant, the applicant shall provide proof of minimum insurance
18 requirements of:

19 (a) One hundred thousand dollars for liability for bodily injury or
20 property damage per occurrence; and

21 (b) Fifty thousand dollars of legal liability per occurrence, to
22 protect against vehicle damage, including but not limited to fire and
23 theft, from the time a vehicle comes into the custody of an operator
24 until it is redeemed or sold.

25 Cancellation of or failure to maintain the insurance required by
26 (a) and (b) of this subsection automatically cancels the operator's
27 registration.

28 (4) The fee for each original registration and annual renewal is
29 one hundred dollars per company, plus fifty dollars per truck. The
30 department shall forward the registration fee to the state treasurer
31 for deposit in the motor vehicle fund.

32 (5) The applicant must submit an inspection certificate from the
33 state patrol before the department may issue or renew an operator's
34 registration certificate or tow truck permits.

35 (6) Upon approval of the application, the department shall issue a
36 registration certificate to the registered operator to be displayed
37 prominently at the operator's place of business.

1 **Sec. 17.** RCW 46.61.723 and 2011 c 171 s 82 are each amended to
2 read as follows:

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

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

10 (b) The person does not operate a medium-speed electric vehicle
11 upon a highway of this state without first having obtained and having
12 in full force and effect a current and proper vehicle (~~license~~)
13 registration and display vehicle license (~~number~~) plates in
14 compliance with chapter 46.16A RCW. The department must track medium-
15 speed electric vehicles in a separate registration category for
16 reporting purposes;

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

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

25 (e) The person operating a medium-speed electric vehicle does not
26 cross a roadway with a speed limit in excess of thirty-five miles per
27 hour, or forty-five miles per hour as provided in subsection (4) of
28 this section, unless the crossing begins and ends on a roadway with a
29 speed limit of thirty-five miles per hour or less, or forty-five miles
30 per hour or less as provided in subsection (4) of this section, and
31 occurs at an intersection of approximately ninety degrees, except that
32 the operator of a medium-speed electric vehicle must not cross an
33 uncontrolled intersection of streets and highways that are part of the
34 state highway system subject to Title 47 RCW unless that intersection
35 has been authorized by local authorities under subsection (3) of this
36 section.

37 (2) Any person who violates this section commits a traffic
38 infraction.

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

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

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

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

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

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

32 **Sec. 18.** RCW 46.61.725 and 2011 c 171 s 83 are each amended to
33 read as follows:

34 (1) Absent prohibition by local authorities authorized under this
35 section and except as prohibited elsewhere in this section, a person
36 may operate a neighborhood electric vehicle upon a highway of this

1 state having a speed limit of thirty-five miles per hour or less, or
2 forty-five miles per hour or less as provided in subsection (4) of this
3 section, if:

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

6 (b) The person does not operate a neighborhood electric vehicle
7 upon a highway of this state without first having obtained and having
8 in full force and effect a current and proper vehicle (~~license~~)
9 registration and display vehicle license (~~number~~) plates in
10 compliance with chapter 46.16A RCW. The department must track
11 neighborhood electric vehicles in a separate registration category for
12 reporting purposes;

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

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

21 (e) The person operating a neighborhood electric vehicle does not
22 cross a roadway with a speed limit in excess of thirty-five miles per
23 hour, or forty-five miles per hour as provided in subsection (4) of
24 this section, unless the crossing begins and ends on a roadway with a
25 speed limit of thirty-five miles per hour or less, or forty-five miles
26 per hour or less as provided in subsection (4) of this section, and
27 occurs at an intersection of approximately ninety degrees, except that
28 the operator of a neighborhood electric vehicle must not cross an
29 uncontrolled intersection of streets and highways that are part of the
30 state highway system subject to Title 47 RCW unless that intersection
31 has been authorized by local authorities provided elsewhere in this
32 section.

33 (2) Any person who violates this section commits a traffic
34 infraction.

35 (3) This section does not prevent local authorities, with respect
36 to streets and highways under their jurisdiction and within the
37 reasonable exercise of their police power, from regulating the
38 operation of neighborhood electric vehicles on streets and highways

1 under their jurisdiction by resolution or ordinance of the governing
2 body, if the regulation is consistent with the provisions of this
3 title, except that:

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

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

10 (c) Local authorities are prohibited from establishing any
11 requirements for the registration (~~and licensing~~) of neighborhood
12 electric vehicles.

13 (4) In counties consisting of islands whose only connection to the
14 mainland are ferry routes, a person may operate a neighborhood electric
15 vehicle upon a highway of this state having a speed limit of forty-five
16 miles per hour or less. A person operating a neighborhood electric
17 vehicle as authorized under this subsection must not cross a roadway
18 with a speed limit in excess of forty-five miles per hour, unless the
19 crossing begins and ends on a roadway with a speed limit of forty-five
20 miles per hour or less and occurs at an intersection of approximately
21 ninety degrees, except that the operator of a neighborhood electric
22 vehicle must not cross an uncontrolled intersection of streets and
23 highways that are part of the state highway system subject to Title 47
24 RCW unless that intersection has been authorized by local authorities
25 under subsection (3) of this section.

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

30 **Sec. 19.** RCW 46.63.060 and 2011 c 233 s 1 are each amended to read
31 as follows:

32 (1) A notice of traffic infraction represents a determination that
33 an infraction has been committed. The determination will be final
34 unless contested as provided in this chapter.

