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ENGROSSED SUBSTITUTE SENATE BILL 5585

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State of Washington

62nd Legislature

2011 Regular Session

By Senate Transportation (originally sponsored by Senator Carrell)

READ FIRST TIME 02/17/11.

1 AN ACT Relating to street rod and custom vehicles; amending RCW  
2 46.16A.060, 46.12.560, and 46.37.518; adding new sections to chapter  
3 46.04 RCW; adding new sections to chapter 46.12 RCW; adding a new  
4 section to chapter 46.16A RCW; adding a new section to chapter 46.37  
5 RCW; repealing RCW 46.04.3815, 46.04.571, 46.12.705, and 46.12.710; and  
6 providing an effective date.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.04 RCW  
9 to read as follows:

10 "Street rod vehicle" means a motor vehicle that:

11 (1) Is a 1948 or older vehicle or the vehicle was manufactured  
12 after 1948 to resemble a vehicle manufactured before 1949; and

13 (2) Has alterations to one or more of the major component parts  
14 listed in RCW 46.80.010 that change the appearance or performance of  
15 the vehicle from the original manufacturer's design or has a body  
16 constructed from nonoriginal materials.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.12 RCW  
18 to read as follows:

1 (1) When applying for a certificate of title for a street rod  
2 vehicle for the first time, the owner of the street rod vehicle must:

3 (a) Submit a certification that the street rod vehicle:

4 (i) Will be maintained for occasional transportation, exhibitions,  
5 club activities, parades, tours, and similar uses; and

6 (ii) Will not be used for general daily transportation; and

7 (b) Provide a certificate of vehicle inspection as required under  
8 RCW 46.12.560(4).

9 (2) The model year and the year of manufacture that are listed on  
10 the certificate of title of a street rod vehicle must be the model year  
11 and year of manufacture that the body of the street rod vehicle  
12 resembles.

13 (3) The presence of modern equipment including, but not limited to,  
14 brakes, engines, or seat belts, or the presence of optional equipment  
15 referenced in RCW 46.37.518, on a street rod vehicle does not  
16 invalidate the year of manufacture on the certificate of title.

17 (4) A street rod vehicle must be registered under RCW 46.18.220.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.04 RCW  
19 to read as follows:

20 "Custom vehicle" means any motor vehicle that:

21 (1) Is at least thirty years old and of a model year after 1948 or  
22 was manufactured to resemble a vehicle at least thirty years old and of  
23 a model year after 1948; and

24 (2) Has alterations to one or more of the major component parts  
25 listed in RCW 46.80.010 that change the appearance or performance of  
26 the vehicle from the original manufacturer's design or has a body  
27 constructed from nonoriginal materials.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.12 RCW  
29 to read as follows:

30 (1) When applying for a certificate of title for a custom vehicle  
31 for the first time, the owner of the custom vehicle must:

32 (a) Submit a certification that the custom vehicle:

33 (i) Will be maintained for occasional transportation, exhibitions,  
34 club activities, parades, tours, and similar uses; and

35 (ii) Will not be used for general daily transportation; and

1 (b) Provide a certificate of vehicle inspection as required under  
2 RCW 46.12.560(4).

3 (2) The model year and the year of manufacture that are listed on  
4 the certificate of title of a custom vehicle must be the model year and  
5 year of manufacture that the body of the custom vehicle resembles.

6 (3) The presence of modern equipment including, but not limited to,  
7 brakes, engines, or seat belts, or the presence of optional equipment  
8 referenced in RCW 46.37.518, on a custom vehicle does not invalidate  
9 the year of manufacture on the certificate of title.

10 (4) A custom vehicle must be registered under RCW 46.18.220.

11 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.16A RCW  
12 to read as follows:

13 A vehicle registration issued to a street rod or custom vehicle  
14 under this chapter need not be an initial vehicle registration for that  
15 vehicle.

16 **Sec. 6.** RCW 46.16A.060 and 2010 c 161 s 406 are each amended to  
17 read as follows:

18 (1) The department, county auditor or other agent, or subagent  
19 appointed by the director may not issue or renew a motor vehicle  
20 registration or change the registered owner of a registered vehicle for  
21 any motor vehicle required to be inspected under chapter 70.120 RCW,  
22 unless the application for issuance or renewal is: (a) Accompanied by  
23 a valid certificate of compliance or a valid certificate of acceptance  
24 issued as required under chapter 70.120 RCW; or (b) exempt, as  
25 described in subsection (2) of this section. The certificates must  
26 have a date of validation that is within twelve months of the assigned  
27 registration renewal date. Certificates for fleet or owner tested  
28 diesel vehicles may have a date of validation that is within twelve  
29 months of the assigned registration renewal date.

