

SENATE BILL REPORT

SHB 2372

As Reported by Senate Committee On:
Transportation, February 25, 2014

Title: An act relating to providing flexibility in penalty amounts for failure to register vehicles.

Brief Description: Concerning monetary penalties for failing to register a vehicle.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Klippert and Clibborn).

Brief History: Passed House: 2/13/14, 98-0.

Committee Activity: Transportation: 2/24/14, 2/25/14 [DP].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Eide, Co-Chair; King, Co-Chair; Fain, Budget Leadership Cabinet; Angel, Brown, Cleveland, Dansel, Ericksen, Lias, Litzow, Mullet, O'Ban and Rolfes.

Staff: Kim Johnson (786-7472)

Background: It is unlawful for a person to operate a vehicle on a public highway of this state without having a current vehicle registration. Failure to initially register a vehicle before operating on a public highway of this state is a traffic infraction with a fine of \$529. Failure to renew an expired registration before operating on a public highway is a traffic infraction with a fine of \$124.

It is a gross misdemeanor for a resident of Washington to register a vehicle in another state to evade the payment of any tax or vehicle license fee. The first offense of this gross misdemeanor is punishable by the following:

- up to 364 days in jail;
- a fine of \$529 plus all applicable assessments, which may not be suspended, deferred, or reduced;
- an additional fine of \$1,000 which may not be suspended, deferred, or reduced; and
- payment of the delinquent taxes and fees, which may not be suspended, deferred, or reduced.

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.

A second or subsequent offense of registering a vehicle in another state to evade payment of a tax or vehicle license fee is punishable by the following:

- up to 364 days in jail;
- a fine of \$529 plus all applicable assessments, which may not be suspended, deferred, or reduced;
- an additional fine of \$5,000 which may not be suspended, deferred, or reduced; and
- payment of the delinquent taxes and fees, which may not be suspended, deferred, or reduced.

All the fines resulting from failing to register a vehicle, failing to renew a vehicle registration, and registering a vehicle in another state to evade payment of a tax or vehicle license fee are deposited into the Vehicle Licensing Fraud Account. Monies in the account may only be used for vehicle license fraud enforcement and collections by the Washington State Patrol and the Department of Revenue.

During the 2013 interim, the Joint Transportation Committee convened a workgroup to review possible issues relating to the existing statutory requirement for a person to provide and unexpired driver's license when registering a vehicle. The workgroup provided 13 options of how enforcement of this provision may be modified to address issues that were identified in its report to the transportation committees of the Legislature.

Summary of Bill: The restriction that the court may not suspend, defer, or reduce a fine related to the following offenses is removed:

- failure to initially register a vehicle;
- failure to renew an expired registration; and
- registering a vehicle in another state to evade the payment of any tax or vehicle license fee.

The Administrative Office of the Courts must report to the Legislature on whether enforcement or prosecution, or both, in addition to distributions to the vehicle licensing fraud account, increase or decrease due to the changes adopted in this act. The report is due by June 30, 2016.

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: The bill before you came from a study by the Joint Transportation Committee where we looked at what can we do to get more people to register their vehicle when they move to Washington and therefore increase revenues. One of the recommendations was that if we give judges judicial discretion to reduce the fines then law enforcement officers may be more likely to issue a citation for the failure to register infraction which actually should ultimately lead to an increase in revenue as more citations will be issued.

Persons Testifying: PRO: Representative Klippert, prime sponsor.