
SENATE BILL 6404

State of Washington 61st Legislature 2010 Regular Session

By Senators Swecker, Hobbs, Hatfield, McCaslin, Sheldon, and Schoesler

Read first time 01/13/10. Referred to Committee on Transportation.

1 AN ACT Relating to vehicle registration fees collected by subagents
2 under RCW 46.16.0621 and 46.16.070; amending RCW 46.16.070, 46.01.140,
3 46.17.010, 46.68.035, and 46.68.080; reenacting and amending RCW
4 46.16.0621; adding a new section to chapter 46.68 RCW; and creating new
5 sections.

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

7 NEW SECTION. **Sec. 1.** It is the intent of the legislature to have
8 licensing fees be consistent for both county auditors and licensing
9 subagents so that the public pays the same fee at all licensing
10 locations. The base fee for passenger vehicles will now include the
11 subagent licensing fee, where before it was added by the subagent when
12 the subagent registered the vehicle. The intent of this act is to be
13 revenue neutral to the state.

14 **Sec. 2.** RCW 46.16.0621 and 2003 c 1 s 2 and 2002 c 352 s 7 are
15 each reenacted and amended to read as follows:

16 (1)(a) License tab fees are (~~required to be \$30~~) thirty-two
17 dollars and forty-three cents per year for motor vehicles, regardless
18 of year, value, make, or model.

1 ~~((+2))~~ (b) Any subagent authorized to collect the thirty-two
2 dollar and forty-three cent fee shall retain four dollars from the fee
3 upon collection.

4 (2) If, at the end of each fiscal year, the aggregate amount of the
5 fees collected under this section minus the aggregate amount of service
6 fees retained by subagents pursuant to subsection (1)(b) of this
7 section exceeds the aggregate amount that would have been collected
8 otherwise for a thirty-dollar license tab fee, the excess amount must
9 be transferred from the motor vehicle fund to the title and licensing
10 system account created in section 5 of this act.

11 (3) For the purposes of this section, "license tab fees" are
12 defined as the general fees paid annually for licensing motor vehicles
13 and trailers as defined in RCW 46.04.620 and 46.04.623, including cars,
14 sport utility vehicles, motorcycles, and motor homes. Trailers
15 licensed under RCW 46.16.068 or 46.16.085 and campers licensed under
16 RCW 46.16.505 are not required to pay license tab fees under this
17 section.

18 **Sec. 3.** RCW 46.16.070 and 2005 c 314 s 204 are each amended to
19 read as follows:

20 (1) In lieu of all other vehicle licensing fees, unless
21 specifically exempt, and in addition to the mileage fees prescribed for
22 buses and stages in RCW 46.16.125, there shall be paid and collected
23 annually for each truck, motor truck, truck tractor, road tractor,
24 tractor, bus, auto stage, or for hire vehicle with seating capacity of
25 more than six, based upon the declared combined gross weight or
26 declared gross weight under chapter 46.44 RCW, the following licensing
27 fees by weight:

WEIGHT	SCHEDULE A	SCHEDULE B
4,000 lbs.	\$ ((40.00))	\$ ((40.00))
	<u>42.43</u>	<u>42.43</u>
6,000 lbs.	\$ ((50.00))	\$ ((50.00))
	<u>52.43</u>	<u>52.43</u>
8,000 lbs.	\$ ((60.00))	\$ ((60.00))
	<u>62.43</u>	<u>62.43</u>
10,000 lbs.	\$ ((62.00))	\$ ((62.00))
	<u>64.43</u>	<u>64.43</u>

