
SUBSTITUTE HOUSE BILL 3183

State of Washington 60th Legislature 2008 Regular Session

By House Transportation (originally sponsored by Representatives McDonald, Flannigan, and Dunn)

READ FIRST TIME 02/06/08.

1 AN ACT Relating to exempting park maintenance equipment operated by
2 certain local jurisdictions from vehicle license and license plate
3 requirements; amending RCW 46.16.010; and adding a new section to
4 chapter 46.04 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 "Park maintenance equipment" means motorized equipment operated by
9 a city, county, park and recreational district, or metropolitan park
10 district during daylight hours on city streets or county roads and used
11 exclusively for the conduct of performing park maintenance activities
12 and not primarily for the purpose of transportation. "Park maintenance
13 equipment" does not include vehicles required to be licensed under this
14 title.

15 **Sec. 2.** RCW 46.16.010 and 2007 c 242 s 2 are each amended to read
16 as follows:

17 (1) It is unlawful for a person to operate any vehicle over and
18 along a public highway of this state without first having obtained and

1 having in full force and effect a current and proper vehicle license
2 and display vehicle license number plates therefor as by this chapter
3 provided.

4 (2) Failure to make initial registration before operation on the
5 highways of this state is a traffic infraction, and any person
6 committing this infraction shall pay a penalty of five hundred twenty-
7 nine dollars, no part of which may be suspended or deferred.

8 (3) Failure to renew an expired registration before operation on
9 the highways of this state is a traffic infraction.

10 (4) The licensing of a vehicle in another state by a resident of
11 this state, as defined in RCW 46.16.028, evading the payment of any tax
12 or license fee imposed in connection with registration, is a gross
13 misdemeanor punishable as follows:

14 (a) For a first offense, up to one year in the county jail and
15 payment of a fine of five hundred twenty-nine dollars plus twice the
16 amount of delinquent taxes and fees, no part of which may be suspended
17 or deferred;

18 (b) For a second or subsequent offense, up to one year in the
19 county jail and payment of a fine of five hundred twenty-nine dollars
20 plus four times the amount of delinquent taxes and fees, no part of
21 which may be suspended or deferred;

22 (c) For fines levied under (b) of this subsection, an amount equal
23 to the avoided taxes and fees owed will be deposited in the vehicle
24 licensing fraud account created in the state treasury;

25 (d) The avoided taxes and fees shall be deposited and distributed
26 in the same manner as if the taxes and fees were properly paid in a
27 timely fashion.

28 (5) These provisions shall not apply to the following vehicles:

29 (a) Motorized foot scooters;

30 (b) Electric-assisted bicycles;

31 (c) Off-road vehicles operating on nonhighway roads under RCW
32 46.09.115;

33 (d) Farm vehicles if operated within a radius of fifteen miles of
34 the farm where principally used or garaged, farm tractors and farm
35 implements including trailers designed as cook or bunk houses used
36 exclusively for animal herding temporarily operating or drawn upon the
37 public highways, and trailers used exclusively to transport farm

1 implements from one farm to another during the daylight hours or at
2 night when such equipment has lights that comply with the law;

3 (e) Spray or fertilizer applicator rigs designed and used
4 exclusively for spraying or fertilization in the conduct of
5 agricultural operations and not primarily for the purpose of
6 transportation, and nurse rigs or equipment auxiliary to the use of and
7 designed or modified for the fueling, repairing, or loading of spray
8 and fertilizer applicator rigs and not used, designed, or modified
9 primarily for the purpose of transportation;

10 (f) Fork lifts operated during daylight hours on public highways
11 adjacent to and within five hundred feet of the warehouses which they
12 serve: PROVIDED FURTHER, That these provisions shall not apply to
13 vehicles used by the state parks and recreation commission exclusively
14 for park maintenance and operations upon public highways within state
15 parks;

