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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: S-4171.1/12

ATTY/TYPIST: BP:eab

BRIEF DESCRIPTION: Making technical corrections to certain vehicle  
and vessel title and registration provisions.

1 AN ACT Relating to technical corrections to certain vehicle and  
2 vessel title and registration provisions; amending RCW 15.80.530,  
3 46.08.065, 46.10.420, 46.12.675, 46.16A.090, 46.17.350, 46.18.280,  
4 46.19.050, 46.20.220, 46.20.349, 46.30.020, 46.52.020, 46.55.030,  
5 46.61.723, 46.61.725, 46.63.060, 46.68.425, 46.71.080, 46.85.060,  
6 46.87.070, 46.87.310, 46.87.400, 69.43.010, 70.160.070, 82.38.100,  
7 88.02.530, 88.02.540, 88.02.560, 88.02.590, 88.02.595, 88.02.610, and  
8 88.02.620; reenacting and amending RCW 46.18.060, 46.70.011, and  
9 88.02.640; adding new sections to chapter 46.04 RCW; creating a new  
10 section; recodifying RCW 46.04.622, 46.04.62250, 46.04.630, and  
11 46.04.650; repealing RCW 46.04.62240, 46.04.62260, and 46.18.050; and  
12 providing an effective date.

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

14 NEW SECTION. **Sec. 1.** This act is intended to reconcile and  
15 conform amendments made in chapter 161, Laws of 2010 and chapter 171,  
16 Laws of 2011 with other legislation passed during the 2010 and 2011  
17 legislative sessions, as well as provide technical amendments to  
18 codified sections affected by chapter 161, Laws of 2010 and chapter

1 171, Laws of 2011. Any statutory changes made by this act should be  
2 interpreted as technical in nature and not be interpreted to have any  
3 substantive policy or legal implications.

4 **Sec. 2.** RCW 15.80.530 and 1969 ex.s. c 100 s 24 are each amended  
5 to read as follows:

6 The certified weight ticket shall be of a form approved by the  
7 director and shall contain the following information:

8 (1) The date of issuance;

9 (2) The kind of commodity weighed, measured, or counted;

10 (3) The name of owner, agent, or consignee of the commodity  
11 weighed;

12 (4) The name of seller, agent, or consignor;

13 (5) The accurate weight, measure, or count of the commodity  
14 weighed, measured, or counted; including the entry of the gross, tare  
15 and/or net weight, where applicable;

16 (6) The identifying numerals or symbols, if any, of each container  
17 separately weighed and the (~~motor vehicle~~) license plate number of  
18 each vehicle separately weighed;

19 (7) The means by which the commodity was being transported at the  
20 time it was weighed, measured, or counted;

21 (8) The name of the city or town where such commodity was weighed;

22 (9) The complete signature of weighmaster or weigher who weighed,  
23 measured, or counted the commodity; and

24 (10) Such other available information as may be necessary to  
25 distinguish or identify the commodity.

26 Such weight certificates when so made and properly signed and  
27 sealed shall be prima facie evidence of the accuracy of the weights,  
28 measures, or count shown, as a certified weight, measure, or count.

29 **Sec. 3.** RCW 46.08.065 and 1998 c 111 s 4 are each amended to read  
30 as follows:

31 (1) It is unlawful for any public officer having charge of any  
32 vehicle owned or controlled by any county, city, town, or public body  
33 in this state other than the state of Washington and used in public  
34 business to operate the same upon the public highways of this state  
35 unless and until there shall be displayed upon such automobile or other  
36 motor vehicle in letters of contrasting color not less than one and