1	12,000 lbs.	\$ ((79.00))	.....	\$ ((79.00))
2		<u>81.43</u>		<u>81.43</u>
3	14,000 lbs.	\$ 90.00	.....	\$ 90.00
4	16,000 lbs.	\$ 102.00	.....	\$ 102.00
5	18,000 lbs.	\$ 154.00	.....	\$ 154.00
6	20,000 lbs.	\$ 171.00	.....	\$ 171.00
7	22,000 lbs.	\$ 185.00	.....	\$ 185.00
8	24,000 lbs.	\$ 200.00	.....	\$ 200.00
9	26,000 lbs.	\$ 211.00	.....	\$ 211.00
10	28,000 lbs.	\$ 249.00	.....	\$ 249.00
11	30,000 lbs.	\$ 287.00	.....	\$ 287.00
12	32,000 lbs.	\$ 346.00	.....	\$ 346.00
13	34,000 lbs.	\$ 368.00	.....	\$ 368.00
14	36,000 lbs.	\$ 399.00	.....	\$ 399.00
15	38,000 lbs.	\$ 438.00	.....	\$ 438.00
16	40,000 lbs.	\$ 501.00	.....	\$ 501.00
17	42,000 lbs.	\$ 521.00	.....	\$ 611.00
18	44,000 lbs.	\$ 532.00	.....	\$ 622.00
19	46,000 lbs.	\$ 572.00	.....	\$ 662.00
20	48,000 lbs.	\$ 596.00	.....	\$ 686.00
21	50,000 lbs.	\$ 647.00	.....	\$ 737.00
22	52,000 lbs.	\$ 680.00	.....	\$ 770.00
23	54,000 lbs.	\$ 734.00	.....	\$ 824.00
24	56,000 lbs.	\$ 775.00	.....	\$ 865.00
25	58,000 lbs.	\$ 806.00	.....	\$ 896.00
26	60,000 lbs.	\$ 859.00	.....	\$ 949.00
27	62,000 lbs.	\$ 921.00	.....	\$ 1,011.00
28	64,000 lbs.	\$ 941.00	.....	\$ 1,031.00
29	66,000 lbs.	\$ 1,048.00	.....	\$ 1,138.00
30	68,000 lbs.	\$ 1,093.00	.....	\$ 1,183.00
31	70,000 lbs.	\$ 1,177.00	.....	\$ 1,267.00
32	72,000 lbs.	\$ 1,259.00	.....	\$ 1,349.00
33	74,000 lbs.	\$ 1,368.00	.....	\$ 1,458.00
34	76,000 lbs.	\$ 1,478.00	.....	\$ 1,568.00
35	78,000 lbs.	\$ 1,614.00	.....	\$ 1,704.00
36	80,000 lbs.	\$ 1,742.00	.....	\$ 1,832.00
37	82,000 lbs.	\$ 1,863.00	.....	\$ 1,953.00
38	84,000 lbs.	\$ 1,983.00	.....	\$ 2,073.00
39	86,000 lbs.	\$ 2,104.00	.....	\$ 2,194.00
40	88,000 lbs.	\$ 2,225.00	.....	\$ 2,315.00
41	90,000 lbs.	\$ 2,346.00	.....	\$ 2,436.00
42	92,000 lbs.	\$ 2,466.00	.....	\$ 2,556.00
43	94,000 lbs.	\$ 2,587.00	.....	\$ 2,677.00
44	96,000 lbs.	\$ 2,708.00	.....	\$ 2,798.00

1	98,000 lbs.....	\$ 2,829.00.....	\$ 2,919.00
2	100,000 lbs.....	\$ 2,949.00.....	\$ 3,039.00
3	102,000 lbs.....	\$ 3,070.00.....	\$ 3,160.00
4	104,000 lbs.....	\$ 3,191.00.....	\$ 3,281.00
5	105,500 lbs.....	\$ 3,312.00.....	\$ 3,402.00

6 Schedule A applies to vehicles either used exclusively for hauling
7 logs or that do not tow trailers. Schedule B applies to vehicles that
8 tow trailers and are not covered under Schedule A.

9 Every truck, motor truck, truck tractor, and tractor exceeding
10 6,000 pounds empty scale weight registered under chapter 46.16, 46.87,
11 or 46.88 RCW shall be licensed for not less than one hundred fifty
12 percent of its empty weight unless the amount would be in excess of the
13 legal limits prescribed for such a vehicle in RCW 46.44.041 or
14 46.44.042, in which event the vehicle shall be licensed for the maximum
15 weight authorized for such a vehicle or unless the vehicle is used only
16 for the purpose of transporting any well drilling machine, air
17 compressor, rock crusher, conveyor, hoist, donkey engine, cook house,
18 tool house, bunk house, or similar machine or structure attached to or
19 made a part of such vehicle.

20 The following provisions apply when increasing gross or combined
21 gross weight for a vehicle licensed under this section:

22 (a) The new license fee will be one-twelfth of the fee listed above
23 for the new gross weight, multiplied by the number of months remaining
24 in the period for which licensing fees have been paid, including the
25 month in which the new gross weight is effective.

