
SUBSTITUTE HOUSE BILL 2791

State of Washington **61st Legislature** **2010 Regular Session**

By House Transportation (originally sponsored by Representatives Goodman and Clibborn)

READ FIRST TIME 02/08/10.

1 AN ACT Relating to driving-related penalties; amending RCW
2 46.61.150 and 46.16.160; and prescribing penalties.

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

4 **Sec. 1.** RCW 46.61.150 and 1972 ex.s. c 33 s 4 are each amended to
5 read as follows:

6 Whenever any highway has been divided into two or more roadways by
7 a gore point or gore zone, which are defined as the triangular area
8 dividing the lanes where highways either split or merge, or by leaving
9 an intervening space or by a physical barrier or clearly indicated
10 dividing section or by a median island not less than eighteen inches
11 wide formed either by solid yellow pavement markings or by a yellow
12 crosshatching between two solid yellow lines so installed as to control
13 vehicular traffic, every vehicle shall be driven only upon the right-
14 hand roadway unless directed or permitted to use another roadway by
15 official traffic-control devices or police officers. No vehicle shall
16 be driven over, across, or within any such gore point or gore zone,
17 dividing space, barrier or section, or median island, except through an
18 opening in such physical barrier or dividing section or space or median

1 island, or at a crossover or intersection established by public
2 authority.

3 **Sec. 2.** RCW 46.16.160 and 2007 c 419 s 6 are each amended to read
4 as follows:

5 (1) The owner of a vehicle which under reciprocal relations with
6 another jurisdiction would be required to obtain a license registration
7 in this state or an unlicensed vehicle which would be required to
8 obtain a license registration for operation on public highways of this
9 state may, as an alternative to such license registration, secure and
10 operate such vehicle under authority of a trip permit issued by this
11 state in lieu of a Washington certificate of license registration, and
12 licensed gross weight if applicable. The licensed gross weight may not
13 exceed eighty thousand pounds for a combination of vehicles nor forty
14 thousand pounds for a single unit vehicle with three or more axles.
15 Trip permits are required for movement of mobile homes or park model
16 trailers and may only be issued if property taxes are paid in full.
17 For the purpose of this section, a vehicle is considered unlicensed if
18 the licensed gross weight currently in effect for the vehicle or
19 combination of vehicles is not adequate for the load being carried.
20 Vehicles registered under RCW 46.16.135 shall not be operated under
21 authority of trip permits in lieu of further registration within the
22 same registration year.

23 (2) Each trip permit shall authorize the operation of a single
24 vehicle at the maximum legal weight limit for such vehicle for a period
25 of three consecutive days commencing with the day of first use. No
26 more than three such permits may be used for any one vehicle in any
27 period of thirty consecutive days, except that in the case of a
28 recreational vehicle as defined in RCW 43.22.335, no more than two trip
29 permits may be used for any one vehicle in a one-year period. Every
30 permit shall identify, as the department may require, the vehicle for
31 which it is issued and shall be completed in its entirety and signed by
32 the operator before operation of the vehicle on the public highways of
33 this state. Correction of data on the permit such as dates, license
34 number, or vehicle identification number invalidates the permit. The
35 trip permit shall be displayed on the vehicle to which it is issued as
36 prescribed by the department.

1 (3) Vehicles operating under authority of trip permits are subject
2 to all laws, rules, and regulations affecting the operation of like
3 vehicles in this state.

4 (4) Prorate operators operating commercial vehicles on trip permits
5 in Washington shall retain the customer copy of such permit for four
6 years.

7 (5) Trip permits may be obtained from field offices of the
8 department of transportation, department of licensing, or other agents
9 appointed by the department. The fee for each trip permit is twenty
10 dollars. Five dollars from every twenty-dollar trip permit fee shall
11 be deposited into the state patrol highway account and must be used for
12 commercial motor vehicle inspections. For each permit issued, the fee
13 includes a filing fee as provided by RCW 46.01.140 and an excise tax of
14 one dollar. The remaining portion of the trip permit fee must be
15 deposited to the credit of the motor vehicle fund as an administrative
16 fee. If the filing fee amount of three dollars as prescribed in RCW
17 46.01.140 is increased or decreased after July 1, 2002, the
18 administrative fee must be increased or decreased by the same amount so
19 that the total trip permit would be adjusted equally to compensate.
20 These fees and taxes are in lieu of all other vehicle license fees and
21 taxes. No exchange, credits, or refunds may be given for trip permits
22 after they have been purchased.

23 (6) The department may appoint county auditors or businesses as
24 agents for the purpose of selling trip permits to the public. County
25 auditors or businesses so appointed may retain the filing fee collected
26 for each trip permit to defray expenses incurred in handling and
27 selling the permits.

28 (7) Commercial motor vehicles that are owned by a motor carrier
29 subject to RCW 46.32.080, must not be operated on trip permits
30 authorized by (~~RCW 46.16.160~~) this section or RCW 46.16.162 if the
31 motor carrier's department of transportation number has been placed out
32 of service by the Washington state patrol. A violation of or a failure
33 to comply with this subsection is a gross misdemeanor, subject to a
34 minimum monetary penalty of two thousand five hundred dollars for the
35 first violation and five thousand dollars for each subsequent
36 violation.

37 (8) Except as provided in subsection (7) of this section, a

1 violation of or a failure to comply with any provision of this section
2 is a (~~gross~~) misdemeanor.

3 (9) The department of licensing may adopt rules as it deems
4 necessary to administer this section.

5 (10) A surcharge of five dollars is imposed on the issuance of trip
6 permits. The portion of the surcharge paid by motor carriers must be
7 deposited in the motor vehicle fund for the purpose of supporting
8 vehicle weigh stations, weigh-in-motion programs, and the commercial
9 vehicle information systems and networks program. The remaining
10 portion of the surcharge must be deposited in the motor vehicle fund
11 for the purpose of supporting congestion relief programs. All other
12 administrative fees and excise taxes collected under the provisions of
13 this chapter shall be forwarded by the department with proper
14 identifying detailed report to the state treasurer who shall deposit
15 the administrative fees to the credit of the motor vehicle fund and the
16 excise taxes to the credit of the general fund. Filing fees will be
17 forwarded and reported to the state treasurer by the department as
18 prescribed in RCW 46.01.140.

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