1 one-quarter inches in height in a conspicuous place on the right and  
2 left sides thereof, the name of such county, city, town, or other  
3 public body, together with the name of the department or office upon  
4 the business of which the said vehicle is used. This section shall not  
5 apply to vehicles of a sheriff's office, local police department, or  
6 any vehicles used by local peace officers under public authority for  
7 special undercover or confidential investigative purposes. This  
8 subsection shall not apply to: (a) Any municipal transit vehicle  
9 operated for purposes of providing public mass transportation; (b) any  
10 vehicle governed by the requirements of subsection (4) of this section;  
11 nor to (c) any motor vehicle on loan to a school district for driver  
12 training purposes. It shall be lawful and constitute compliance with  
13 the provisions of this section, however, for the governing body of the  
14 appropriate county, city, town, or public body other than the state of  
15 Washington or its agencies to adopt and use a distinctive insignia  
16 which shall be not less than six inches in diameter across its smallest  
17 dimension and which shall be displayed conspicuously on the right and  
18 left sides of the vehicle. Such insignia shall be in a color or colors  
19 contrasting with the vehicle to which applied for maximum visibility.  
20 The name of the public body owning or operating the vehicle shall also  
21 be included as part of or displayed above such approved insignia in  
22 colors contrasting with the vehicle in letters not less than one and  
23 one-quarter inches in height. Immediately below the lettering  
24 identifying the public entity and agency operating the vehicle or below  
25 an approved insignia shall appear the words "for official use only" in  
26 letters at least one inch high in a color contrasting with the color of  
27 the vehicle. The appropriate governing body may provide by rule or  
28 ordinance for marking of passenger motor vehicles as prescribed in  
29 subsection (2) of this section or for exceptions to the marking  
30 requirements for local governmental agencies for the same purposes and  
31 under the same circumstances as permitted for state agencies under  
32 subsection (3) of this section.

33 (2) Except as provided by subsections (3) and (4) of this section,  
34 passenger motor vehicles owned or controlled by the state of  
35 Washington, and purchased after July 1, 1989, must be plainly and  
36 conspicuously marked on the lower left-hand corner of the rear window  
37 with the name of the operating agency or institution or the words  
38 "state motor pool," as appropriate, the words "state of Washington --

1 for official use only," and the seal of the state of Washington or the  
2 appropriate agency or institution insignia, approved by the department  
3 of (~~general administration~~) enterprise services. Markings must be on  
4 a transparent adhesive material and conform to the standards  
5 established by the department of (~~general administration~~) enterprise  
6 services. For the purposes of this section, "passenger motor vehicles"  
7 means sedans, station wagons, vans, light trucks, or other motor  
8 vehicles under ten thousand pounds gross vehicle weight.

9 (3) Subsection (2) of this section shall not apply to vehicles used  
10 by the Washington state patrol for general undercover or confidential  
11 investigative purposes. Traffic control vehicles of the Washington  
12 state patrol may be exempted from the requirements of subsection (2) of  
13 this section at the discretion of the chief of the Washington state  
14 patrol. The department of (~~general administration~~) enterprise  
15 services shall adopt general rules permitting other exceptions to the  
16 requirements of subsection (2) of this section for other vehicles used  
17 for law enforcement, confidential public health work, and public  
18 assistance fraud or support investigative purposes, for vehicles leased  
19 or rented by the state on a casual basis for a period of less than  
20 ninety days, and those provided for in RCW 46.08.066(~~(+3)~~). The  
21 exceptions in this subsection, subsection (4) of this section, and  
22 those provided for in RCW 46.08.066(~~(+3)~~) shall be the only exceptions  
23 permitted to the requirements of subsection (2) of this section.

24 (4) Any motorcycle, vehicle over 10,000 pounds gross vehicle  
25 weight, or other vehicle that for structural reasons cannot be marked  
26 as required by subsection (1) or (2) of this section that is owned or  
27 controlled by the state of Washington or by any county, city, town, or  
28 other public body in this state and used for public purposes on the  
29 public highways of this state shall be conspicuously marked in letters  
30 of a contrasting color with the words "State of Washington" or the name  
31 of such county, city, town, or other public body, together with the  
32 name of the department or office that owns or controls the vehicle.

33 (5) All motor vehicle markings required under the terms of this  
34 chapter shall be maintained in a legible condition at all times.

35 **Sec. 4.** RCW 46.10.420 and 2010 c 161 s 231 are each amended to  
36 read as follows:

37 (1) Each dealer of snowmobiles in this state shall obtain a

1 snowmobile dealer license from the department in a manner prescribed by  
2 the department. Upon receipt of an application for a snowmobile  
3 dealer's license and the fee provided in subsection (2) of this  
4 section, the dealer is licensed and a snowmobile dealer license number  
5 must be assigned.

6 (2) The annual license fee for a snowmobile dealer is twenty-five  
7 dollars, which covers all of the snowmobiles offered by a dealer for  
8 sale and not rented on a regular, commercial basis. Snowmobiles rented  
9 on a regular commercial basis by a snowmobile dealer must be registered  
10 separately under RCW 46.10.310, 46.10.400, 46.10.430, and 46.10.440.