35 (2) The form for the notice of traffic infraction shall be
36 prescribed by rule of the supreme court and shall include the
37 following:

- 1 (a) A statement that the notice represents a determination that a
2 traffic infraction has been committed by the person named in the notice
3 and that the determination shall be final unless contested as provided
4 in this chapter;
- 5 (b) A statement that a traffic infraction is a noncriminal offense
6 for which imprisonment may not be imposed as a sanction; that the
7 penalty for a traffic infraction may include sanctions against the
8 person's driver's license including suspension, revocation, or denial;
9 that the penalty for a traffic infraction related to standing,
10 stopping, or parking may include nonrenewal of the vehicle ((~~license~~))
11 registration;
- 12 (c) A statement of the specific traffic infraction for which the
13 notice was issued;
- 14 (d) A statement of the monetary penalty established for the traffic
15 infraction;
- 16 (e) A statement of the options provided in this chapter for
17 responding to the notice and the procedures necessary to exercise these
18 options;
- 19 (f) A statement that at any hearing to contest the determination
20 the state has the burden of proving, by a preponderance of the
21 evidence, that the infraction was committed; and that the person may
22 subpoena witnesses including the officer who issued the notice of
23 infraction;
- 24 (g) A statement that at any hearing requested for the purpose of
25 explaining mitigating circumstances surrounding the commission of the
26 infraction the person will be deemed to have committed the infraction
27 and may not subpoena witnesses;
- 28 (h) A statement that the person must respond to the notice as
29 provided in this chapter within fifteen days or the person's driver's
30 license or driving privilege will be suspended by the department until
31 any penalties imposed pursuant to this chapter have been satisfied; and
- 32 (i) A statement that failure to appear at a hearing requested for
33 the purpose of contesting the determination or for the purpose of
34 explaining mitigating circumstances will result in the suspension of
35 the person's driver's license or driving privilege, or in the case of
36 a standing, stopping, or parking violation, refusal of the department
37 to renew the vehicle ((~~license~~)) registration, until any penalties
38 imposed pursuant to this chapter have been satisfied.

1 (3) A form for a notice of traffic infraction printed after July
2 22, 2011, must include a statement that the person may be able to enter
3 into a payment plan with the court under RCW 46.63.110.

4 **Sec. 20.** RCW 46.68.425 and 2011 c 171 s 88 are each amended to
5 read as follows:

6 (1) The department shall:

7 (a) Collect special license plate fees established under RCW
8 46.17.220;

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

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

14 (2) The state treasurer shall credit the proceeds to the motor
15 vehicle fund until the department determines that the state has been
16 reimbursed for the cost of implementing the special license plate.
17 Upon determination by the department that the state has been
18 reimbursed, the state treasurer shall credit the remaining special
19 license plate fees to the following accounts by special license plate
20 type:

21 SPECIAL LICENSE PLATE TYPE	ACCOUNT	CONDITIONS FOR USE OF FUNDS
22 Armed forces	RCW 43.60A.140	N/A
23 Endangered wildlife	RCW 77.12.170	24 Must be used only for the department of 25 fish and wildlife's endangered wildlife 26 program activities
26 Keep kids safe	RCW 43.121.100	27 As specified in RCW ((43.121.050)) 28 <u>43.121.100</u>
28 Washington state parks	RCW 79A.05.059	29 Provide public educational opportunities 30 and enhancement of Washington state 31 parks
31 Washington's wildlife collection	RCW 77.12.170	32 Only for the department of fish and 33 wildlife's game species management activities

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3

4 **Sec. 21.** RCW 46.70.011 and 2010 c 161 s 1130 are each reenacted
5 and amended to read as follows:

6 As used in this chapter:

7 (1) "Auction" means a transaction conducted by means of exchanges
8 between an auctioneer and the members of the audience, constituting a
9 series of oral invitations for offers for the purchase of vehicles made
10 by the auctioneer, offers to purchase by members of the audience, and
11 the acceptance of the highest or most favorable offer to purchase.

12 (2) "Auction company" means a sole proprietorship, partnership,
13 corporation, or other legal or commercial entity licensed under chapter
14 18.11 RCW that only sells or offers to sell vehicles at auction or only
15 arranges or sponsors auctions.

16 (3) "Buyer's agent" means any person, firm, partnership,
17 association, limited liability company, limited liability partnership,
18 or corporation retained or employed by a consumer to arrange for or to
19 negotiate, or both, the purchase or lease of a new motor vehicle on
20 behalf of the consumer, and who is paid a fee or receives other
21 compensation from the consumer for its services.

22 (4) "Department" means the department of licensing, which shall
23 administer and enforce the provisions of this chapter.

24 (5) "Director" means the director of licensing.

25 (6) "Established place of business" means a location meeting the
26 requirements of RCW 46.70.023(1) at which a vehicle dealer conducts
27 business in this state.

28 (7) "Listing dealer" means a used mobile home dealer who makes
29 contracts with sellers who will compensate the dealer for obtaining a
30 willing purchaser for the seller's mobile home.

31 (8) "Manufacturer" means any person, firm, association,
32 corporation, or trust, resident or nonresident, who manufactures or
33 assembles new and unused vehicles or remanufactures vehicles in whole
34 or in part and further includes the terms:

35 (a) "Distributor," which means any person, firm, association,
36 corporation, or trust, resident or nonresident, who in whole or in part

1 offers for sale, sells, or distributes any new and unused vehicle to
2 vehicle dealers or who maintains factory representatives.

3 (b) "Factory branch," which means a branch office maintained by a
4 manufacturer for the purpose of selling or offering for sale, vehicles
5 to a distributor, wholesaler, or vehicle dealer, or for directing or
6 supervising in whole or in part factory or distributor representatives,
7 and further includes any sales promotion organization, whether a
8 person, firm, or corporation, which is engaged in promoting the sale of
9 new and unused vehicles in this state of a particular brand or make to
10 vehicle dealers.

11 (c) "Factory representative," which means a representative employed
12 by a manufacturer, distributor, or factory branch for the purpose of
13 making or promoting for the sale of their vehicles or for supervising
14 or contracting with their dealers or prospective dealers.

15 (9) "Motor vehicle" means every vehicle which is self-propelled and
16 every vehicle which is propelled by electric power obtained from
17 overhead trolley wires, but not operated upon rails, and which is
18 required to be registered and titled under this title.

