
ENGROSSED SUBSTITUTE HOUSE BILL 2941

State of Washington

58th Legislature

2004 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Murray, Ericksen, Hankins, Jarrett, McDermott, Rockefeller, Morris, Simpson, G., Wood, Campbell, Sommers, Santos, Sullivan, Wallace and Clibborn)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to registration of vehicles based on residence;
2 amending RCW 46.16.028, 46.16.040, 46.16.210, and 46.20.205; adding a
3 new section to chapter 46.04 RCW; and adding a new section to chapter
4 46.16 RCW.

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

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

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

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

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

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

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

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

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

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

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

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

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

35 ((+2+)) (b) The name and principal place of business in Washington
36 from which the business of the registered owner is directed, managed,

1 or conducted if the vehicle is owned by a business or sole
2 proprietorship;

3 (c) Trade name of the vehicle, model, year, type of body, the
4 identification number thereof;

5 ~~((+3))~~ (d) The power to be used--whether electric, steam, gas or
6 other power;

7 ~~((+4))~~ (e) The purpose for which said vehicle is to be used and
8 the nature of the license required;

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

16 ~~((+6))~~ (g) The unladen weight of such vehicle, if it be a motor
17 truck or trailer, which shall be the shipping weight thereof as given
18 by the manufacturer thereof unless another weight is shown by weight
19 slip verified by a certified weighmaster, which slip shall be attached
20 to the original application;

21 ~~((+7))~~ (h) Such other information as shall be required upon such
22 application by the department.

23 (2) Notwithstanding subsection (1) of this section, an applicant
24 may provide an address other than a residence address as part of the
25 application or renewal only if the applicant: (a) Is a member of the
26 military with an overseas mailing address; (b) is a participant in the
27 address confidentiality program administered through the office of the
28 secretary of state; or (c) does not have United States postal service
29 mail delivery service available to the applicant's residence address.
30 In order to be exempt from the requirement to provide a residence
31 address, the applicant must certify, under penalty of perjury, that at
32 least one of the exceptions in (a) through (c) of this subsection is
33 met to the best of the applicant's knowledge.

34 **Sec. 4.** RCW 46.16.210 and 2001 c 206 s 1 are each amended to read
35 as follows:

36 (1) Upon receipt of the application and proper fee for original
37 vehicle license, the director shall make a recheck of the application

1 and in the event that there is any error in the application it may be
2 returned to the county auditor or other agent to effectively secure the
3 correction of such error, who shall return the same corrected to the
4 director.

5 (2) Application for the renewal of a vehicle license shall be made
6 to the director or his agents, including county auditors, by the
7 registered owner on a form prescribed by the director and shall include
8 the applicant's residence address. The application must be accompanied
9 by the payment of such license fees and excise tax as may be required
10 by law including, but not limited to, all special motor vehicle excise
11 taxes with respect to any taxing district of which the applicant is a
12 resident. The applicant must provide a residence address or meet an
13 exception as provided in RCW 46.16.040. When a vehicle license is
14 renewed after the effective date of this act, the applicant must
15 certify under penalty of perjury that the address provided for the
16 vehicle registration is the residence address. Payment of applicable
17 fees is certification that the vehicle registration address is the
18 residence address or the applicant has submitted a change of address to
19 meet the address requirements of this act. Such application shall be
20 handled in the same manner and the fees transmitted to the state
21 treasurer in the same manner as in the case of an original application.
22 Any such application which upon validation becomes a renewal
23 certificate need not have entered upon it the name of the lien holder,
24 if any, of the vehicle concerned.

25 (3) Persons expecting to be out of the state during the normal
26 renewal period of a vehicle license may secure renewal of such vehicle
27 license and have license plates or tabs preissued by making application
28 to the director or his agents upon forms prescribed by the director.
29 The application must be accompanied by such license fees, and excise
30 tax as may be required by law.

31 (4) Application for the annual renewal of a vehicle license number
32 plate to the director or the director's agents shall not be required
33 for those vehicles owned, rented, or leased by the state of Washington,
34 or by any county, city, town, school district, or other political
35 subdivision of the state of Washington or a governing body of an Indian
36 tribe located within this state and recognized as a governmental entity
37 by the United States department of the interior.

1 (5) If the department becomes aware that there is or may be an
2 error in a residence address provided in an application or renewal or
3 that the applicant has failed to provide a residence address without
4 certifying the applicability of one of the exceptions listed in RCW
5 46.16.040, the department shall flag the record and the registered
6 owner will be required, before renewal of the vehicle license, to
7 provide information satisfactory to the department either to reconcile
8 the error or to demonstrate that there was no error.

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

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

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

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

35 (2) When a licensee or holder of an identicard changes his or her
36 name of record, the person shall notify the department of the name
37 change. The person must make the notification within ten days of the

1 date that the name change is effective. The notification must be in
2 writing on a form provided by the department and must include the
3 number of the person's driver's license. The department of licensing
4 shall not change the name of record of a person under this section
5 unless the person has again satisfied the department regarding his or
6 her identity in the manner provided by RCW 46.20.035.

7 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.16 RCW
8 to read as follows:

9 All reasonable costs incurred by the department of licensing
10 associated with the administration of address certification provisions
11 for authorities receiving funds collected under chapter 35.95A RCW
12 shall be paid by those authorities.

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