
HOUSE BILL 1439

State of Washington

67th Legislature

2021 Regular Session

By Representatives Orcutt, Graham, and Volz

Read first time 02/01/21. Referred to Committee on Transportation.

1 AN ACT Relating to authorizing military surplus vehicles to
2 operate on public highways; amending RCW 46.04.123, 46.04.126,
3 46.18.220, and 46.37.010; adding a new section to chapter 46.04 RCW;
4 adding a new section to chapter 46.12 RCW; creating a new section;
5 prescribing penalties; and providing an effective date.

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

7 NEW SECTION. **Sec. 1.** Washington is home to hundreds of
8 thousands of men and women who protect us through their service in
9 the United States armed forces. There is a strong commitment,
10 respect, and interest for the armed forces that is prevalent in
11 celebrations, parades, community events, fundraisers, and exhibitions
12 throughout Washington communities. Military vehicles are iconic,
13 patriotic, and stir a sense of nostalgic and civic pride. Therefore,
14 the legislature recognizes there is a public interest in allowing
15 vehicles that have been an active part of military operations to be
16 able to operate on the public highways to be involved in parades,
17 veterans' events, car club activities, community events, exhibitions,
18 and other similarly limited circumstances. Military-issued vehicles,
19 such as the high mobility multipurpose wheeled vehicle, include
20 operational safety equipment to protect drivers and passengers of the
21 vehicle, yet do not meet all of the federal vehicle requirements.

1 They are built to drive on United States highways and beyond in much
2 less pristine conditions. Therefore, this act authorizes travel for
3 military surplus vehicles in good operating order to traverse
4 Washington's public highways in limited circumstances.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04
6 RCW to read as follows:

7 "Military surplus vehicle" means a vehicle that is not operated
8 using continuous tracks, was originally manufactured and sold
9 directly to the armed forces of the United States, was originally
10 manufactured under the federally mandated requirements set forth in
11 49 C.F.R. Sec. 571.7, and is no longer owned by the United States
12 armed forces.

13 **Sec. 3.** RCW 46.04.123 and 2014 c 72 s 2 are each amended to read
14 as follows:

15 "Collectible vehicle" means a vehicle that complies with the
16 following:

17 (1) (a) Is of unique or rare design, of limited production, and an
18 object of curiosity;

19 ~~((2))~~ (b) Is maintained primarily for use in car club
20 activities, exhibitions, parades, or other functions of public
21 interest or for a private collection, and is used only infrequently
22 for other purposes; and

23 ~~((3))~~ (c) Has collectible vehicle or classic automobile
24 insurance coverage that restricts the collectible vehicle mileage or
25 use, or both, and requires the owner to have another vehicle for
26 personal use; or

27 (2) Is a military surplus vehicle.

28 **Sec. 4.** RCW 46.04.126 and 2015 c 200 s 4 are each amended to
29 read as follows:

30 "Collector vehicle" means any motor vehicle or travel trailer
31 that is at least thirty years old or a military surplus vehicle.

32 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.12
33 RCW to read as follows:

34 (1) When applying for a certificate of title for a military
35 surplus vehicle, the vehicle owner must:

36 (a) Submit a certification that the military surplus vehicle:

1 (i) Will be maintained for occasional transportation,
2 exhibitions, veterans' events, club activities, parades, tours, and
3 similar uses;

4 (ii) Will only be driven when covered by a motor vehicle
5 liability insurance policy with liability limits of at least the
6 amounts required in RCW 46.29.090; and

7 (iii) Will not be used for general daily transportation; and

8 (b) Provide a certificate of safety inspection on a form created
9 by the department to be completed by a licensed motor vehicle repair
10 shop in the state of Washington that certifies that the military
11 surplus vehicle has the original safety equipment on the vehicle at
12 the time of its manufacture in good operating condition or has been
13 replaced by equal or more effective safety equipment in good working
14 order, specifically headlamps, tail lamps, turn signals, mirrors, a
15 horn, seat belts, and brakes.

16 (2) A person who makes a false statement regarding the inspection
17 of equipment required under this section is guilty of false swearing.
18 False swearing is a gross misdemeanor under RCW 9A.72.040.

19 **Sec. 6.** RCW 46.18.220 and 2015 c 200 s 3 are each amended to
20 read as follows:

21 (1) A registered owner may apply to the department, county
22 auditor or other agent, or subagent appointed by the director for a
23 collector vehicle license plate for a motor vehicle or travel trailer
24 that is at least thirty years old or a military surplus vehicle. The
25 motor vehicle must be operated primarily as a collector vehicle and
26 be in good running order. The applicant for the collector vehicle
27 license plate shall:

28 (a) Purchase a registration for the motor vehicle or travel
29 trailer as required under chapters 46.16A and 46.17 RCW; and

30 (b) Pay the special license plate fee established under RCW
31 46.17.220(~~((1)-(f))~~) (5), in addition to any other fees or taxes
32 required by law.