19 (10) "New motor vehicle" means any motor vehicle that is self-
20 propelled and is required to be registered and titled under this title,
21 has not been previously titled to a retail purchaser or lessee, and is
22 not a "used vehicle" as defined under RCW 46.04.660.

23 (11) "Principal place of business" means that dealer firm's
24 business location in the state, which place the dealer designates as
25 their principal place of business.

26 (12) "Recreational vehicle" means a travel trailer, motor home,
27 truck camper, or camping trailer that is primarily designed and used as
28 temporary living quarters, is either self-propelled or mounted on or
29 drawn by another vehicle, is transient, is not occupied as a primary
30 residence, and is not immobilized or permanently affixed to a mobile
31 home lot.

32 (13) "Retail vehicle dealer" means a vehicle dealer who may buy and
33 sell at both wholesale and retail.

34 (14) "Subagency" means any place of business of a vehicle dealer
35 within the state, which place is physically and geographically
36 separated from the principal place of business of the firm or any place
37 of business of a vehicle dealer within the state, at which place the

1 firm does business using a name other than the principal name of the
2 firm, or both.

3 (15) "Temporary subagency" means a location other than the
4 principal place of business or subagency within the state where a
5 licensed vehicle dealer may secure a license to conduct the business
6 and is licensed for a period of time not to exceed ten days for a
7 specific purpose such as auto shows, shopping center promotions, tent
8 sales, exhibitions, or similar merchandising ventures. No more than
9 six temporary subagency licenses may be issued to a licensee in any
10 twelve-month period.

11 (16) "Vehicle" means and includes every device capable of being
12 moved upon a public highway and in, upon, or by which any persons or
13 property is or may be transported or drawn upon a public highway,
14 excepting devices moved by human or animal power or used exclusively
15 upon stationary rails or tracks.

16 (17) "Vehicle dealer" means any person, firm, association,
17 corporation, or trust, not excluded by subsection (18) of this section,
18 engaged in the business of buying, selling, listing, exchanging,
19 offering, brokering, leasing with an option to purchase, auctioning,
20 soliciting, or advertising the sale of new or used vehicles, or
21 arranging or offering or attempting to solicit or negotiate on behalf
22 of others, a sale, purchase, or exchange of an interest in new or used
23 motor vehicles, irrespective of whether the motor vehicles are owned by
24 that person. Vehicle dealers shall be classified as follows:

25 (a) A "motor vehicle dealer" is a vehicle dealer that deals in new
26 or used motor vehicles, or both;

27 (b) A "mobile home and travel trailer dealer" is a vehicle dealer
28 that deals in mobile homes, park trailers, or travel trailers, or more
29 than one type of these vehicles;

30 (c) A "miscellaneous vehicle dealer" is a vehicle dealer that deals
31 in motorcycles or vehicles other than motor vehicles or mobile homes
32 and travel trailers or any combination of such vehicles;

33 (d) A "recreational vehicle dealer" is a vehicle dealer that deals
34 in travel trailers, motor homes, truck campers, or camping trailers
35 that are primarily designed and used as temporary living quarters, are
36 either self-propelled or mounted on or drawn by another vehicle, are
37 transient, are not occupied as a primary residence, and are not
38 immobilized or permanently affixed to a mobile home lot.

1 (18) "Vehicle dealer" does not include, nor do the licensing
2 requirements of RCW 46.70.021 apply to, the following persons, firms,
3 associations, or corporations:

4 (a) Receivers, trustees, administrators, executors, guardians, or
5 other persons appointed by, or acting under a judgment or order of, any
6 court; or

7 (b) Public officers while performing their official duties; or

8 (c) Employees of vehicle dealers who are engaged in the specific
9 performance of their duties as such employees; or

10 (d) Any person engaged in an isolated sale of a vehicle in which
11 that person is the registered or legal owner, or both, thereof; or

12 (e) Any person, firm, association, corporation, or trust, engaged
13 in the selling of equipment other than vehicles, subject to
14 registration, used for agricultural or industrial purposes; or

15 (f) A real estate broker licensed under chapter 18.85 RCW, or an
16 affiliated licensee, who, on behalf of another negotiates the purchase,
17 sale, lease, or exchange of a manufactured or mobile home in
18 conjunction with the purchase, sale, exchange, rental, or lease of the
19 land upon which the manufactured or mobile home is, or will be,
20 located; or

21 (g) Owners who are also operators of special highway construction
22 equipment, as defined in RCW 46.04.551, or of the highway construction
23 equipment for which a vehicle (~~(license)~~) registration and display of
24 vehicle license (~~(number)~~) plates is required; or

25 (h) Any bank, trust company, savings bank, mutual savings bank,
26 savings and loan association, credit union, and any parent, subsidiary,
27 or affiliate thereof, authorized to do business in this state under
28 state or federal law with respect to the sale or other disposition of
29 a motor vehicle owned and used in their business; or with respect to
30 the acquisition and sale or other disposition of a motor vehicle in
31 which the entity has acquired an interest as a lessor, lessee, or
32 secured party; or

33 (i) Any person who is regularly engaged in the business of
34 acquiring leases or installment contracts by assignment, with respect
35 to the acquisition and sale or other disposition of a motor vehicle in
36 which the person has acquired an interest as a result of the business.

37 (19) "Vehicle salesperson" means any person who for any form of

1 compensation sells, auctions, leases with an option to purchase, or
2 offers to sell or to so lease vehicles on behalf of a vehicle dealer.

3 (20) "Wholesale vehicle dealer" means a vehicle dealer who buys and
4 sells other than at retail.

5 **Sec. 22.** RCW 46.71.080 and 2011 c 171 s 93 are each amended to
6 read as follows:

7 Whenever a vehicle (~~(license)~~) registration renewal form under RCW
8 46.16A.110 is given to the registered owner of any vehicle, the
9 department of licensing shall give to the owner written notice of the
10 provisions of this chapter in a manner prescribed by the director of
11 licensing.

