

HOUSE BILL REPORT

SSB 5719

As Passed House:

April 13, 2009

Title: An act relating to title and registration requirements for kit vehicles.

Brief Description: Modifying title and registration requirements for kit vehicles.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Swecker and Brown).

Brief History:

Committee Activity:

Transportation: 3/24/09, 3/25/09 [DP].

Floor Activity

Passed House: 4/13/09, 97-1.

Brief Summary of Substitute Bill

- Replaces the requirement that the kit vehicle body identification is identified as a replica with a discrete vehicle model.
- Updates the Washington Administrative Code that is currently in statute regarding Washington State Patrol vehicle standards.
- Removes the vehicle frame welding requirements for kit vehicles.
- Requires the Department of Licensing to issue a certificate of ownership and/or register the vehicle for an applicant that complies with Washington statutes and pays the required fees and taxes.
- Requires the Department of Licensing to use the model year of the manufactured kit car as reflected on the manufacturer's certificate of origin.
- Establishes a separate statute for kit vehicles.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 25 members: Representatives Clibborn, Chair; Liias, Vice Chair; Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong, Campbell, Cox, Dickerson, Eddy, Ericksen, Finn, Flannigan, Herrera, Johnson,

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Kristiansen, Moeller, Rolfes, Shea, Simpson, Springer, Takko, Upthegrove, Wallace, Williams and Wood.

Minority Report: Do not pass. Signed by 1 member: Representative Klippert.

Staff: Jerry Long (786-7306)

Background:

Kit vehicles are passenger cars or trucks that are assembled from a manufacturing kit. The vehicles are available in kit form, which means the customers buy a set of parts and assemble the motor vehicle themselves. Usually many of the major mechanical parts, such as the engine and transmission, are taken from one or more donor vehicles.

Current requirements for titling and registering a kit vehicle specify that the make be listed as "KITV," and the series and body description must describe the appearance of the vehicle using the word "replica." The titling requirements also specify that the vehicle must comply with the Washington Administration Code (WAC) 204-90 which has been replaced presently with WAC 204-10 for equipment standards established by the Washington State Patrol (WSP) which in specific areas reference the Federal Motor Vehicle Safety Standards.

Among the equipment standards promulgated by the WSP is the requirement that a motor vehicle must be equipped with a frame. If an existing frame from a recognized manufacturer is not used and a special frame is fabricated, it must be constructed of wall box or continuous section tubing, wall channel, or unitized construction capable of supporting the vehicle, its load, and the torque produced by the power source under all conditions of operation. All welding on the frame must be completed by a certified welder and the structural strength of the frame must be certified by an engineer as meeting federal standards.

The Department of Licensing (DOL) may issue a certificate of ownership and register the vehicle with the appropriate documentation.

Summary of Bill:

The series and body designations for a kit vehicle must describe a discrete vehicle, but need not identify the vehicle as a replica of another vehicle. The reference to the WAC chapter for equipment standards is updated.

Kit vehicles must comply with the equipment standards established by the WSP. However, a kit vehicle is exempt from the welding requirements specified in the WAC if the owner provides documentation from the manufacturer that informs the owner that the welding on the frame was not completed by a certified welder and that the structural strength of the frame has not been certified by an engineer.

The DOL may not deny a certificate of ownership or registration to an applicant who completes an application, complies with the Washington statutes governing the titling of a kit vehicle, and pays the requisite titling fees and taxes.

The DOL may not deny a vehicle license or license plates to an applicant who completes an application, is a Washington resident, complies with the Washington statutes governing the licensing of a kit vehicle, and pays the requisite vehicle licensing fees and taxes.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill fixes a problem between a kit car manufacturer and getting the vehicle titled and registered in Washington. By having to comply with federal standards, only large car manufacturers have the money to perform all of the testing and implementing all of the existing federal standards. Presently, kit cars based on the existing statutes and WACs cannot be registered in Washington. Over 200 kit car manufactures are affected by a recently adopted Washington State Patrol WAC referring to the federal code for vehicle equipment. All home-built vehicles would also be illegal under the Washington State Patrol WAC. Three-wheel vehicles are exempt from the federal codes on vehicle equipment, which are more dangerous than the four-wheel vehicles, but four-wheel vehicles are not exempt. Presently vehicle innovation is stifled and will have an effect on companies looking at new types of vehicles in the state. The electric vehicle bill recently passed is also not in conformance with federal code.

(Opposed) There are issues with the bill. A kit car is not a manufactured vehicle. Manufactured vehicles must comply with federal standards for safety and consumer protection. Kit cars are individuals purchasing a kit from a manufacturer and then assembling the vehicle. The bill removes the requirements that the frame of a kit vehicle would not have to meet federal standards as to being welded by a certified welder and the structural strength of the frame being certified by an engineer. The DOL should not be titling and registering vehicles that do not meet federal safety standards. The title should have a year completed as the model year to be in compliance with federal vehicle standards. This is a consumer protection issue since the DOL is directed to title and register a vehicle providing the person has the required documents and pays all of the required fees.

Persons Testifying: (In support) Rick Woodbury, Commuter Cars Corporation.

(Opposed) Jeff DeVere, Washington State Patrol; and Dan Devoe, Department of Licensing.

Persons Signed In To Testify But Not Testifying: None.