26 (b) Upon surrender of the current certificate of registration or
27 cab card, the new licensing fees due shall be reduced by the amount of
28 the licensing fees previously paid for the same period for which new
29 fees are being charged.

30 (2)(a) Any subagent authorized to collect the gross weight fee
31 under this section for personal use trucks up to 13,999 gross vehicle
32 weight shall retain four dollars from the fee upon collection.

33 (b) If, at the end of each fiscal year, the aggregate amount of the
34 fees collected under this section for personal use trucks up to 13,999
35 gross vehicle weight minus the aggregate amount of service fees
36 retained by subagents pursuant to (a) of this subsection exceeds the
37 aggregate amount that would have been collected otherwise for the fee
38 amount in existence before August 1, 2010, for personal use trucks up

1 to 13,999 gross vehicle weight, the excess amount must be transferred
2 from the motor vehicle fund to the title and licensing system account
3 created in section 5 of this act.

4 (3) The proceeds from the fees collected under subsection (1) of
5 this section shall be distributed in accordance with RCW 46.68.035.

6 ((+3)) (4) In lieu of the gross weight fee under subsection (1) of
7 this section, farm vehicles may be licensed upon payment of the fee in
8 effect under subsection (1) of this section on May 1, 2005. In order
9 to qualify for the reduced fee under this subsection, the farm vehicle
10 must be exempt from property taxes in accordance with RCW 84.36.630.
11 The applicant must submit copies of the forms required under RCW
12 84.36.630. The application for the reduced fee under this subsection
13 shall require the applicant to attest that the vehicle shall be used
14 primarily for farming purposes. The department shall provide licensing
15 agents and subagents with a schedule of the appropriate licensing fees
16 for farm vehicles.

17 **Sec. 4.** RCW 46.01.140 and 2005 c 343 s 1 are each amended to read
18 as follows:

19 (1) The county auditor, if appointed by the director of licensing
20 shall carry out the provisions of this title relating to the licensing
21 of vehicles and the issuance of vehicle license number plates under the
22 direction and supervision of the director and may with the approval of
23 the director appoint assistants as special deputies and recommend
24 subagents to accept applications and collect fees for vehicle licenses
25 and transfers and to deliver vehicle license number plates.

26 (2) A county auditor appointed by the director may request that the
27 director appoint subagencies within the county.

28 (a) Upon authorization of the director, the auditor shall use an
29 open competitive process including, but not limited to, a written
30 business proposal and oral interview to determine the qualifications of
31 all interested applicants.

32 (b) A subagent may recommend a successor who is either the
33 subagent's sibling, spouse, or child, or a subagency employee, as long
34 as the recommended successor participates in the open, competitive
35 process used to select an applicant. In making successor
36 recommendation and appointment determinations, the following provisions
37 apply:

1 (i) If a subagency is held by a partnership or corporate entity,
2 the nomination must be submitted on behalf of, and agreed to by, all
3 partners or corporate officers.

4 (ii) No subagent may receive any direct or indirect compensation or
5 remuneration from any party or entity in recognition of a successor
6 nomination. A subagent may not receive any financial benefit from the
7 transfer or termination of an appointment.

8 (iii) (a) and (b) of this subsection are intended to assist in the
9 efficient transfer of appointments in order to minimize public
10 inconvenience. They do not create a proprietary or property interest
11 in the appointment.

12 (c) The auditor shall submit all proposals to the director, and
13 shall recommend the appointment of one or more subagents who have
14 applied through the open competitive process. The auditor shall
15 include in his or her recommendation to the director, not only the name
16 of the successor who is a relative or employee, if applicable and if
17 otherwise qualified, but also the name of one other applicant who is
18 qualified and was chosen through the open competitive process. The
19 director has final appointment authority.

20 (3)(a) A county auditor who is appointed as an agent by the
21 department shall enter into a standard contract provided by the
22 director, developed with the advice of the title and registration
23 advisory committee.

24 (b) A subagent appointed under subsection (2) of this section shall
25 enter into a standard contract with the county auditor, developed with
26 the advice of the title and registration advisory committee. The
27 director shall provide the standard contract to county auditors.