12 **Sec. 23.** RCW 46.85.060 and 1987 c 142 s 4 are each amended to read
13 as follows:

14 In the absence of an agreement or arrangement with another
15 jurisdiction, the department may examine the laws and requirements of
16 such jurisdiction and declare the extent and nature of exemptions,
17 benefits and privileges to be extended to vehicles properly registered
18 or licensed in such other jurisdiction, or to the owners of such
19 vehicles, which shall, in the judgment of the department, be in the
20 best interest of this state and the citizens thereof and which shall be
21 fair and equitable to this state and the citizens thereof, and all of
22 the same shall be determined on the basis and recognition of the
23 benefits which accrue to the economy of this state from the
24 uninterrupted flow of commerce. Declarations of exemptions, benefits,
25 and privileges issued by the department shall include at least the
26 following exemptions:

27 (1) Nonresident persons not employed in this state may operate a
28 vehicle in this state that is currently licensed in another
29 jurisdiction for a period not to exceed six months in any continuous
30 twelve-month period.

31 (2) Nonresident persons employed in this state may operate vehicles
32 not to exceed twelve thousand pounds registered gross vehicle weight
33 that are currently licensed in another jurisdiction if no permanent,
34 temporary, or part-time residence is maintained in this state for a
35 period greater than six months in any continuous twelve-month period.

1 (3) A vehicle or a combination of vehicles, not exceeding a
2 registered gross or combined gross vehicle weight of twelve thousand
3 pounds, which is properly base licensed in another jurisdiction and
4 registered to a bona fide business in that jurisdiction is not required
5 to obtain a Washington vehicle ((license)) registration except when
6 such vehicle is owned or operated by a business or branch office of a
7 business located in Washington.

8 (4) The department of licensing, after consultation with the
9 department of revenue, shall adopt such rules as it deems necessary for
10 the administration of these exemptions, benefits, and privileges.

11 **Sec. 24.** RCW 46.87.070 and 2005 c 194 s 5 are each amended to read
12 as follows:

13 Trailers, semitrailers, and pole trailers that are properly based
14 in jurisdictions other than Washington, and that display currently
15 registered license plates from such jurisdictions will be granted
16 vehicle ((license)) registration reciprocity in this state without the
17 need of further vehicle ((license)) registration. If pole trailers are
18 not required to be licensed separately by a member jurisdiction, such
19 vehicles may be operated in this state without displaying a current
20 base license plate.

21 **Sec. 25.** RCW 46.87.310 and 1996 c 91 s 2 are each amended to read
22 as follows:

23 Any owner whose application for proportional registration has been
24 accepted shall preserve the records on which the application is based
25 for a period of four years following the preceding year or period upon
26 which the application is based. These records shall be complete and
27 shall include, but not be limited to, the following: Copies of
28 proportional registration applications and supplements for all
29 jurisdictions in which the fleet is prorated; proof of proportional or
30 full registration with other jurisdictions; vehicle ((license))
31 registration or trip permits; temporary authorization permits;
32 documents establishing the latest purchase year and cost of each fleet
33 vehicle in ready-for-the-road condition; weight certificates indicating
34 the unladen, ready-for-the-road, weight of each vehicle in the fleet;
35 periodic summaries of mileage by fleet and by individual vehicles;
36 individual trip reports, driver's daily logs, or other source documents

1 maintained for each individual trip that provide trip dates, points of
2 origin and destinations, total miles traveled, miles traveled in each
3 jurisdiction, routes traveled, vehicle equipment number, driver's full
4 name, and all other information pertinent to each trip. Upon request
5 of the department, the owner shall make the records available to the
6 department at its designated office for audit as to accuracy of
7 records, computations, and payments. The department shall assess and
8 collect any unpaid fees and taxes found to be due the state and provide
9 credits or refunds for overpayments of Washington fees and taxes as
10 determined in accordance with formulas and other requirements
11 prescribed in this chapter. If the owner fails to maintain complete
12 records as required by this section, the department shall attempt to
13 reconstruct or reestablish such records. However, if the department is
14 unable to do so and the missing or incomplete records involve mileages
15 accrued by vehicles while they are part of the fleet, the department
16 may assess an amount not to exceed the difference between the
17 Washington proportional fees and taxes paid and one hundred percent of
18 the fees and taxes. Further, if the owner fails to maintain complete
19 records as required by this section, or if the department determines
20 that the owner should have registered more vehicles in this state under
21 this chapter, the department may deny the owner the right of any
22 further benefits provided by this chapter until any final audit or
23 assessment made under this chapter has been satisfied.

24 The department may audit the records of any owner and may make
25 arrangements with agencies of other jurisdictions administering motor
26 vehicle registration laws for joint audits of any such owner. No
27 assessment for deficiency or claim for credit may be made for any
28 period for which records are no longer required. Any fees, taxes,
29 penalties, or interest found to be due and owing the state upon audit
30 shall bear interest at the rate of one percent per month, or fraction
31 thereof, from the first day of the calendar month after the amount
32 should have been paid until the date of payment. If the audit
33 discloses a deliberate and willful intent to evade the requirements of
34 payment under RCW 46.87.140, a penalty of ten percent shall also be
35 assessed.

36 If the audit discloses that an overpayment to the state in excess
37 of ten dollars has been made, the department shall certify the
38 overpayment to the state treasurer who shall issue a warrant for the

1 overpayment to the vehicle operator. Overpayments shall bear interest
2 at the rate of eight percent per annum from the date on which the
3 overpayment is incurred until the date of payment.

4 **Sec. 26.** RCW 46.87.400 and 1987 c 244 s 53 are each amended to
5 read as follows:

6 (1) The director, the state of Washington, and its political
7 subdivisions are immune from civil liability arising from the issuance
8 of a vehicle (~~(license)~~) registration to a nonroadworthy vehicle.

9 (2) No suit or action may be commenced or prosecuted against the
10 director or the state of Washington by reason of any act done or
11 omitted to be done in the administration of the duties and
12 responsibilities imposed upon the director under this chapter.

