

SENATE BILL REPORT

HB 2491

As of October 23, 2020

Title: An act relating to authorizing the governor to enter into compacts with federally recognized Indian tribes principally located within Washington state for the issuance of tribal license plates and vehicle registration.

Brief Description: Authorizing the governor to enter into compacts with federally recognized Indian tribes principally located within Washington state for the issuance of tribal license plates and vehicle registration.

Sponsors: Representatives Ramos, Barkis, Leavitt, Valdez, Callan and Lekanoff; by request of Department of Licensing.

Brief History: Passed House: 2/16/20, 94-2.

Committee Activity: Transportation: 2/24/20.

Brief Summary of Bill

- Allows the Governor to enter into compacts with federally recognized tribes in Washington for licensing and registering tribal government and tribal member-owned vehicles and providing tribal license plates issued by the Department of Licensing.
- Specifies the provisions that each tribal compact must contain.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Michele Alishahi (786-7433)

Background: There are exemptions from Washington vehicle registration requirements for federally recognized tribal government license plates, under certain conditions. Current law does not specifically address tribal license plates issued to an individual tribal member for the member's personal vehicle.

There are at least two tribes currently providing tribal-issued license plates to individual tribal members for the member's personal vehicle. In this situation, the Department of Licensing

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(DOL) is involved in providing a specific plate configuration recommendation. The particular tribe then works directly with Department of Corrections' Correctional Industries Program to design and produce these plates. The DOL does not currently collect any vehicle or owner information for these plates.

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Under federal law, a state is generally preempted from imposing a tax on tribes or tribal members on tribal lands. As a result, there are currently several exemptions from vehicle-related taxes and fees. Some of these exemptions for tribal members residing on tribal lands include:

- sales and use taxes on vehicle purchases;
- transportation benefit district vehicle fees; and
- a motor vehicle excise tax imposed by a Regional Transit Authority.

Summary of Bill: The Governor is given authority to enter into compacts with federally recognized Indian tribes principally located in Washington for licensing and registering tribal government and tribal member-owned vehicles, with tribal license plates issued by the DOL. The Governor may delegate the power to negotiate these compacts to the DOL.

Each compact entered into must contain the following provisions:

- allowing the design of a tribal license plate to be determined by the compacting tribe,
- except the design must be readable by toll collection facilities and configured in a manner
- allowing for electronic distribution through state and national law enforcement databases;
- requiring tribal license plate recipients to pay all applicable taxes, fees, and vehicle tolls,
- except the compacting tribe may pay these expenses on behalf of its enrolled members;
- limiting the eligibility for a tribal license plate to tribal governments and enrolled
- members of the compacting tribe who reside in the state;
- requiring information regarding a vehicle that has been issued a tribal license plate,
- including vehicle description and ownership information, be maintained in the DOL's
- recordkeeping systems;
- addressing the DOL's administrative costs for issuing tribal license plates and
- maintaining information regarding vehicles that have been issued tribal license plates;
- and
- dealing with information sharing between the DOL and the compacting tribe,

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members:

Effective Date: Ninety days after adjournment of session in which bill is passed.