

SENATE BILL REPORT

EHB 1241

As of April 22, 2005

Title: An act relating to vehicle licensing and registration.

Brief Description: Modifying vehicle licensing and registration penalties.

Sponsors: Representatives Fromhold, Curtis, Moeller, Wallace, Sommers, McIntire and Murray.

Brief History: Passed House: 4/19/05, 95-3.

Committee Activity: Ways & Means:

SENATE COMMITTEE ON WAYS & MEANS

Staff: Dean Carlson (786-7305)

Background: New Washington residents unless exempt must obtain a valid Washington driver's license and register their vehicles within 30 days from the date they become residents. Exemptions include a person in the military, a nonresident driver, a person operating special highway construction equipment, farm tractor or locomotive.

Failure to register a vehicle in Washington before operating on the highways is a misdemeanor and, if convicted, must be punished by a penalty of no less than \$330. The licensing of a vehicle in another state by a resident of this state for the purposes of evading the payment of any tax or license in relation to registering a vehicle is a gross misdemeanor punishable as follows:

- first offense - up to one year in a county jail and a fine equal to twice the amount of delinquent taxes and fees, with no part suspended or deferred;
- second or subsequent offense - up to one year in a county jail and a fine equal to four times the amount of delinquent taxes and fees, with no part suspended or deferred.

Sales tax does not apply to sales to nonresidents of tangible personal property when they are a resident of a state, Province of Canada, or United States possession that does not impose a sales tax or use tax of 3 percent or more. Any person claiming an exemption must provide one piece of identification such as a valid driver's license or identification card from the jurisdiction in which the out-of-state residence is claimed.

Summary of Bill: Failure to register a vehicle in Washington before operating on the highways is changed from a misdemeanor to a traffic infraction fine of \$529.

A motor vehicle subject to initial or renewal registration must not be registered to a natural person unless the person has an unexpired Washington State driver's license. They are exempt from this requirement if they certify that they do not operate a motor vehicle on the public roads or they are already exempt under current law. For shared or joint ownership, the Department of Licensing (DOL) will establish procedures to verify that all owners meet these requirements. The DOL may adopt rules necessary to implement these provisions, where a

person may be exempt if they show evidence satisfactory to the DOL that they have a valid and compelling reason for not being able to meet these requirements.

A person falsifying residence is guilty of a gross misdemeanor punishable by only a fine of \$529.

This applies to registrations due or that become due on or after January 1, 2006.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on August 1, 2005.