13 **Sec. 27.** RCW 69.43.010 and 2001 c 96 s 2 are each amended to read
14 as follows:

15 (1) A report to the state board of pharmacy shall be submitted in
16 accordance with this chapter by a manufacturer, wholesaler, retailer,
17 or other person who sells, transfers, or otherwise furnishes to any
18 person any of the following substances or their salts or isomers:

- 19 (a) Anthranilic acid;
- 20 (b) Barbituric acid;
- 21 (c) Chlorephedrine;
- 22 (d) Diethyl malonate;
- 23 (e) D-lysergic acid;
- 24 (f) Ephedrine;
- 25 (g) Ergotamine tartrate;
- 26 (h) Ethylamine;
- 27 (i) Ethyl malonate;
- 28 (j) Ethylephedrine;
- 29 (k) Lead acetate;
- 30 (l) Malonic acid;
- 31 (m) Methylamine;
- 32 (n) Methylformamide;
- 33 (o) Methylephedrine;
- 34 (p) Methylpseudoephedrine;
- 35 (q) N-acetylanthranilic acid;
- 36 (r) Norpseudoephedrine;

- 1 (s) Phenylacetic acid;
- 2 (t) Phenylpropanolamine;
- 3 (u) Piperidine;
- 4 (v) Pseudoephedrine; and
- 5 (w) Pyrrolidine.

6 (2) The state board of pharmacy shall administer this chapter and
7 may, by rule adopted pursuant to chapter 34.05 RCW, add a substance to
8 or remove a substance from the list in subsection (1) of this section.
9 In determining whether to add or remove a substance, the board shall
10 consider the following:

11 (a) The likelihood that the substance is useable as a precursor in
12 the illegal production of a controlled substance as defined in chapter
13 69.50 RCW;

14 (b) The availability of the substance;

15 (c) The relative appropriateness of including the substance in this
16 chapter or in chapter 69.50 RCW; and

17 (d) The extent and nature of legitimate uses for the substance.

18 (3)(a) Any manufacturer, wholesaler, retailer, or other person
19 shall, before selling, transferring, or otherwise furnishing any
20 substance specified in subsection (1) of this section to any person,
21 require proper identification from the purchaser.

22 (b) For the purposes of this subsection, "proper identification"
23 means:

24 (i) A motor vehicle operator's license or other official state-
25 issued identification of the purchaser containing a photograph of the
26 purchaser, and includes the residential or mailing address of the
27 purchaser, other than a post office box number;

28 (ii) The (~~motor vehicle~~) license plate number of any motor
29 vehicle owned or operated by the purchaser;

30 (iii) A letter of authorization from any business for which any
31 substance specified in subsection (1) of this section is being
32 furnished, which includes the business license number and address of
33 the business;

34 (iv) A description of how the substance is to be used; and

35 (v) The signature of the purchaser.

36 The person selling, transferring, or otherwise furnishing any
37 substance specified in subsection (1) of this section shall affix his

1 or her signature as a witness to the signature and identification of
2 the purchaser.

3 (c) A violation of or a failure to comply with this subsection is
4 a misdemeanor.

5 (4) Any manufacturer, wholesaler, retailer, or other person who
6 sells, transfers, or otherwise furnishes the substance specified in
7 subsection (1) of this section to any person shall, not less than
8 twenty-one days before delivery of the substance, submit a report of
9 the transaction, which includes the identification information
10 specified in subsection (3) of this section to the state board of
11 pharmacy. However, the state board of pharmacy may authorize the
12 submission of the reports on a monthly basis with respect to repeated,
13 regular transactions between the furnisher and the recipient involving
14 the same substance if the state board of pharmacy determines that
15 either of the following exist:

16 (a) A pattern of regular supply of the substance exists between the
17 manufacturer, wholesaler, retailer, or other person who sells,
18 transfers, or otherwise furnishes such substance and the recipient of
19 the substance; or

20 (b) The recipient has established a record of using the substance
21 for lawful purposes.

22 (5) Any person specified in subsection (4) of this section who does
23 not submit a report as required by subsection (4) of this section is
24 guilty of a gross misdemeanor.

25 **Sec. 28.** RCW 70.160.070 and 2006 c 2 s 5 are each amended to read
26 as follows:

27 (1) Any person intentionally violating this chapter by smoking in
28 a public place or place of employment, or any person removing,
29 defacing, or destroying a sign required by this chapter, is subject to
30 a civil fine of up to one hundred dollars. Any person passing by or
31 through a public place while on a public sidewalk or public right-of-
32 way has not intentionally violated this chapter. Local law enforcement
33 agencies shall enforce this section by issuing a notice of infraction
34 to be assessed in the same manner as traffic infractions. The
35 provisions contained in chapter 46.63 RCW for the disposition of
36 traffic infractions apply to the disposition of infractions for
37 violation of this subsection except as follows:

1 (a) The provisions in chapter 46.63 RCW relating to the provision
2 of records to the department of licensing in accordance with RCW
3 46.20.270 are not applicable to this chapter; and

4 (b) The provisions in chapter 46.63 RCW relating to the imposition
5 of sanctions against a person's driver's license or vehicle (~~license~~)
6 registration are not applicable to this chapter.

7 The form for the notice of infraction for a violation of this
8 subsection shall be prescribed by rule of the supreme court.

9 (2) When violations of RCW 70.160.050 occur, a warning shall first
10 be given to the owner or other person in charge. Any subsequent
11 violation is subject to a civil fine of up to one hundred dollars.
12 Each day upon which a violation occurs or is permitted to continue
13 constitutes a separate violation.

14 (3) Local health departments shall enforce RCW 70.160.050 regarding
15 the duties of owners or persons in control of public places and places
16 of employment by either of the following actions:

17 (a) Serving notice requiring the correction of any violation; or

18 (b) Calling upon the city or town attorney or county prosecutor or
19 local health department attorney to maintain an action for an
20 injunction to enforce RCW 70.160.050, to correct a violation, and to
21 assess and recover a civil penalty for the violation.