11 (3) Upon the issuance of a snowmobile dealer license, a snowmobile  
12 dealer may purchase, at a cost to be determined by the department,  
13 snowmobile dealer license plates of a size and color to be determined  
14 by the department. The snowmobile dealer license plates must contain  
15 the snowmobile license number assigned to the dealer. Each snowmobile  
16 operated by a dealer, dealer representative, or prospective customer  
17 for the purposes of demonstration or testing shall display snowmobile  
18 dealer license plates in a clearly visible manner.

19 (4) Only a dealer, dealer representative, or prospective customer  
20 may display a snowmobile dealer plate, and only a dealer, dealer  
21 representative, or prospective customer may use a snowmobile dealer's  
22 license plate for the purposes described in subsection (3) of this  
23 section.

24 (5) Snowmobile dealer licenses are nontransferable.

25 (6) It is unlawful for any snowmobile dealer to sell a snowmobile  
26 at wholesale or retail, or to test or demonstrate any snowmobile,  
27 within the state, unless the dealer has a snowmobile dealer license as  
28 required under this section.

29 (7) When a snowmobile is sold by a snowmobile dealer, the dealer:

30 (a) Shall apply for licensing in the purchaser's name (~~within~~  
31 ~~fifteen days following the sale~~) as provided by rules adopted by the  
32 department; and

33 (b) May issue a temporary license as provided by rules adopted by  
34 the department.

35 **Sec. 5.** RCW 46.12.675 and 2010 c 161 s 316 are each amended to  
36 read as follows:

1 (1) A security interest in a vehicle other than one held as  
2 inventory by a manufacturer or a dealer and for which a certificate of  
3 title is required is perfected only by:

4 (a) Complying with the requirements of RCW 46.12.660 or this  
5 section;

6 (b) Receipt by the department, county auditor or other agent, or  
7 subagent appointed by the director of:

8 (i) The existing certificate of title, if any;

9 (ii) An application for a certificate of title containing the name  
10 and address of the secured party; and

11 (iii) Payment of the required fees.

12 (2) A security interest is perfected when it is created if the  
13 secured party's name and address appear on the most recently issued  
14 certificate of title or, if not, it is created when the department,  
15 county auditor or other agent, or subagent appointed by the director  
16 receives the certificate of title or an application for a certificate  
17 of title and the fees required in subsection (1) of this section.

18 (3) If a vehicle is subject to a security interest when brought  
19 into this state, perfection of the security interest is determined by  
20 the law of the jurisdiction where the vehicle was when the security  
21 interest was attached, subject to the following:

22 (a) The security interest continues perfected in this state if the  
23 name of the secured party is shown on the existing certificate of title  
24 issued by that jurisdiction. The name of the secured party must be  
25 shown on the certificate of title issued for the vehicle by this state.  
26 The security interest continues perfected in this state when the  
27 department issues the certificate of title.

28 (b) If the security interest was not perfected under the law of the  
29 jurisdiction where the vehicle was when the security interest was  
30 attached, it may be perfected in this state. Perfection begins when  
31 the department receives the information and fees required in subsection  
32 (1) of this section.

33 (4)(a) After a certificate of title has been issued, the registered  
34 owner or secured party must apply to the department, county auditor or  
35 other agent, or subagent appointed by the director for a new  
36 certificate of title when a security interest is granted on a vehicle.  
37 Within ten days after creating a security agreement, the registered  
38 owner or secured party must submit:

- 1 (i) An application for a certificate of title;  
2 (ii) The certificate of title last issued for the vehicle, or other  
3 documentation required by the department; and  
4 (iii) The fee required in RCW 46.17.100.

5 (b) If satisfied that a certificate of title should be reissued,  
6 the department shall change the vehicle record and issue a new  
7 certificate of title to the secured party.

8 (5) A secured party shall release the security interest when the  
9 conditions within the security agreement have been met and there is no  
10 further secured obligation. The secured party must either:

11 (a) Assign the certificate of title to the registered owner or the  
12 registered owner's designee and send the certificate of title to the  
13 department, county auditor or other agent, or subagent appointed by the  
14 director with the fee required in RCW 46.17.100; or

15 (b) Assign the certificate of title to the person acquiring the  
16 vehicle from the registered owner with the registered owner's release  
17 of interest.

18 (6) The department shall issue a new certificate of title to the  
19 registered owner when the department receives the release of interest  
20 and required fees as provided in subsection (5)(a) of this section.

