

# SENATE BILL REPORT

## SSB 5719

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As Passed Senate, March 10, 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: 2/17/09, 2/18/09 [DPS].

Passed Senate: 3/10/09, 43-1.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 5719 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Becker, Berkey, Delvin, Eide, Jarrett, Kastama, Kauffman, Kilmer, King and Ranker.

**Staff:** Dory Nicpon (786-7321)

**Background:** Kit vehicles are passenger cars or trucks that are assembled from a manufactured kit. Current requirements for titling and registering a kit vehicle specify that the make must be listed as "KITV," and the series and body designation must describe the appearance of the vehicle using the word "replica." The titling requirements also specify that the vehicle must comply with the Washington Administrative Code (WAC) chapter that formerly contained equipment standards established by the Washington State Patrol (WSP).

Among the equipment standards promulgated by the WSP are the requirements that a vehicle must have a frame that was welded by a certified welder, and the structural strength of the frame must be certified by an engineer as meeting certain federal standards.

**Summary of Substitute 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.

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*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.*

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 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 Department of Licensing (DOL) may not deny a certificate of ownership or registration to an applicant who completes an application, complies with the statute governing the titling of a kit vehicle, and pays the requisite titling fees and taxes.

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

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Innovative cars like the Tango cannot be licensed in Washington because compliance with all Federal Motor Vehicle Safety Standards (FMVSS) is prohibitively expensive for small vehicle manufacturers. Rather than FMVSS, the state should focus on standards that can be met by individuals. Tango offers an environmentally friendlier alternative to commuters that can double lane capacity. It could be a tool for relieving congestion. It has been licensed in California, and the 1995 prototype was licensed in Washington. But the rules have apparently changed since then, so Tangos cannot be licensed in Washington any longer.

OTHER: As great as innovation is, we should not trade safety for innovation. Without compliance with FMVSS, there are concerns about the safety of the vehicle. By selling the vehicle in two major components, one can circumvent the FMVSS that apply to new vehicles.

**Persons Testifying:** PRO: Senator Swecker, prime sponsor; Rick Woodbury, Commuter Cars Corporation.

OTHER: Captain Jeff DeVere, WSP.