

ESB 5616 - H COMM AMD
By Committee on Transportation

ADOPTED 04/09/2013

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 46.16A.420 and 2010 c 161 s 409 and 2010 c 8 s 9010
4 are each reenacted and amended to read as follows:

5 (1) A farmer shall apply to the department, county auditor or other
6 agent, or subagent appointed by the director for a farm exempt decal
7 for a farm vehicle if the farm vehicle is exempt under RCW
8 46.16A.080(3). The farm exempt decal:

9 (a) Allows the farm vehicle to be operated (~~((within a radius of
10 fifteen miles of the farm where it is principally used or garaged))~~) on
11 public highways as identified under RCW 46.16A.080(3);

12 (b) Must be displayed on the farm vehicle so that it is clearly
13 visible from outside of the farm vehicle; (~~and~~)

14 (c) Must identify that the farm vehicle is exempt from the
15 registration requirements of this chapter; and

16 (d) Must be visible from the rear of the farm vehicle. This
17 requirement for a farm exempt decal to be visible from the rear of the
18 vehicle applies only to farm exempt decals issued after the effective
19 date of this section.

20 (2) A farmer or the farmer's representative must apply for a farm
21 exempt decal on a form furnished or approved by the department. The
22 application must show:

23 (a) The name and address of the person who is the owner of the
24 vehicle;

25 (b) A full description of the vehicle, including its make, model,
26 year, the motor number or the vehicle identification number if the
27 vehicle is a motor vehicle, or the serial number if the vehicle is a
28 trailer;

29 (c) The purpose for which the vehicle is principally used;

1 (d) The place where the farm vehicle is principally used or
2 garaged; and

3 (e) Other information as required by the department upon
4 application.

5 (3) The department, county auditor or other agent, or subagent
6 appointed by the director shall collect the fee required under RCW
7 46.17.325 when issuing a farm exempt decal.

8 (4) A farm exempt decal may not be renewed. The status as an
9 exempt vehicle continues until suspended or revoked for misuse, or when
10 the vehicle is no longer used as a farm vehicle.

11 (5) The department may adopt rules to implement this section.

12 **Sec. 2.** RCW 46.16A.080 and 2011 c 171 s 45 are each amended to
13 read as follows:

14 The following vehicles are not required to be registered under this
15 chapter:

16 (1) Converter gears used to convert a semitrailer into a trailer or
17 a two-axle truck or tractor into a three or more axle truck or tractor
18 or used in any other manner to increase the number of axles of a
19 vehicle;

20 (2) Electric-assisted bicycles;

21 (3)(a) (~~Farm implements, tractors, trailers, and other~~) Farm
22 vehicles ((+i)) operated within a radius of ((fifteen)) twenty-five
23 miles of the farm where it is principally used or garaged for the
24 purposes of traveling between farms or other locations to engage in
25 activities that support farming operations, (b) farm tractors and farm
26 implements including trailers designed as cook or bunk houses((,-(ii))
27 used exclusively for animal herding((,-and-(iii)) temporarily
28 operating or drawn upon the public highways, and ((+b)) (c) trailers
29 used exclusively to transport farm implements from one farm to another
30 during daylight hours or at night when the trailer is equipped with
31 lights that comply with applicable law;

32 (4) Forklifts operated during daylight hours on public highways
33 adjacent to and within five hundred feet of the warehouses they serve;

34 (5) Golf carts, as defined in RCW 46.04.1945, operating within a
35 designated golf cart zone as described in RCW 46.08.175;

36 (6) Motor vehicles operated solely within a national recreation

1 area that is not accessible by a state highway, including motorcycles,
2 motor homes, passenger cars, and sport utility vehicles. This
3 exemption applies only after initial registration;

4 (7) Motorized foot scooters;

5 (8) Nurse rigs or equipment auxiliary for the use of and designed
6 or modified for the fueling, repairing, or loading of spray and
7 fertilizer applicator rigs and not used, designed, or modified
8 primarily for the purpose of transportation;

9 (9) Off-road vehicles operated on a street, road, or highway as
10 authorized under RCW 46.09.360, or nonhighway roads under RCW
11 46.09.450;

12 (10) Special highway construction equipment;

13 (11) Dump trucks and tractor-dump trailer combinations that are:

14 (a) Designed and used primarily for construction work on highways;

15 (b) Not designed or used primarily for the transportation of
16 persons or property on a public highway; and

17 (c) Only incidentally operated or moved over the highways;

18 (12) Spray or fertilizer applicator rigs designed and used
19 exclusively for spraying or fertilization in the conduct of
20 agricultural operations and not primarily for the purpose of
21 transportation;

22 (13) Tow dollies;

23 (14) Trams used for transporting persons to and from facilities
24 related to the horse racing industry as regulated in chapter 67.16 RCW,
25 as long as the public right-of-way routes over which the trams operate
26 are not more than one mile from end to end, the public rights-of-way
27 over which the tram operates have average daily traffic of not more
28 than fifteen thousand vehicles per day, and the activity is in
29 conformity with federal law. The operator must be a licensed driver
30 and at least eighteen years old. For the purposes of this section,
31 "tram" also means a vehicle, or combination of vehicles linked together
32 with a single mode of propulsion, used to transport persons from one
33 location to another; and

34 (15) Vehicles used by the state parks and recreation commission
35 exclusively for park maintenance and operations upon public highways
36 within state parks.

1 **Sec. 3.** RCW 46.04.181 and 2012 c 130 s 1 are each amended to read
2 as follows:

3 "Farm vehicle" means any vehicle other than a farm tractor or farm
4 implement which is: (1) Designed and/or used primarily in agricultural
5 pursuits on farms for the purpose of transporting machinery, equipment,
6 implements, farm products, supplies and/or farm labor thereon and is
7 only incidentally operated on or moved along public highways for the
8 purpose of going from one farm to another or between locations
9 supporting farming operations; or (2) for purposes of RCW 46.25.050,
10 used to transport agricultural products, farm machinery, farm supplies,
11 or any combination of these materials to or from a farm."

12 Correct the title.

EFFECT: Adds the requirement that farm exempt decals issued after
the effective date of the bill must be visible from the rear of the
vehicle.

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