21 (7) A secured party is liable for one hundred dollars payable to  
22 the registered owner or person acquiring the vehicle from the  
23 registered owner when:

24 (a) The secured party fails to either assign the certificate of  
25 title to the registered owner or to the person acquiring the vehicle  
26 from the registered owner or apply for a new certificate of title  
27 within ten days after proper demand; and

28 (b) The failure of the secured party to act as described in (a) of  
29 this subsection results in a loss to the registered owner or person  
30 acquiring the vehicle from the registered owner.

31 **Sec. 6.** RCW 46.16A.090 and 2011 c 320 s 12 are each amended to  
32 read as follows:

33 (1) The department, county auditor or other agent, or subagent  
34 appointed by the director shall provide an opportunity for a vehicle  
35 owner to make a voluntary donation as provided in this section when  
36 applying for an initial or renewal vehicle registration.

1 (2)(a) A vehicle owner who registers a vehicle under this chapter  
2 may donate one dollar or more to the organ and tissue donation  
3 awareness account to promote the donation of organs and tissues under  
4 the uniform anatomical gift act as described in chapter 68.64 RCW. The  
5 donation of one or more dollars is voluntary and may be refused by the  
6 vehicle owner.

7 (b) The department, county auditor or other agent, or subagent  
8 appointed by the director shall:

9 (i) Ask a vehicle owner applying for a vehicle registration if the  
10 owner would like to donate one dollar or more;

11 (ii) Inform a vehicle owner of the option for organ and tissue  
12 donations as required under RCW 46.20.113; and

13 (iii) Make information booklets or other informational material  
14 available regarding the importance of organ and tissue donations to  
15 vehicle owners.

16 (c) All reasonable costs associated with the creation of the  
17 donation program created under this section must be paid proportionally  
18 or by another agreement by a participating Washington state organ  
19 procurement organization established for organ and tissue donation  
20 awareness purposes by the Washington state organ procurement  
21 organizations. For the purposes of this section, "reasonable costs"  
22 and "Washington state organ procurement organization" have the same  
23 meaning as in RCW 68.64.010.

24 (3) The department shall collect from a vehicle owner who pays a  
25 vehicle license fee under RCW 46.17.350(1) (a), (d), (e), (g), (h),  
26 (j), (n), (o), or (q) or who registers a vehicle under RCW 46.16A.455  
27 with a declared gross weight of ten thousand pounds or less a voluntary  
28 donation of five dollars. The donation may not be collected from any  
29 vehicle owner actively opting not to participate in the donation  
30 program. The department shall ensure that the opt-out donation under  
31 this section is clear, visible, and prominently displayed in both paper  
32 and online vehicle registration renewals. Notification of intent to  
33 not participate in the donation program must be provided annually at  
34 the time of vehicle registration renewal. The donation must be  
35 deposited in the state parks renewal and stewardship account  
36 established in RCW 79A.05.215 to be used for the operation and  
37 maintenance of state parks.

1 (4) Beginning with vehicle license fees that are due or will become  
 2 due on or after October 1, 2011, a vehicle owner who registers a  
 3 vehicle under this chapter may purchase a discover pass for a fee of  
 4 thirty dollars, as may be adjusted for inflation under RCW 79A.80.020.  
 5 Purchase of the discover pass is voluntary by the vehicle owner. The  
 6 discover pass fee must be deposited in the recreation access pass  
 7 account created in RCW 79A.80.090. The department, county auditor(~~(7)~~)  
 8 or other agent, or subagent appointed by the director is not  
 9 responsible for delivering a purchased discover pass to a motor vehicle  
 10 owner. The agencies, as defined in RCW 79A.80.010, must deliver the  
 11 purchased discover pass to a motor vehicle owner.

