

HB 1918 - H AMD 642

By Representative Shea

WITHDRAWN 02/10/2016

1 Beginning on page 4, line 24, strike all of sections 3 and 4 and
2 insert the following:

3 "Sec. 3. RCW 46.09.442 and 2013 2nd sp.s. c 23 s 4 are each
4 amended to read as follows:

5 (1) Any wheeled all-terrain vehicle operated within this state
6 must display a metal tag to be affixed to the rear of the wheeled
7 all-terrain vehicle. The initial metal tag must be issued with an
8 original off-road vehicle registration and upon payment of the
9 initial vehicle license fee under RCW 46.17.350(1)(s). The metal tag
10 must be replaced every seven years at a cost of two dollars. Revenue
11 from replacement metal tags must be deposited into the nonhighway and
12 off-road vehicle activities program account. The department must
13 design the metal tag, which must:

14 (a) Be the same size as a motorcycle license plate;

15 (b) Have the words "RESTRICTED VEHICLE" listed at the top of the
16 tag;

17 (c) Contain designated identification through a combination of
18 letters and numbers;

19 (d) Leave space at the bottom left corner of the tag for an off-
20 road tab issued under subsection (2) of this section; and

21 (e) Leave space at the bottom right corner of the tag for an on-
22 road tab, when required, issued under subsection (3) of this section.

23 (2) Except as provided in subsection (5)(b) of this section, a
24 person who operates a wheeled all-terrain vehicle must have a current
25 and proper off-road vehicle registration, with the appropriate off-
26 road tab, and pay the annual vehicle license fee as provided in RCW
27 46.17.350(1)(s), which must be deposited into the nonhighway and off-
28 road vehicle activities program account. The off-road tab must be
29 issued annually by the department upon payment of initial and renewal
30 vehicle license fees under RCW 46.17.350(1)(s).

31 (3) Except as provided in subsection (5)(a) of this section, a
32 person who operates a wheeled all-terrain vehicle upon a public

1 roadway must have a current and proper on-road vehicle registration,
2 with the appropriate on-road tab, which must be of a bright color
3 that can be seen from a reasonable distance, and pay the annual
4 vehicle license fee as provided in RCW 46.17.350(1)(r). The on-road
5 tab must be issued annually by the department upon payment of initial
6 and renewal vehicle license fees under RCW 46.17.350(1)(r). For
7 purposes of this subsection, a special year tab issued pursuant to
8 chapter 46.19 RCW to a person with a disability may be displayed on a
9 wheeled all-terrain vehicle in lieu of an on-road tab.

10 (4) A wheeled all-terrain vehicle may not be registered for
11 commercial use.

12 (5)(a) A wheeled all-terrain vehicle registration and a metal tag
13 are not required under this chapter for a wheeled all-terrain vehicle
14 that meets the definition in RCW 46.09.310(19), is owned by a
15 resident of another state, and has an on-road vehicle registration
16 and metal tag or license plate issued in accordance with the laws of
17 the other state. This exemption applies only to the extent that: (i)
18 A similar exemption or privilege is granted under the laws of that
19 state for wheeled all-terrain vehicles registered in Washington, and
20 (ii) the other state has equipment requirements for on-road use that
21 meet or exceed the requirements listed in RCW 46.09.457. The
22 department may publish on its web site a list of states that meet the
23 exemption requirements under this subsection.

24 (b) Off-road operation in Washington state of a wheeled all-
25 terrain vehicle owned by a resident of another state and meeting the
26 definition in RCW 46.09.310(19) is governed by RCW 46.09.420(4).

27 **Sec. 4.** RCW 46.09.457 and 2015 c 160 s 1 are each amended to
28 read as follows:

29 (1) A person may operate a wheeled all-terrain vehicle upon any
30 public roadway of this state, not including nonhighway roads and
31 trails, subject to RCW 46.09.455 and the following equipment and
32 declaration requirements:

33 (a) A person who operates a wheeled all-terrain vehicle must
34 comply with the following equipment requirements:

35 (i) Headlights meeting the requirements of RCW 46.37.030 and
36 46.37.040 and used at all times when the vehicle is in motion upon a
37 highway;

38 (ii) One tail lamp meeting the requirements of RCW 46.37.525 and
39 used at all times when the vehicle is in motion upon a highway;

1 however, a utility-type vehicle, as described under RCW 46.09.310,
2 must have two tail lamps meeting the requirements of RCW 46.37.070(1)
3 and to be used at all times when the vehicle is in motion upon a
4 highway;

5 (iii) A stop lamp meeting the requirements of RCW 46.37.200;

6 (iv) Reflectors meeting the requirements of RCW 46.37.060;

7 (v) During hours of darkness, as defined in RCW 46.04.200, turn
8 signals meeting the requirements of RCW 46.37.200. Outside of hours
9 of darkness, the operator must comply with RCW 46.37.200 or
10 46.61.310;