16 (g) "Trams" used for transporting persons to and from facilities
17 related to the horse racing industry as regulated in chapter 67.16 RCW,
18 as long as the public right-of-way routes over which the trams operate
19 are not more than one mile from end to end, the public rights-of-way
20 over which the tram operates have an average daily traffic of not more
21 than 15,000 vehicles per day, and the activity is in conformity with
22 federal law. The operator must be a licensed driver and at least
23 eighteen years old. For the purposes of this section, "tram" also
24 means a vehicle, or combination of vehicles linked together with a
25 single mode of propulsion, used to transport persons from one location
26 to another;

27 (h) "Special highway construction equipment" defined as follows:
28 Any vehicle which is designed and used primarily for grading of
29 highways, paving of highways, earth moving, and other construction work
30 on highways and which is not designed or used primarily for the
31 transportation of persons or property on a public highway and which is
32 only incidentally operated or moved over the highway. It includes, but
33 is not limited to, road construction and maintenance machinery so
34 designed and used such as portable air compressors, air drills, asphalt
35 spreaders, bituminous mixers, bucket loaders, track laying tractors,
36 ditchers, leveling graders, finishing machines, motor graders, paving
37 mixers, road rollers, scarifiers, earth moving scrapers and carryalls,
38 lighting plants, welders, pumps, power shovels and draglines, self-

1 propelled and tractor-drawn earth moving equipment and machinery,
2 including dump trucks and tractor-dump trailer combinations which
3 either (i) are in excess of the legal width, or (ii) which, because of
4 their length, height, or unladen weight, may not be moved on a public
5 highway without the permit specified in RCW 46.44.090 and which are not
6 operated laden except within the boundaries of the project limits as
7 defined by the contract, and other similar types of construction
8 equipment, or (iii) which are driven or moved upon a public highway
9 only for the purpose of crossing such highway from one property to
10 another, provided such movement does not exceed five hundred feet and
11 the vehicle is equipped with wheels or pads which will not damage the
12 roadway surface.

13 Exclusions:

14 "Special highway construction equipment" does not include any of
15 the following:

16 Dump trucks originally designed to comply with the legal size and
17 weight provisions of this code notwithstanding any subsequent
18 modification which would require a permit, as specified in RCW
19 46.44.090, to operate such vehicles on a public highway, including
20 trailers, truck-mounted transit mixers, cranes and shovels, or other
21 vehicles designed for the transportation of persons or property to
22 which machinery has been attached;

23 (i) Park maintenance equipment.

24 (6) The following vehicles, whether operated solo or in
25 combination, are exempt from license registration and displaying
26 license plates as required by this chapter:

27 (a) A converter gear used to convert a semitrailer into a trailer
28 or a two-axle truck or tractor into a three or more axle truck or
29 tractor or used in any other manner to increase the number of axles of
30 a vehicle. Converter gear includes an auxiliary axle, booster axle,
31 dolly, and jeep axle.

32 (b) A tow dolly that is used for towing a motor vehicle behind
33 another motor vehicle. The front or rear wheels of the towed vehicle
34 are secured to and rest on the tow dolly that is attached to the towing
35 vehicle by a tow bar.

36 (c) An off-road vehicle operated on a street, road, or highway as
37 authorized under RCW 46.09.180.

1 (7)(a) A motor vehicle subject to initial or renewal registration
2 under this section shall not be registered to a natural person unless
3 the person at time of application:
4 (i) Presents an unexpired Washington state driver's license; or
5 (ii) Certifies that he or she is:
6 (A) A Washington resident who does not operate a motor vehicle on
7 public roads; or
8 (B) Exempt from the requirement to obtain a Washington state
9 driver's license under RCW 46.20.025.
10 (b) For shared or joint ownership, the department will set up
11 procedures to verify that all owners meet the requirements of this
12 subsection.
13 (c) A person falsifying residency is guilty of a gross misdemeanor
14 punishable only by a fine of five hundred twenty-nine dollars.
15 (d) The department may adopt rules necessary to implement this
16 subsection, including rules under which a natural person applying for
17 registration may be exempt from the requirements of this subsection
18 where the person provides evidence satisfactory to the department that
19 he or she has a valid and compelling reason for not being able to meet
20 the requirements of this subsection.
21 (8) A vehicle with an expired registration of more than forty-five
22 days parked on a public street may be impounded by a police officer
23 under RCW 46.55.113(2).

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