33 (2) A person applying for a collector vehicle license plate may:

34 (a) Receive a collector vehicle license plate assigned by the
35 department; or

36 (b) Provide an actual Washington state issued license plate
37 designated for general use in the year of the vehicle's manufacture.

38 (3) Collector vehicle license plates:

1 (a) Are valid for the life of the motor vehicle or travel
2 trailer;

3 (b) Are not required to be renewed; and

4 (c) Must be displayed on the rear of the motor vehicle or travel
5 trailer.

6 (4) A collector vehicle registered under this section may only be
7 used for participation in club activities, exhibitions, tours,
8 parades, ~~((and))~~ veterans' events, or occasional pleasure driving.

9 (5) Except for military surplus vehicles, collector vehicle
10 license plates under subsection (2)(b) of this section may be
11 transferred from one vehicle to another vehicle described in
12 subsection (1) of this section upon application to the department,
13 county auditor or other agent, or subagent appointed by the director.

14 (6) Any person who knowingly provides a false or facsimile
15 license plate under subsection (2)(b) of this section is subject to a
16 traffic infraction and fine in an amount equal to the monetary
17 penalty for a violation of RCW 46.16A.200(7)(b). Additionally, the
18 person must pay for the cost of a collector vehicle license plate as
19 listed in RCW 46.17.220(~~((1)(f))~~) (5), unless already paid.

20 **Sec. 7.** RCW 46.37.010 and 2011 c 171 s 79 are each amended to
21 read as follows:

22 (1) It is a traffic infraction for any person to drive or move,
23 or for a vehicle owner to cause or knowingly permit to be driven or
24 moved, on any highway any vehicle or combination of vehicles that:

25 (a) Is in such unsafe condition as to endanger any person;

26 (b) Is not at all times equipped with such lamps and other
27 equipment in proper working condition and adjustment as required by
28 this chapter or by rules issued by the Washington state patrol;

29 (c) Contains any parts in violation of this chapter or rules
30 issued by the Washington state patrol.

31 (2) It is a traffic infraction for any person to do any act
32 forbidden or fail to perform any act required under this chapter or
33 rules issued by the Washington state patrol.

34 (3) Nothing contained in this chapter or the state patrol's
35 regulations shall be construed to prohibit the use of additional
36 parts and accessories on any vehicle not inconsistent with the
37 provisions of this chapter or the state patrol's regulations.

38 (4) The provisions of the chapter and the state patrol's
39 regulations with respect to equipment on vehicles shall not apply to

1 implements of husbandry, road machinery, road rollers, or farm
2 tractors except as herein made applicable.

3 (5) No owner or operator of a farm tractor, self-propelled unit
4 of farm equipment, or implement of husbandry shall be guilty of a
5 crime or subject to penalty for violation of RCW 46.37.160 as now or
6 hereafter amended unless such violation occurs on a public highway.

7 (6) It is a traffic infraction for any person to sell or offer
8 for sale vehicle equipment which is required to be approved by the
9 state patrol as prescribed in RCW 46.37.005 unless it has been
10 approved by the state patrol.

11 (7) The provisions of this chapter with respect to equipment
12 required on vehicles shall not apply to:

13 (a) Motorcycles or motor-driven cycles except as herein made
14 applicable;

15 (b) Golf carts, as defined in RCW 46.04.1945, operating within a
16 designated golf cart zone as described in RCW 46.08.175, except as
17 provided in RCW 46.08.175(8); or

18 (c) Military surplus vehicles as defined in section 2 of this act
19 that have a collector vehicle license plate.

20 (8) This chapter does not apply to off-road vehicles used on
21 nonhighway roads or used on streets, roads, or highways as authorized
22 under RCW 46.09.360.

23 (9) This chapter does not apply to vehicles used by the state
24 parks and recreation commission exclusively for park maintenance and
25 operations upon public highways within state parks.

26 (10) Notices of traffic infraction issued to commercial drivers
27 under the provisions of this chapter with respect to equipment
28 required on commercial motor vehicles shall not be considered for
29 driver improvement purposes under chapter 46.20 RCW.

30 (11) Whenever a traffic infraction is chargeable to the owner or
31 lessee of a vehicle under subsection (1) of this section, the driver
32 shall not be arrested or issued a notice of traffic infraction unless
33 the vehicle is registered in a jurisdiction other than Washington
34 state, or unless the infraction is for an offense that is clearly
35 within the responsibility of the driver.

36 (12) Whenever the owner or lessee is issued a notice of traffic
37 infraction under this section the court may, on the request of the
38 owner or lessee, take appropriate steps to make the driver of the
39 vehicle, or any other person who directs the loading, maintenance, or
40 operation of the vehicle, a codefendant. If the codefendant is held

1 solely responsible and is found to have committed the traffic
2 infraction, the court may dismiss the notice against the owner or
3 lessee.

4 NEW SECTION. **Sec. 8.** This act takes effect January 1, 2022.

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