11 (vi) A mirror attached to either the right or left handlebar,
12 which must be located to give the operator a complete view of the
13 highway for a distance of at least two hundred feet to the rear of
14 the vehicle; however, a utility-type vehicle, as described under RCW
15 46.09.310(19), must have two mirrors meeting the requirements of RCW
16 46.37.400;

17 (vii) A windshield meeting the requirements of RCW 46.37.430,
18 unless the operator wears glasses, goggles, or a face shield while
19 operating the vehicle, of a type conforming to rules adopted by the
20 Washington state patrol;

21 (viii) A horn or warning device meeting the requirements of RCW
22 46.37.380;

23 (ix) Brakes in working order;

24 (x) A spark arrester and muffling device meeting the requirements
25 of RCW 46.09.470; and

26 (xi) For utility-type vehicles, as described under RCW
27 46.09.310(19), seat belts meeting the requirements of RCW 46.37.510.

28 (b) A person who operates a wheeled all-terrain vehicle upon a
29 public roadway must provide a declaration that includes the
30 following:

31 (i) Documentation of a safety inspection to be completed by a
32 licensed wheeled all-terrain vehicle dealer or motor vehicle repair
33 shop in the state of Washington that must outline the vehicle
34 information and certify under oath that all wheeled all-terrain
35 vehicle equipment as required under this section meets the
36 requirements outlined in state and federal law. A person who makes a
37 false statement regarding the inspection of equipment required under
38 this section is guilty of false swearing, a gross misdemeanor, under
39 RCW 9A.72.040;

1 (ii) Documentation that the licensed wheeled all-terrain vehicle
2 dealer or motor vehicle repair shop did not charge more than fifty
3 dollars per safety inspection and that the entire safety inspection
4 fee is paid directly and only to the licensed wheeled all-terrain
5 vehicle dealer or motor vehicle repair shop;

6 (iii) A statement that the licensed wheeled all-terrain vehicle
7 dealer or motor vehicle repair shop is entitled to the full amount
8 charged for the safety inspection;

9 (iv) A vehicle identification number verification that must be
10 completed by a licensed wheeled all-terrain vehicle dealer or motor
11 vehicle repair shop in the state of Washington;

12 (v) A release, on a form to be supplied by the department, signed
13 by the owner of the wheeled all-terrain vehicle and verified by the
14 department, county auditor or other agent, or subagent appointed by
15 the director that releases the state, counties, cities, and towns
16 from any liability; and

17 (vi) A statement that outlines that the owner understands that
18 the original wheeled all-terrain vehicle was not manufactured for on-
19 road use and that it has been modified for use on public roadways.

20 (2) This section does not apply to emergency services vehicles,
21 vehicles used for emergency management purposes, or vehicles used in
22 the production of agricultural and timber products on and across
23 lands owned, leased, or managed by the owner or operator of the
24 wheeled all-terrain vehicle or the operator's employer.

25 **Sec. 5.** RCW 46.19.030 and 2014 c 124 s 4 are each amended to
26 read as follows:

27 (1) The department shall design special license plates for
28 persons with disabilities, parking placards, and year tabs displaying
29 the international symbol of access.

30 (2) Special license plates for persons with disabilities must be
31 displayed on the motor vehicle as standard issue license plates as
32 described in RCW 46.16A.200.

33 (3) Parking placards must include both a serial number and the
34 expiration date on the face of the placard. The expiration date and
35 serial number must be of a sufficient size as to be easily visible
36 from a distance of ten feet from where the placard is displayed.

37 (4) Parking placards must be displayed when the motor vehicle is
38 parked by suspending it from the rearview mirror. In the absence of a
39 rearview mirror, the parking placard must be displayed on the

1 dashboard. The parking placard must be displayed in a manner that
2 allows for the entire placard to be viewed through the vehicle
3 windshield.

4 (5) Special year tabs for persons with disabilities must be
5 displayed on license plates or metal tags issued pursuant to RCW
6 46.09.442, in a manner as defined by the department.

7 (6) Persons who have been issued special license plates for
8 persons with disabilities, parking placards, or special license
9 plates with a special year tab for persons with disabilities may park
10 in places reserved for persons with physical disabilities."

11 Correct the title.

EFFECT: Provides that another state must have equipment requirements for on-road use that meet or exceed the equipment requirements in Washington in order for a wheeled all-terrain vehicle from another state to be eligible for reciprocity. Authorizes the department of licensing to publish a list of states that meet the registration exemption requirements related to wheeled all-terrain vehicles on its web site. Clarifies that the off-road operation of wheeled all-terrain vehicles owned by out-of-state residents may be operated in Washington if they have a valid off-road vehicle use permit from their home state. Updates an underlying amendatory section to reflect changes from the 2015 regular legislative session. Authorizes a wheeled all-terrain vehicle to display a special disabled parking registration year tab that allows the qualified operator of the wheeled all-terrain vehicle to park in spots reserved for persons with disabilities.

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