22 **Sec. 29.** RCW 82.38.100 and 2010 c 161 s 907 are each amended to
23 read as follows:

24 (1) Any special fuel user operating a motor vehicle in this state
25 for commercial purposes may apply for a special fuel trip permit. The
26 permit:

27 (a) Is good for a period of three consecutive days beginning and
28 ending on the dates shown on the face of the permit issued;

29 (b) Is valid only for the vehicle for which it is issued;

30 (c) Must identify, as the department may require, the vehicle for
31 which it is issued; and

32 (d) Must be completed in its entirety, signed, and dated by the
33 operator before operation of the vehicle on the public highways of this
34 state.

35 (2) Correction of data on the permit such as dates, vehicle license
36 plate number, or vehicle identification number invalidates the permit.

1 A violation of, or a failure to comply with, this subsection is a gross
2 misdemeanor.

3 (3) Blank special fuel trip permits may be obtained from field
4 offices of the department of transportation, department of licensing,
5 county auditors or other agents, or subagents appointed by the
6 department for the fee provided in RCW 46.17.400 (1)(f) (~~and (4)~~).
7 The fee is in lieu of the special fuel tax otherwise assessable against
8 the permit holder for importing and using special fuel in a motor
9 vehicle on the public highways of this state. A report of mileage may
10 not be required with respect to the motor vehicle. Special fuel trip
11 permits may not be issued if the applicant has outstanding fuel taxes,
12 penalties, or interest owing to the state or has had a special fuel
13 license revoked for cause and the cause has not been removed.

14 (4) Special fuel trip permits are not subject to exchange, refund,
15 or credit.

16 **Sec. 30.** RCW 88.02.530 and 2011 c 171 s 127 are each amended to
17 read as follows:

18 (1) A legal owner or the legal owner's authorized representative
19 shall promptly apply for a duplicate certificate of title if a
20 certificate of title is lost, stolen, mutilated, or destroyed, or
21 becomes illegible. The application for a duplicate certificate of
22 title must:

- 23 (a) Include information required by the department;
24 (b) Be accompanied by an affidavit of loss or destruction;
25 (c) Be accompanied by the fee required in RCW 88.02.640(1)(~~(k)~~)
26 (d).

27 (2) The duplicate certificate of title must contain the word
28 "duplicate." It must be mailed to the first priority secured party
29 named in it or, if none, to the registered owner.

30 (3) A person recovering a certificate of title for which a
31 duplicate has been issued shall promptly return the certificate of
32 title that has been recovered to the department.

33 **Sec. 31.** RCW 88.02.540 and 2011 c 326 s 4 are each amended to read
34 as follows:

35 (1) The application for a quick title of a vessel must be made by
36 the owner or the owner's representative to the department,

1 participating county auditor or other agent, or subagent appointed by
2 the director on a form furnished or approved by the department and must
3 contain:

4 (a) A description of the vessel, including make, model, hull
5 identification number, series, and body;

6 (b) The name and address of the person who is to be the registered
7 owner of the vessel and, if the vessel is subject to a security
8 interest, the name and address of the secured party; and

9 (c) Other information as may be required by the department.

10 (2) The application for a quick title must be signed by the person
11 applying to be the registered owner and be sworn to by that person in
12 the manner described under RCW 9A.72.085. The department must keep a
13 copy of the application.

14 (3) The application for a quick title must be accompanied by:

15 (a) All fees and taxes due for an application for a certificate of
16 title, including a quick title service fee under RCW 88.02.640(1)(j);
17 and

18 (b) The most recent certificate of title or other satisfactory
19 evidence of ownership.

20 (4) All applications for quick title must meet the requirements
21 established by the department.

22 (5) For the purposes of this section, "quick title" means a
23 certificate of title printed at the time of application.

24 (6) A subagent may process a quick title under this section only
25 after (a) the department has instituted a process in which blank
26 certificates of title can be inventoried; (b) the county auditor of the
27 county in which the subagent is located has processed quick titles for
28 a minimum of six months; and (c) the county auditor approves a request
29 from a subagent in its county to process quick titles.

30 **Sec. 32.** RCW 88.02.560 and 2011 c 171 s 129 are each amended to
31 read as follows:

32 (1) An application for a vessel registration must be made by the
33 owner or the owner's authorized representative to the department,
34 county auditor or other agent, or subagent appointed by the director on
35 a form furnished or approved by the department. The application must
36 contain:

37 (a) The name and address of each owner of the vessel;

1 (b) Other information the department may require; and
2 (c) The signature of at least one owner.

3 (2) The application for vessel registration must be accompanied by
4 the:

5 (a) Vessel registration fee required under RCW 88.02.640(1)(~~(i)~~)
6 (k);

7 (b) Derelict vessel and invasive species removal fee under RCW
8 88.02.640(3)(b) and derelict vessel removal surcharge required under
9 RCW 88.02.640(4);

10 (c) Filing fee required under RCW 88.02.640(1)(~~(e)~~) (f);

11 (d) License plate technology fee required under RCW
12 88.02.640(1)(~~(f)~~) (g);

13 (e) License service fee required under RCW 88.02.640(1)(~~(g)~~) (h);

14 and

15 (f) Watercraft excise tax required under chapter 82.49 RCW.

16 (3) Upon receipt of an application for vessel registration and the
17 required fees and taxes, the department shall assign a registration
18 number and issue a decal for each vessel. The registration number and
19 decal must be issued and affixed to the vessel in a manner prescribed
20 by the department consistent with the standard numbering system for
21 vessels required in 33 C.F.R. Part 174. A valid decal affixed as
22 prescribed must indicate compliance with the annual registration
23 requirements of this chapter.

