

HB 1918 - H AMD 646

By Representative Shea

ADOPTED 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 a vehicle registration and metal
16 tag or license plate issued in accordance with the laws of the other
17 state allowing for on-road travel in that state. This exemption
18 applies only to the extent that: (i) A similar exemption or privilege
19 is granted under the laws of that state for wheeled all-terrain
20 vehicles registered in Washington, and (ii) the other state has
21 equipment requirements for on-road use that meet or exceed the
22 requirements listed in RCW 46.09.457. The department may publish on
23 its web site a list of states that meet the exemption requirements
24 under this subsection.

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

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

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

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

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

1 (ii) One tail lamp meeting the requirements of RCW 46.37.525 and
2 used at all times when the vehicle is in motion upon a highway;
3 however, a utility-type vehicle, as described under RCW 46.09.310,
4 must have two tail lamps meeting the requirements of RCW 46.37.070(1)
5 and to be used at all times when the vehicle is in motion upon a
6 highway;

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

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

9 (v) During hours of darkness, as defined in RCW 46.04.200, turn
10 signals meeting the requirements of RCW 46.37.200. Outside of hours
11 of darkness, the operator must comply with RCW 46.37.200 or
12 46.61.310;

13 (vi) A mirror attached to either the right or left handlebar,
14 which must be located to give the operator a complete view of the
15 highway for a distance of at least two hundred feet to the rear of
16 the vehicle; however, a utility-type vehicle, as described under RCW
17 46.09.310(19), must have two mirrors meeting the requirements of RCW
18 46.37.400;

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

23 (viii) A horn or warning device meeting the requirements of RCW
24 46.37.380;

25 (ix) Brakes in working order;

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

28 (xi) For utility-type vehicles, as described under RCW
29 46.09.310(19), seat belts meeting the requirements of RCW 46.37.510.

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

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

1 this section is guilty of false swearing, a gross misdemeanor, under
2 RCW 9A.72.040;

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

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

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

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

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

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

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

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

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

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

1 (4) Parking placards must be displayed when the motor vehicle is
2 parked by suspending it from the rearview mirror. In the absence of a
3 rearview mirror, the parking placard must be displayed on the
4 dashboard. The parking placard must be displayed in a manner that
5 allows for the entire placard to be viewed through the vehicle
6 windshield.

7 (5) Special year tabs for persons with disabilities must be
8 displayed on license plates or metal tags issued pursuant to RCW
9 46.09.442, in a manner as defined by the department.

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

14 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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