28 (c) The contracts provided for in (a) and (b) of this subsection
29 must contain at a minimum provisions that:

30 (i) Describe the responsibilities, and where applicable, the
31 liability, of each party relating to the service expectations and
32 levels, equipment to be supplied by the department, and equipment
33 maintenance;

34 (ii) Require the specific type of insurance or bonds so that the
35 state is protected against any loss of collected motor vehicle tax
36 revenues or loss of equipment;

37 (iii) Specify the amount of training that will be provided by the
38 state, the county auditor, or subagents;

1 (iv) Describe allowable costs that may be charged to vehicle
2 licensing activities as provided for in (d) of this subsection;

3 (v) Describe the causes and procedures for termination of the
4 contract, which may include mediation and binding arbitration.

5 (d) The department shall develop procedures that will standardize
6 and prescribe allowable costs that may be assigned to vehicle licensing
7 and vessel registration and title activities performed by county
8 auditors.

9 (e) The contracts may include any provision that the director deems
10 necessary to ensure acceptable service and the full collection of
11 vehicle and vessel tax revenues.

12 (f) The director may waive any provisions of the contract deemed
13 necessary in order to ensure that readily accessible service is
14 provided to the citizens of the state.

15 (4)(a) At any time any application is made to the director, the
16 county auditor, or other agent pursuant to any law dealing with
17 licenses, registration, or the right to operate any vehicle or vessel
18 upon the public highways or waters of this state, excluding applicants
19 already paying such fee under RCW 46.16.070 or 46.16.085, the applicant
20 shall pay to the director, county auditor, or other agent a fee of
21 three dollars for each application in addition to any other fees
22 required by law.

23 (b) Counties that do not cover the expenses of vehicle licensing
24 and vessel registration and title activities may submit to the
25 department a request for cost-coverage moneys. The request must be
26 submitted on a form developed by the department. The department shall
27 develop procedures to verify whether a request is reasonable. Payment
28 shall be made on requests found to be allowable from the licensing
29 services account.

30 (c) Applicants for certificates of ownership, including applicants
31 paying fees under RCW 46.16.070 or 46.16.085, shall pay to the
32 director, county auditor, or other agent a fee of four dollars in
33 addition to any other fees required by law.

34 (d) The fees under (a) and (c) of this subsection, if paid to the
35 county auditor as agent of the director, or if paid to a subagent of
36 the county auditor, shall be paid to the county treasurer in the same
37 manner as other fees collected by the county auditor and credited to

1 the county current expense fund. If the fee is paid to another agent
2 of the director, the fee shall be used by the agent to defray his or
3 her expenses in handling the application.

4 (e) Applicants required to pay the three-dollar fee established
5 under (a) of this subsection, must pay an additional seventy-five
6 cents, which must be collected and remitted to the state treasurer and
7 distributed as follows:

8 (i) Fifty cents must be deposited into the department of licensing
9 services account of the motor vehicle fund and must be used for agent
10 and subagent support, which is to include but not be limited to the
11 replacement of department-owned equipment in the possession of agents
12 and subagents.

13 (ii) Twenty-five cents must be deposited into the license plate
14 technology account created under RCW 46.16.685.

15 (5) A subagent shall collect a service fee of (a) ten dollars for
16 changes in a certificate of ownership, with or without registration
17 renewal, or verification of record and preparation of an affidavit of
18 lost title other than at the time of the title application or transfer
19 and (b), except for (i) vehicles subject to the fee under RCW
20 46.16.0621 and (ii) personal use trucks up to 13,999 gross vehicle
21 weight subject to the fee under RCW 46.16.070, four dollars for
22 registration renewal only, issuing a transit permit, or any other
23 service under this section.

24 (6) If the fee is collected by the state patrol as agent for the
25 director, the fee so collected shall be certified to the state
26 treasurer and deposited to the credit of the state patrol highway
27 account. If the fee is collected by the department of transportation
28 as agent for the director, the fee shall be certified to the state
29 treasurer and deposited to the credit of the motor vehicle fund. All
30 such fees collected by the director or branches of his office shall be
31 certified to the state treasurer and deposited to the credit of the
32 highway safety fund.

33 (7) Any county revenues that exceed the cost of providing vehicle
34 licensing and vessel registration and title activities in a county,
35 calculated in accordance with the procedures in subsection (3)(d) of
36 this section, shall be expended as determined by the county legislative
37 authority during the process established by law for adoption of county
38 budgets.