24 (4) Vessel registrations and decals are valid for a period of one
25 year, except that the director may extend or diminish vessel
26 registration periods and vessel decals for the purpose of staggered
27 renewal periods. For registration periods of more or less than one
28 year, the department may collect prorated annual registration fees and
29 excise taxes based upon the number of months in the registration
30 period.

31 (5) Vessel registrations are renewable every year in a manner
32 prescribed by the department upon payment of the fees and taxes
33 described in subsection (2) of this section. Upon renewing a vessel
34 registration, the department shall issue a new decal to be affixed as
35 prescribed by the department.

36 (6) When the department issues either a notice to renew a vessel
37 registration or a decal for a new or renewed vessel registration, it
38 shall also provide information on the location of marine oil recycling

1 tanks and sewage holding tank pumping stations. This information must
2 be provided to the department by the state parks and recreation
3 commission in a form ready for distribution. The form must be
4 developed and prepared by the state parks and recreation commission
5 with the cooperation of the department of ecology. The department, the
6 state parks and recreation commission, and the department of ecology
7 shall enter into a memorandum of agreement to implement this process.

8 (7) A person acquiring a vessel from a dealer or a vessel already
9 validly registered under this chapter shall, within fifteen days of the
10 acquisition or purchase of the vessel, apply to the department, county
11 auditor or other agent, or subagent appointed by the director for
12 transfer of the vessel registration, and the application must be
13 accompanied by a transfer fee as required in RCW 88.02.640(1)((+l+))
14 (n).

15 **Sec. 33.** RCW 88.02.590 and 2011 c 171 s 130 are each amended to
16 read as follows:

17 (1) A registered owner or the registered owner's authorized
18 representative shall promptly apply for a duplicate registration
19 certificate when a registration certificate is lost, stolen, mutilated,
20 or destroyed, or becomes illegible. The application for a duplicate
21 registration certificate must:

- 22 (a) Be accompanied by an affidavit of loss or destruction;
- 23 (b) Include information required by the department; and
- 24 (c) Be accompanied by the fee required in RCW 88.02.640(1)((+d+))
25 (e), in addition to any other fees or taxes required for the
26 transaction.

27 (2) A person recovering a registration certificate for which a
28 duplicate has been issued shall promptly return the registration
29 certificate that has been recovered to the department.

30 **Sec. 34.** RCW 88.02.595 and 2011 c 171 s 131 are each amended to
31 read as follows:

32 (1) A registered owner or the registered owner's authorized
33 representative shall promptly apply for a pair of replacement decals
34 when the decals are lost, stolen, mutilated, or destroyed, or become
35 illegible. The application for replacement decals must:

- 36 (a) Be accompanied by an affidavit of loss or destruction;

1 (b) Include information required by the department;
2 (c) Be accompanied by the fee required in RCW 88.02.640(1)((+j))
3 (l), in addition to any other fees or taxes required for the
4 transaction.

5 (2) A person recovering decals for which a replacement has been
6 issued shall promptly return the decals that have been recovered to the
7 department.

8 **Sec. 35.** RCW 88.02.610 and 2011 c 171 s 132 are each amended to
9 read as follows:

10 (1) A vessel owner shall apply for a vessel visitor permit if the
11 vessel is:

12 (a) Currently registered or numbered under the laws of a country
13 other than the United States or has a valid United States customs
14 service cruising license issued under 19 C.F.R. Sec. 4.94; and

15 (b) Being used on Washington state waters for the personal use of
16 the owner for more than sixty days.

17 (2) A vessel visitor permit:

18 (a) May be obtained from the department, county auditor or other
19 agent, or subagent appointed by the director;

20 (b) Must show the date the vessel first came into Washington state;
21 and

22 (c) Is valid as long as the vessel remains currently registered or
23 numbered under the laws of a country other than the United States or
24 the United States customs service cruising license remains valid.

25 (3) The department, county auditor or other agent, or subagent
26 appointed by the director shall collect the fee required in RCW
27 88.02.640(1)((+m)) (o) when issuing a vessel visitor permit.

28 (4) The department shall adopt rules to implement this section,
29 including rules on issuing and displaying the vessel visitor permit.

30 **Sec. 36.** RCW 88.02.620 and 2011 c 171 s 133 are each amended to
31 read as follows:

32 (1) A vessel owner who is a nonresident natural person shall apply
33 for a nonresident vessel permit on or before the sixty-first day of use
34 in Washington state if the vessel:

35 (a) Is currently registered or numbered under the laws of the state

1 of principal operation or has been issued a valid number under federal
2 law; and

3 (b) Has been brought into Washington state for personal use for not
4 more than six months in any continuous twelve-month period.

5 (2) A nonresident vessel permit:

6 (a) May be obtained from the department, county auditor or other
7 agent, or subagent appointed by the director;

8 (b) Must show the date the vessel first came into Washington state;
9 and

10 (c) Is valid for two months.

11 (3) The department, county auditor or other agent, or subagent
12 appointed by the director shall collect the fee required in RCW
13 88.02.640(1)((~~h~~)) (i) when issuing nonresident vessel permits.

14 (4) A nonresident vessel permit is not required under this section
15 if the vessel is used in conducting temporary business activity within
16 Washington state.

17 (5) The department shall adopt rules to implement this section,
18 including rules on issuing and displaying the nonresident vessel
19 permit.