12 **Sec. 7.** RCW 46.17.350 and 2010 c 161 s 531 are each amended to  
 13 read as follows:

14 (1) Before accepting an application for a vehicle registration, the  
 15 department, county auditor or other agent, or subagent appointed by the  
 16 director shall require the applicant, unless specifically exempt, to  
 17 pay the following vehicle license fee by vehicle type:

| 18 | VEHICLE TYPE                      | INITIAL FEE | RENEWAL FEE | DISTRIBUTED UNDER                 |
|----|-----------------------------------|-------------|-------------|-----------------------------------|
| 19 | (a) Auto stage, six seats or less | \$ 30.00    | \$ 30.00    | RCW 46.68.030                     |
| 20 | (b) Camper                        | \$ 4.90     | \$ 3.50     | RCW 46.68.030                     |
| 21 | (c) Commercial trailer            | \$ 34.00    | \$ 30.00    | RCW 46.68.035                     |
| 22 | (d) For hire vehicle, six seats   | \$ 30.00    | \$ 30.00    | RCW 46.68.030                     |
| 23 | or less                           |             |             |                                   |
| 24 | (e) Mobile home (if registered)   | \$ 30.00    | \$ 30.00    | RCW 46.68.030                     |
| 25 | (f) Moped                         | \$ 30.00    | \$ 30.00    | RCW 46.68.030                     |
| 26 | (g) Motor home                    | \$ 30.00    | \$ 30.00    | RCW 46.68.030                     |
| 27 | (h) Motorcycle                    | \$ 30.00    | \$ 30.00    | RCW 46.68.030                     |
| 28 | (i) Off-road vehicle              | \$ 18.00    | \$ 18.00    | RCW 46.68.045                     |
| 29 | (j) Passenger car                 | \$ 30.00    | \$ 30.00    | RCW 46.68.030                     |
| 30 | (k) Private use single-axle       | \$ 15.00    | \$ 15.00    | RCW 46.68.035( <del>((2))</del> ) |
| 31 | trailer                           |             |             |                                   |
| 32 | (l) Snowmobile                    | \$ 30.00    | \$ 30.00    | RCW 46.68.350                     |
| 33 | (m) Snowmobile, vintage           | \$ 12.00    | \$ 12.00    | RCW 46.68.350                     |
| 34 | (n) Sport utility vehicle         | \$ 30.00    | \$ 30.00    | RCW 46.68.030                     |
| 35 | (o) Tow truck                     | \$ 30.00    | \$ 30.00    | RCW 46.68.030                     |

|   |                               |          |          |               |
|---|-------------------------------|----------|----------|---------------|
| 1 | (p) Trailer, over 2000 pounds | \$ 30.00 | \$ 30.00 | RCW 46.68.030 |
| 2 | (q) Travel trailer            | \$ 30.00 | \$ 30.00 | RCW 46.68.030 |

3 (2) The vehicle license fee required in subsection (1) of this  
4 section is in addition to the filing fee required under RCW 46.17.005,  
5 and any other fee or tax required by law.

6 **Sec. 8.** RCW 46.18.060 and 2011 c 367 s 703, 2011 c 229 s 5, 2011  
7 c 225 s 4, and 2011 c 171 s 66 are each reenacted and amended to read  
8 as follows:

9 (1) The department must process, review, and either approve or  
10 reject special license plate applications submitted by sponsoring  
11 organizations. The department must also confirm that the sponsoring  
12 organization has submitted all required documentation. If an  
13 incomplete application is received, the department must return it to  
14 the sponsoring organization.

15 (2) Duties of the department include, but are not limited to, the  
16 following:

17 (a) Compile, review, and approve the annual financial reports  
18 submitted by sponsoring organizations with active special license plate  
19 series and present those annual financial reports to the joint  
20 transportation committee;

21 (b) Report annually to the joint transportation committee on the  
22 special license plate applications that were considered by the  
23 department;

24 (c) Issue approval and rejection notification letters to sponsoring  
25 organizations, the executive committee of the joint transportation  
26 committee, and the legislative sponsors identified in each application.  
27 The letters must be issued within seven days of making a determination  
28 on the status of an application; and

29 (d) Review annually the number of plates sold for each special  
30 license plate series created after January 1, 2003. The department may  
31 submit a recommendation to discontinue a special plate series to the  
32 executive committee of the joint transportation committee.

33 (3) Except as provided in RCW 46.18.245, in order to assess the  
34 effects and impact of the proliferation of special license plates, the  
35 legislature declares a temporary moratorium on the issuance of any  
36 additional plates until July 1, 2013. During this period of time, the

1 department is prohibited from accepting, reviewing, processing, or  
2 approving any applications. Additionally, a special license plate may  
3 not be enacted by the legislature during the moratorium, unless the  
4 proposed license plate has been approved by the former special license  
5 plate review board before February 15, 2005.