1 (8) The director may adopt rules to implement this section.

2 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.68 RCW
3 to read as follows:

4 The title and licensing system account is created in the state
5 treasury. The excess amount of fees collected as described in RCW
6 46.61.0621(2) and 46.16.070(2)(b) must be deposited into the account.
7 Moneys in the account may be spent only after appropriation.
8 Expenditures from the account may be used only for developing,
9 implementing, and maintaining an updated vehicle licensing system.

10 **Sec. 6.** RCW 46.17.010 and 2006 c 337 s 9 are each amended to read
11 as follows:

12 (1) There shall be paid and collected annually for motor vehicles
13 subject to the fee under RCW 46.16.0621, except motor homes, a vehicle
14 weight fee. The amount of the fee shall be based upon the vehicle
15 scale weight, which is correlated with vehicle size and roadway lane
16 usage. Fees imposed under this section must be used for transportation
17 purposes, and shall not be used for the general support of state
18 government. The vehicle weight fee shall be that portion of the fee as
19 reflected on the scale weight set forth in schedule B provided in RCW
20 46.16.070 that is in excess of (~~the fee imposed under RCW 46.16.0621~~)
21 thirty dollars. This fee is due at the time of initial and renewal of
22 vehicle registration.

23 (2) If the resultant weight according to this section is not listed
24 in schedule B provided in RCW 46.16.070, it shall be increased to the
25 next higher weight pursuant to chapter 46.44 RCW.

26 (3) For the purpose of administering this section, the department
27 shall rely on the vehicle empty scale weights as provided by vehicle
28 manufacturers, or other sources defined by the department, to determine
29 the weight of each vehicle. The department shall adopt rules for
30 determining weight for vehicles without manufacturer empty scale
31 weights.

32 (4) The vehicle weight fee under this section is imposed to provide
33 funds to mitigate the impact of vehicle loads on the state roads and
34 highways and is separate and distinct from other vehicle license fees.
35 Proceeds from the fee may be used for transportation purposes, or for

1 facilities and activities that reduce the number of vehicles or load
2 weights on the state roads and highways.

3 (5) The vehicle weight fee collected under this section shall be
4 deposited as follows:

5 (a) On July 1, 2006, six million dollars shall be deposited into
6 the freight mobility multimodal account created in RCW 46.68.310, and
7 the remainder collected from June 7, 2006, through June 30, 2006, shall
8 be deposited into the multimodal transportation account;

9 (b) Beginning July 1, 2007, and every July 1st thereafter, three
10 million dollars shall be deposited into the freight mobility multimodal
11 account created in RCW 46.68.310, and the remainder shall be deposited
12 into the multimodal transportation account.

13 **Sec. 7.** RCW 46.68.035 and 2006 c 337 s 1 are each amended to read
14 as follows:

15 All proceeds from combined vehicle licensing fees received by the
16 director for vehicles licensed under RCW 46.16.070, less the amount
17 retained by subagents as authorized under RCW 46.16.070(2)(a), and
18 46.16.085 shall be forwarded to the state treasurer to be distributed
19 into accounts according to the following method:

20 (1) The sum of two dollars for each vehicle shall be deposited into
21 the multimodal transportation account, except that for each vehicle
22 registered by a county auditor or agent to a county auditor pursuant to
23 RCW 46.01.140, the sum of two dollars shall be credited to the current
24 county expense fund.

25 (2) The remainder and the proceeds from the license fee under RCW
26 46.16.086 and the farm vehicle trip permit under RCW 46.16.162 shall be
27 distributed as follows:

28 (a) 22.36 percent shall be deposited into the state patrol highway
29 account of the motor vehicle fund;

30 (b) 1.375 percent shall be deposited into the Puget Sound ferry
31 operations account of the motor vehicle fund;

32 (c) 5.237 percent shall be deposited into the transportation 2003
33 account (nickel account);

34 (d) 11.533 percent shall be deposited into the transportation
35 partnership account created in RCW 46.68.290; and

36 (e) The remaining proceeds shall be deposited into the motor
37 vehicle fund.