20 **Sec. 37.** RCW 88.02.640 and 2011 c 326 s 5, 2011 c 171 s 134, and
21 2011 c 169 s 1 are each reenacted and amended to read as follows:

22 (1) In addition to any other fees and taxes required by law, the
23 department, county auditor or other agent, or subagent appointed by the
24 director shall charge the following vessel fees and surcharge:

25	FEE	AMOUNT	AUTHORITY	DISTRIBUTION
26	(a) Dealer temporary permit	\$5.00	RCW 88.02.800(2)	General fund
27	(b) Derelict vessel and	Subsection (3) of this	Subsection (3) of this	Subsection (3) of this
28	invasive species removal	section	section	section
29	(c) Derelict vessel removal	\$1.00	Subsection (4) of this	Subsection (4) of this
30	surcharge		section	section
31	(d) <u>Duplicate certificate of</u>	<u>\$1.25</u>	<u>RCW 88.02.530(1)(c)</u>	<u>General fund</u>
32	<u>title</u>			
33	(e) Duplicate registration	\$1.25	RCW 88.02.590(1)(c)	General fund
34	((e)) <u>(f)</u> Filing	RCW 46.17.005	RCW ((46.17.005))	RCW 46.68.400
35			<u>88.02.560(2)</u>	

1	((f)) <u>(g)</u> License plate	RCW 46.17.015	RCW ((46.17.015))	RCW 46.68.370
2	technology		<u>88.02.560(2)</u>	
3	((g)) <u>(h)</u> License service	RCW 46.17.025	RCW ((46.17.025))	RCW 46.68.220
4			<u>88.02.560(2)</u>	
5	((h)) <u>(i)</u> Nonresident	\$25.00	RCW 88.02.620(3)	Subsection (5) of this
6	vessel permit			section
7	((i)) <u>(j)</u> Quick title service	\$50.00	RCW 88.02.540(3)	Subsection (7) of this
8				section
9	((j)) <u>(k)</u> Registration	\$10.50	RCW 88.02.560(2)	RCW 88.02.650
10	((k)) <u>(l)</u> Replacement	\$1.25	RCW 88.02.595(1)(c)	General fund
11	decal			
12	((l)) <u>(m)</u> Title application	\$5.00	RCW 88.02.515	General fund
13	((m)) <u>(n)</u> Transfer	\$1.00	RCW 88.02.560(7)	General fund
14	((n)) <u>(o)</u> Vessel visitor	\$30.00	RCW 88.02.610(3)	Subsection (6) of this
15	permit			section

16 (2) The five dollar dealer temporary permit fee required in
17 subsection (1) of this section must be credited to the payment of
18 registration fees at the time application for registration is made.

19 (3)(a) The derelict vessel and invasive species removal fee
20 required in subsection (1) of this section is five dollars and must be
21 distributed as follows:

22 (i) One dollar and fifty cents must be deposited in the aquatic
23 invasive species prevention account created in RCW 77.12.879;

24 (ii) One dollar must be deposited into the aquatic algae control
25 account created in RCW 43.21A.667;

26 (iii) Fifty cents must be deposited into the aquatic invasive
27 species enforcement account created in RCW 43.43.400; and

28 (iv) Two dollars must be deposited in the derelict vessel removal
29 account created in RCW 79.100.100.

30 (b) If the department of natural resources indicates that the
31 balance of the derelict vessel removal account, not including any
32 transfer or appropriation of funds into the account or funds deposited
33 into the account collected under subsection (5) of this section reaches
34 one million dollars as of March 1st of any year, the collection of the
35 two dollars of the derelict vessel and invasive species removal fee
36 that is deposited into the derelict vessel removal account as

1 authorized in (a)(iv) of this subsection must be suspended for the
2 following fiscal year.

3 (4) Until January 1, 2014, an annual derelict vessel removal
4 surcharge of one dollar must be charged with each vessel registration.
5 The surcharge:

6 (a) Is to address the significant backlog of derelict vessels
7 accumulated in Washington state waters that pose a threat to the health
8 and safety of the people and to the environment;

9 (b) Is to be used only for the removal of vessels that are less
10 than seventy-five feet in length; and

11 (c) Must be deposited into the derelict vessel removal account
12 created in RCW 79.100.100.

13 (5) The twenty-five dollar nonresident vessel permit fee must be
14 paid by the vessel owner to the department for the cost of providing
15 the identification document by the department. Any moneys remaining
16 from the fee after the payment of costs must be allocated to counties
17 by the state treasurer for approved boating safety programs under RCW
18 88.02.650.

19 (6) The thirty dollar vessel visitor permit fee must be distributed
20 as follows:

21 (a) Five dollars must be deposited in the derelict vessel removal
22 account created in RCW 79.100.100;

23 (b) The department may keep an amount to cover costs for providing
24 the vessel visitor permit;

25 (c) Any moneys remaining must be allocated to counties by the state
26 treasurer for approved boating safety programs under RCW 88.02.650; and

27 (d) Any fees required for licensing agents under RCW 46.17.005 are
28 in addition to any other fee or tax due for the titling and
29 registration of vessels.

30 (7)(a) The fifty dollar quick title service fee must be distributed
31 as follows:

32 (i) If the fee is paid to the director, the fee must be deposited
33 to the general fund.

34 (ii) If the fee is paid to the participating county auditor or
35 other agent or subagent appointed by the director, twenty-five dollars
36 must be deposited to the general fund. The remainder must be retained
37 by the county treasurer in the same manner as other fees collected by
38 the county auditor.

1 (b) For the purposes of this subsection, "quick title" has the same
2 meaning as in RCW 88.02.540.

3 NEW SECTION. **Sec. 38.** RCW 46.04.622 is recodified as RCW
4 46.04.3812.

5 NEW SECTION. **Sec. 39.** RCW 46.04.62250 is recodified as RCW
6 46.04.541.

7 NEW SECTION. **Sec. 40.** RCW 46.04.630 is recodified as RCW
8 46.04.6203.

9 NEW SECTION. **Sec. 41.** RCW 46.04.650 is recodified as RCW
10 46.04.589.

11 NEW SECTION. **Sec. 42.** The following acts or parts of acts are
12 each repealed:

13 (1) RCW 46.04.62240 (Share the Road license plates) and 2005 c 426
14 s 2;

15 (2) RCW 46.04.62260 (Ski & Ride Washington license plates) and 2011
16 c 171 s 18 & 2005 c 220 s 2; and

17 (3) RCW 46.18.050 (Department duties--Applications, financial
18 reports) and 2011 c 171 s 65.

19 NEW SECTION. **Sec. 43.** This act takes effect June 30, 2012.

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