6 ~~(4) ((The volunteer firefighters license plates created under RCW  
7 46.18.200 are exempt from the requirements of subsection (3) of this  
8 section.~~

9 ~~(5) The Music Matters license plates created under RCW 46.18.200  
10 are exempt from the requirements of subsection (3) of this section))~~  
11 The limitations under subsection (3) of this section do not apply to  
12 the following special license plates:

- 13 (a) Music Matters license plates created under RCW 46.18.200;
- 14 (b) Volunteer firefighters license plates created under RCW  
15 46.18.200.

16 **Sec. 9.** RCW 46.18.280 and 2011 c 332 s 8 are each amended to read  
17 as follows:

18 (1) A registered owner who has been awarded a Purple Heart medal by  
19 any branch of the United States armed forces, including the merchant  
20 marines and the women's air forces service pilots may apply to the  
21 department for special license plates for use on only one motor vehicle  
22 required to display one or two license plates, excluding vehicles  
23 registered under chapter 46.87 RCW, upon terms and conditions  
24 established by the department, and owned by the qualified applicant.  
25 The applicant must:

- 26 (a) Be a resident of this state;
- 27 (b) Have been wounded during one of this nation's wars or conflicts  
28 identified in RCW 41.04.005;
- 29 (c) Have received an honorable discharge from the United States  
30 armed forces;
- 31 (d) Provide a copy of the armed forces document showing the  
32 recipient was awarded the Purple Heart medal;
- 33 (e) Be recorded as the registered owner of the motor vehicle on  
34 which the Purple Heart (~~survivor~~) license plate or plates will be  
35 displayed; and
- 36 (f) Pay all fees and taxes required by law for registering the  
37 motor vehicle.

1 (2) Purple Heart license plates must be issued without the payment  
2 of any special license plate fee.

3 (3) Purple Heart license plates may be issued to the surviving  
4 spouse or domestic partner of a Purple Heart recipient who met the  
5 requirements in subsection (1) of this section. The surviving spouse  
6 or domestic partner must be a resident of this state. If the surviving  
7 spouse remarries or the surviving domestic partner marries or enters  
8 into a new domestic partnership, he or she must return the special  
9 license plates to the department within fifteen days and apply for  
10 regular license plates or another type of special license plate.

11 (4) A Purple Heart license plate or plates may be transferred from  
12 one motor vehicle to another motor vehicle owned by the Purple Heart  
13 recipient or the surviving spouse or domestic partner as described in  
14 subsection (3) of this section upon application to the department,  
15 county auditor or other agent, or subagent appointed by the director.

16 **Sec. 10.** RCW 46.19.050 and 2011 c 171 s 74 are each amended to  
17 read as follows:

18 (1) **False information.** Knowingly providing false information in  
19 conjunction with the application for special parking privileges for  
20 persons with disabilities is a gross misdemeanor punishable under  
21 chapter 9A.20 RCW.

22 (2) **Unauthorized use.** Any unauthorized use of the special placard,  
23 special license, or identification card issued under this chapter is a  
24 parking infraction with a monetary penalty of two hundred fifty  
25 dollars. In addition to any penalty or fine imposed under this  
26 subsection, two hundred dollars must be assessed.

27 (3) **Inaccessible access.** It is a parking infraction, with a  
28 monetary penalty of two hundred fifty dollars, for a person to park in,  
29 block, or otherwise make inaccessible the access aisle located next to  
30 a space reserved for persons with physical disabilities. In addition  
31 to any penalty or fine imposed under this subsection, two hundred  
32 dollars must be assessed. The clerk of the court shall report all  
33 violations related to this subsection to the department.

34 (4) **Parking without placard/plate.** It is a parking infraction,  
35 with a monetary penalty of two hundred fifty dollars, for any person to  
36 park a vehicle in a parking place provided on private property without  
37 charge or on public property reserved for persons with physical

1 disabilities without a placard or special license plate issued under  
2 this chapter. In addition to any penalty or fine imposed under this  
3 subsection, two hundred dollars must be assessed. If a person is  
4 charged with a violation, the person will not be determined to have  
5 committed an infraction if the person produces in court or before the  
6 court appearance the placard or special license plate issued under this  
7 chapter as required under this chapter. A local jurisdiction providing  
8 nonmetered, on-street parking places reserved for persons with physical  
9 disabilities may impose by ordinance time restrictions of no less than  
10 four hours on the use of these parking places.

