S-1440.1

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**SUBSTITUTE SENATE BILL 5338**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Wilson and Takko)

AN ACT Relating to registration enforcement for off-road vehicles and snowmobiles; adding a new section to chapter 46.09 RCW; adding a new section to chapter 46.10 RCW; adding a new section to chapter 46.93 RCW; creating new sections; prescribing penalties; and providing an effective date.

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

NEW SECTION. **Sec.**  The legislature finds that many residents of Washington enjoy recreational opportunities for off-road vehicle and snowmobile use afforded by the natural beauty of the state and do so in compliance with vehicle titling and registration laws and other laws that govern off-road vehicle and snowmobile use. At the same time, the legislature recognizes that the current law and corresponding enforcement regime may not be robust enough to ensure full compliance with legal registration requirements and a level playing field for all users. It is therefore the intent of the legislature to modify the statutory framework governing penalties for off-road vehicle and snowmobile registration violations and to add requirements to the department of licensing in order to improve registration compliance.

NEW SECTION. **Sec.**  A new section is added to chapter 46.09 RCW under the subchapter heading "uses and violations" to read as follows:

It is a gross misdemeanor, punishable as provided under chapter 9A.20 RCW, for a resident, as identified in RCW 46.16A.140, to register an off-road vehicle in another state, or to hold a manufacturer's statement of origin and not apply for a Washington state certificate of title within fifteen days of having the off-road vehicle brought to this state, to avoid the payment of any tax or vehicle license fee imposed in connection with Washington state registration. Excise taxes owed and fines assessed must be deposited in the manner provided under RCW 46.16A.030(6).

NEW SECTION. **Sec.**  A new section is added to chapter 46.10 RCW under the subchapter heading "uses and violations" to read as follows:

It is a gross misdemeanor, punishable as provided under chapter 9A.20 RCW, for a resident, as identified in RCW 46.16A.140, to register a snowmobile in another state, or to hold a manufacturer's statement of origin and not register the snowmobile in Washington state within fifteen days of having the snowmobile brought to this state, to avoid the payment of any tax or vehicle license fee imposed in connection with Washington state registration. Any fines assessed must be deposited in the manner provided under RCW 46.16A.030(6).

NEW SECTION. **Sec.**  A new section is added to chapter 46.93 RCW to read as follows:

(1) In January of each year, beginning in 2018, motorsports vehicle manufacturers must report to the department of licensing a listing of all motorsports vehicle warranties for off-road vehicles under chapter 46.09 RCW and snowmobiles under chapter 46.10 RCW registered to Washington residents but sold by out-of-state motorsports vehicle dealers in the previous calendar year.

(2) The department of licensing shall examine the listing reported in subsection (1) of this section to verify whether the vehicles are properly registered in the state. By the end of February of each year, beginning in 2018, the department shall notify by first-class mail the owners of the warranties of the off-road vehicles and snowmobiles that are not properly registered in the state of the owner's obligations under state law regarding vehicle titling, registration, and use tax payment, as well as of the penalties for failure to comply with the law.

NEW SECTION. **Sec.**  Section 4 of this act applies to the sales of off-road vehicles and snowmobiles beginning in January 2017.

NEW SECTION. **Sec.**  This act takes effect August 1, 2017.

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