
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; and adding
3 a new section to chapter 46.04 RCW.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (1) Upon receipt of the application and proper fee for original
33 vehicle license, the director shall make a recheck of the application
34 and in the event that there is any error in the application it may be
35 returned to the county auditor or other agent to effectively secure the
36 correction of such error, who shall return the same corrected to the
37 director.

1 (2) Application for the renewal of a vehicle license shall be made
2 to the director or his agents, including county auditors, by the
3 registered owner on a form prescribed by the director. The application
4 must be accompanied by the payment of such license fees and excise tax
5 as may be required by law, including, but not limited to, all special
6 motor vehicle excise taxes with respect to any taxing district of which
7 the applicant is a resident. The applicant must certify, under penalty
8 of perjury, that the statements in the application are true to the best
9 of the applicant's knowledge. Such application shall be handled in the
10 same manner and the fees transmitted to the state treasurer in the same
11 manner as in the case of an original application. Any such application
12 which upon validation becomes a renewal certificate need not have
13 entered upon it the name of the lien holder, if any, of the vehicle
14 concerned.

15 (3) Persons expecting to be out of the state during the normal
16 renewal period of a vehicle license may secure renewal of such vehicle
17 license and have license plates or tabs preissued by making application
18 to the director or his agents upon forms prescribed by the director.
19 The application must be accompanied by such license fees, and excise
20 tax as may be required by law.

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

28 (5) If the department becomes aware that there is or may be an
29 error in a residence address provided in an application or renewal or
30 that the applicant has failed to provide a residence address without
31 certifying the applicability of one of the exceptions listed in RCW
32 46.16.040, the department shall flag the record and the registered
33 owner will be required, before renewal of the vehicle license, to
34 provide information satisfactory to the department either to reconcile
35 the error or to demonstrate that there was no error.

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

1 (1) Whenever any person after applying for or receiving a driver's
2 license or identicard moves from the residence address named in the
3 application or in the license or identicard issued to him or her, the
4 person shall within ten days thereafter notify the department of the
5 address change. The notification must be in writing on a form provided
6 by the department and must include the number of the person's driver's
7 license. The written notification, or other means as designated by
8 rule of the department, is the exclusive means by which the address of
9 record maintained by the department concerning the licensee or
10 identicard holder may be changed.

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

19 (b) Any notice regarding the cancellation, suspension, revocation,
20 disqualification, probation, or nonrenewal of the driver's license,
21 commercial driver's license, driving privilege, or identicard mailed to
22 the address of record of the licensee or identicard holder is effective
23 notwithstanding the licensee's or identicard holder's failure to
24 receive the notice.

25 (2) When a licensee or holder of an identicard changes his or her
26 name of record, the person shall notify the department of the name
27 change. The person must make the notification within ten days of the
28 date that the name change is effective. The notification must be in
29 writing on a form provided by the department and must include the
30 number of the person's driver's license. The department of licensing
31 shall not change the name of record of a person under this section
32 unless the person has again satisfied the department regarding his or
33 her identity in the manner provided by RCW 46.20.035.

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