1 **Sec. 8.** RCW 46.68.080 and 2006 c 337 s 12 are each amended to read
2 as follows:

3 (1) Motor vehicle license fees collected under RCW 46.16.0621 and
4 46.16.070, less the amounts retained by subagents as authorized under
5 RCW 46.16.0621(1)(b) and 46.16.070(2)(a), and fuel taxes collected
6 under RCW 82.36.025(1) and 82.38.030(1) and directly or indirectly paid
7 by the residents of those counties composed entirely of islands and
8 which have neither a fixed physical connection with the mainland nor
9 any state highways on any of the islands of which they are composed,
10 shall be paid into the motor vehicle fund of the state of Washington
11 and shall monthly, as they accrue, and after deducting therefrom the
12 expenses of issuing such licenses and the cost of collecting such
13 vehicle fuel tax, be paid to the county treasurer of each such county
14 to be (~~by him~~) disbursed by the county treasurer as hereinafter
15 provided.

16 (2) One-half of the motor vehicle license fees collected under RCW
17 46.16.0621 and 46.16.070, less one-half of the amounts retained by
18 subagents as authorized under RCW 46.16.0621(1)(b) and 46.16.070(2)(a),
19 and one-half of the fuel taxes collected under RCW 82.36.025(1) and
20 82.38.030(1) and directly or indirectly paid by the residents of those
21 counties composed entirely of islands and which have either a fixed
22 physical connection with the mainland or state highways on any of the
23 islands of which they are composed, shall be paid into the motor
24 vehicle fund of the state of Washington and shall monthly, as they
25 accrue, and after deducting therefrom the expenses of issuing such
26 licenses and the cost of collecting such motor vehicle fuel tax, be
27 paid to the county treasurer of each such county to be (~~by him~~)
28 disbursed by the county treasurer as hereinafter provided.

29 (3) All funds paid to the county treasurer of the counties of
30 either class referred to in subsections (1) and (2) of this section,
31 shall be by such county treasurer distributed and credited to the
32 several road districts of each such county and paid to the city
33 treasurer of each incorporated city and town within each such county,
34 in the direct proportion that the assessed valuation of each such road
35 district and incorporated city and town shall bear to the total
36 assessed valuation of each such county.

37 (4) The amount of motor vehicle fuel tax paid by the residents of
38 those counties composed entirely of islands shall, for the purposes of

1 this section, be that percentage of the total amount of motor vehicle
2 fuel tax collected in the state that the motor vehicle license fees
3 paid by the residents of counties composed entirely of islands bears to
4 the total motor vehicle license fees paid by the residents of the
5 state.

6 (5)(a) An amount of fuel taxes shall be deposited into the Puget
7 Sound ferry operations account. This amount shall equal the difference
8 between the total amount of fuel taxes collected in the state under RCW
9 82.36.020 and 82.38.030 less the total amount of fuel taxes collected
10 in the state under RCW 82.36.020(1) and 82.38.030(1) and be multiplied
11 by a fraction. The fraction shall equal the amount of motor vehicle
12 license fees collected under RCW 46.16.0621 and 46.16.070, less the
13 amounts retained by subagents as authorized under RCW 46.16.0621(1)(b)
14 and 46.16.070(2)(a), from counties described in subsection (1) of this
15 section divided by the total amount of motor vehicle license fees
16 collected in the state under RCW 46.16.0621 and 46.16.070, less the
17 amounts retained by subagents as authorized under RCW 46.16.0621(1)(b)
18 and 46.16.070(2)(a).

19 (b) An additional amount of fuel taxes shall be deposited into the
20 Puget Sound ferry operations account. This amount shall equal the
21 difference between the total amount of fuel taxes collected in the
22 state under RCW 82.36.020 and 82.38.030 less the total amount of fuel
23 taxes collected in the state under RCW 82.36.020(1) and 82.38.030(1)
24 and be multiplied by a fraction. The fraction shall equal the amount
25 of motor vehicle license fees collected under RCW 46.16.0621 and
26 46.16.070, less the amounts retained by subagents as authorized under
27 RCW 46.16.0621(1)(b) and 46.16.070(2)(a), from counties described in
28 subsection (2) of this section divided by the total amount of motor
29 vehicle license fees collected in the state under RCW 46.16.0621 and
30 46.16.070, less the amounts retained by subagents as authorized under
31 RCW 46.16.0621(1)(b) and 46.16.070(2)(a), and this shall be multiplied
32 by one-half.

33 NEW SECTION. **Sec. 9.** This act applies to vehicle registrations
34 that are due or become due on or after August 1, 2010.

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