30 (2) The following motor vehicles are exempt from emission test  
31 requirements:

32 (a) Motor vehicles that are less than five years old or more than  
33 twenty-five years old;

34 (b) Motor vehicles that are a 2009 model year or newer;

35 (c) Motor vehicles powered exclusively by electricity, propane,  
36 compressed natural gas, or liquid petroleum gas;

1 (d) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles  
2 as defined in RCW 46.04.332;

3 (e) Farm vehicles as defined in RCW 46.04.181;

4 (f) Street rod vehicles as defined in section 1 of this act and  
5 custom vehicles as defined in section 3 of this act;

6 (g) Used vehicles that are offered for sale by a motor vehicle  
7 dealer licensed under chapter 46.70 RCW;

8 (~~(g)~~) (h) Classes of motor vehicles exempted by the director of  
9 the department of ecology; and

10 (~~(h)~~) (i) Hybrid motor vehicles that obtain a rating by the  
11 environmental protection agency of at least fifty miles per gallon of  
12 gas during city driving. For purposes of this section, a hybrid motor  
13 vehicle is one that uses propulsion units powered by both electricity  
14 and gas.

15 (3) The department of ecology shall provide information to motor  
16 vehicle owners:

17 (a) Regarding the boundaries of emission contributing areas and  
18 restrictions established under this section that apply to vehicles  
19 registered in such areas; and

20 (b) On the relationship between motor vehicles and air pollution  
21 and steps motor vehicle owners should take to reduce motor vehicle  
22 related air pollution.

23 (4) The department of licensing shall:

24 (a) Notify all registered motor vehicle owners affected by the  
25 emission testing program that they must have an emission test to renew  
26 their registration;

27 (b) Adopt rules implementing and enforcing this section, except for  
28 subsection (2)(e) of this section, as specified in chapter 34.05 RCW.

29 (5) A motor vehicle may not be registered, leased, rented, or sold  
30 for use in the state, starting with the model year as provided in RCW  
31 70.120A.010, unless the vehicle:

32 (a) Has seven thousand five hundred miles or more; or

33 (b)(i) Is consistent with the vehicle emission standards and carbon  
34 dioxide equivalent emission standards adopted by the department of  
35 ecology; and

36 (ii) Has a California certification label for all emission  
37 standards, and carbon dioxide equivalent emission standards necessary  
38 to meet fleet average requirements.

1           (6) The department of licensing, in consultation with the  
2 department of ecology, may adopt rules necessary to implement this  
3 section and may provide for reasonable exemptions to these  
4 requirements. The department of ecology may exempt public safety  
5 vehicles from meeting the standards where the department finds that  
6 vehicles necessary to meet the needs of public safety agencies are not  
7 otherwise reasonably available.

8           **Sec. 7.** RCW 46.12.560 and 2010 c 161 s 303 are each amended to  
9 read as follows:

10           (1)(a) Before accepting an application for a certificate of title,  
11 the department, county auditor or other agent, or subagent appointed by  
12 the director shall require an applicant to provide a certificate of  
13 vehicle inspection completed by the Washington state patrol or other  
14 authorized inspector if the vehicle:

15           (i) Was declared a total loss or salvage vehicle under the laws of  
16 this state;

17           (ii) Has been rebuilt after the certificate of title was returned  
18 to the department under RCW 46.12.600 and the vehicle was not kept by  
19 the registered owner at the time of the vehicle's destruction or  
20 declaration as a total loss; or

21           (iii) Is presented with documents from another state showing that  
22 the vehicle was a total loss or salvage vehicle and has not been  
23 reissued a valid registration certificate from that state after the  
24 declaration of total loss or salvage.

25           (b) A vehicle presented for inspection must have all damaged major  
26 component parts replaced or repaired to meet all requirements in law  
27 and rule before the Washington state patrol will inspect the vehicle.  
28 The inspection must verify that the vehicle identification number is  
29 genuine and agrees with the number shown on the certificate of title  
30 and registration certificate.

31           (c) A Washington state patrol vehicle identification number  
32 specialist must ensure that all major component parts used for the  
33 reconstruction of a salvage or rebuilt vehicle were obtained legally,  
34 and must securely attach a marking at the driver's door latch pillar  
35 indicating the vehicle was previously destroyed or declared a total  
36 loss. It is a class C felony for a person to remove the marking

1 indicating that the vehicle was previously destroyed or declared a  
2 total loss.

3 (2) A person presenting a vehicle for inspection under subsection  
4 (1) of this section must provide original invoices for new and used  
5 parts from:

6 (a) A vendor that is registered with the department of revenue or  
7 a comparable agency in the jurisdiction where the major component parts  
8 were purchased for the collection of retail sales or use taxes. The  
9 invoices must include:

- 10 (i) The name and address of the business;
- 11 (ii) A description of the part or parts sold;
- 12 (iii) The date of sale; and
- 13 (iv) The amount of sale to include all taxes paid unless exempted  
14 by the department of revenue or a comparable agency in the jurisdiction  
15 where the major component parts were purchased;

16 (b) A vehicle wrecker licensed under chapter 46.80 RCW or a  
17 comparable business in the jurisdiction outside Washington state where  
18 the major component part was purchased; and

19 (c) Private individuals. The private individual must have the  
20 certificate of title to the vehicle where the parts were taken from  
21 unless the parts were obtained from a parts car(~~(, as defined in RCW~~  
22 ~~46.04.3815,)) owned by a collector. Bills of sale for parts must be  
23 notarized and include:~~

- 24 (i) The names and addresses of the sellers and purchasers;
- 25 (ii) A description of the vehicle and the part or parts being sold,  
26 including the make, model, year, and identification or serial number;
- 27 (iii) The date of sale; and
- 28 (iv) The purchase price of the vehicle part or parts.

29 (3) A person presenting a vehicle for inspection under this section  
30 who is unable to provide an acceptable release of interest or proof of  
31 ownership for a vehicle or major component part as described in this  
32 section shall apply for an ownership in doubt application described in  
33 RCW 46.12.680.

34 (4)(a) Before accepting an application for a certificate of title,  
35 the department, county auditor or other agent, or subagent appointed by  
36 the director shall require an applicant to provide a certificate of  
37 vehicle inspection completed by the Washington state patrol or other

1 authorized inspector when the application is for a vehicle being titled  
2 for the first time as:

- 3 (i) Assembled;
- 4 (ii) Glider kit;
- 5 (iii) Homemade;
- 6 (iv) Kit vehicle;
- 7 (v) Street rod vehicle; (~~(or)~~)
- 8 (vi) Custom vehicle; or
- 9 (vii) Subject to ownership in doubt under RCW 46.12.680.

10 (b) The inspection must verify that the vehicle identification  
11 number is genuine and agrees with the number shown on the certificate  
12 of title and registration certificate.

13 (5)(a) Before accepting an application for a certificate of title,  
14 the department, county auditor or other agent, or subagent appointed by  
15 the director shall require an applicant to provide a certificate of  
16 vehicle inspection completed by the Washington state patrol when the  
17 application is for a vehicle with a vehicle identification number that  
18 has been:

- 19 (i) Altered;
- 20 (ii) Defaced;
- 21 (iii) Obliterated;
- 22 (iv) Omitted;
- 23 (v) Removed; or
- 24 (vi) Otherwise absent.

25 (b) The application must include payment of the fee required in RCW  
26 46.17.135.

27 (c) The Washington state patrol shall assign a new vehicle  
28 identification number to the vehicle and place or stamp the new number  
29 in a conspicuous position on the vehicle.

30 (d) The department shall use the new vehicle identification number  
31 assigned by the Washington state patrol as the official vehicle  
32 identification number assigned to the vehicle.

33 (6) The department may adopt rules as necessary to implement this  
34 section.

35 NEW SECTION. **Sec. 8.** A new section is added to chapter 46.37 RCW  
36 to read as follows:

37 A street rod or custom vehicle may use blue dot taillights for stop

1 lamps, rear turning indicator lamps, rear hazard lamps, and rear  
2 reflectors. For the purposes of this section, "blue dot taillight"  
3 means a red lamp installed in the rear of a motor vehicle containing a  
4 blue or purple insert that is not more than one inch in diameter.

5 **Sec. 9.** RCW 46.37.518 and 1996 c 225 s 12 are each amended to read  
6 as follows:

7 Notwithstanding the requirements of this chapter, hoods and bumpers  
8 are optional equipment on street rod(~~s~~) vehicles, custom vehicles,  
9 and kit vehicles. Street rod(~~s~~) vehicles, custom vehicles, and kit  
10 vehicles must comply with fender requirements under RCW 46.37.500(2)  
11 and the windshield requirement of RCW 46.37.410(1).

12 NEW SECTION. **Sec. 10.** The following acts or parts of acts are  
13 each repealed:

14 (1) RCW 46.04.3815 (Parts car) and 2010 c 161 s 130 & 1996 c 225 s  
15 3;

16 (2) RCW 46.04.571 (Street rod vehicle) and 1999 c 58 s 1 & 1996 c  
17 225 s 4;

18 (3) RCW 46.12.705 (Parts cars) and 1996 c 225 s 7; and

19 (4) RCW 46.12.710 (Street rod vehicles) and 2010 c 161 s 323 & 1996  
20 c 225 s 6.

21 NEW SECTION. **Sec. 11.** This act takes effect October 1, 2011.

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