11 (5) **Time restrictions.** A local jurisdiction may impose by  
12 ordinance time restrictions of no less than four hours on the use of  
13 nonreserved, on-street parking spaces by vehicles displaying the  
14 special parking placards or special license plates issued under this  
15 chapter. All time restrictions must be clearly posted.

16 (6) **Allocation and use of funds - reimbursement.** (a) The  
17 assessment imposed under subsections (2), (3), and (4) of this section  
18 must be allocated as follows:

19 (i) One hundred dollars must be deposited in the accessible  
20 communities account created in RCW 50.40.071; and

21 (ii) One hundred dollars must be deposited in the multimodal  
22 transportation account under RCW 47.66.070 for the sole purpose of  
23 supplementing a grant program for special needs transportation provided  
24 by transit agencies and nonprofit providers of transportation that is  
25 administered by the department of transportation.

26 (b) Any reduction in any penalty or fine and assessment imposed  
27 under subsections (2), (3), and (4) of this section must be applied  
28 proportionally between the penalty or fine and the assessment. When a  
29 reduced penalty is imposed under subsection (2), (3), or (4) of this  
30 section, the amount deposited in the accounts identified in (a) of this  
31 subsection must be reduced equally and proportionally.

32 (c) The penalty or fine amounts must be used by that local  
33 jurisdiction exclusively for law enforcement. The court may also  
34 impose an additional penalty sufficient to reimburse the local  
35 jurisdiction for any costs that it may have incurred in the removal and  
36 storage of the improperly parked vehicle.

37 (7) **Illegal obtainment.** Except as provided in subsection (1) of  
38 this section, it is a traffic infraction with a monetary penalty of two

1 hundred fifty dollars for any person willfully to obtain a special  
2 license plate, placard, or identification card issued under this  
3 chapter in a manner other than that established under this chapter.

4 (8) **Volunteer appointment.** A law enforcement agency authorized to  
5 enforce parking laws may appoint volunteers, with a limited commission,  
6 to issue notices of infractions for violations of (~~RCW 46.19.010~~)  
7 this section and RCW 46.19.030 or 46.61.581. Volunteers must be at  
8 least twenty-one years of age. The law enforcement agency appointing  
9 volunteers may establish any other qualifications that the agency deems  
10 desirable.

11 (a) An agency appointing volunteers under this section must provide  
12 training to the volunteers before authorizing them to issue notices of  
13 infractions.

14 (b) A notice of infraction issued by a volunteer appointed under  
15 this subsection has the same force and effect as a notice of infraction  
16 issued by a police officer for the same offense.

17 (c) A police officer or a volunteer may request a person to show  
18 the person's identification card or special parking placard when  
19 investigating the possibility of a violation of this section. If the  
20 request is refused, the person in charge of the vehicle may be issued  
21 a notice of infraction for a violation of this section.

22 (9) **Community restitution.** For second or subsequent violations of  
23 this section, in addition to a monetary penalty, the violator must  
24 complete a minimum of forty hours of:

25 (a) Community restitution for a nonprofit organization that serves  
26 persons with disabilities or disabling diseases; or

27 (b) Any other community restitution that may sensitize the violator  
28 to the needs and obstacles faced by persons with disabilities.

29 (10) **Fine suspension.** The court may not suspend more than one-half  
30 of any fine imposed under subsection (2), (3), (4), or (7) of this  
31 section.

32 **Sec. 11.** RCW 46.20.220 and 2010 c 8 s 9020 are each amended to  
33 read as follows:

34 (1) It shall be unlawful for any person to rent a motor vehicle of  
35 any kind including a motorcycle to any other person unless the latter  
36 person is then duly licensed as a vehicle driver for the kind of motor  
37 vehicle being rented in this state or, in case of a nonresident, then

1 that he or she is duly licensed as a driver under the laws of the state  
2 or country of his or her residence except a nonresident whose home  
3 state or country does not require that a motor vehicle driver be  
4 licensed;

5 (2) It shall be unlawful for any person to rent a motor vehicle to  
6 another person until he or she has inspected the vehicle driver's  
7 license of such other person and compared and verified the signature  
8 thereon with the signature of such other person written in his or her  
9 presence;

10 (3) Every person renting a motor vehicle to another person shall  
11 keep a record of the ((~~vehicle~~)) license plate number of the motor  
12 vehicle so rented, the name and address of the person to whom the motor  
13 vehicle is rented, the number of the vehicle driver's license of the  
14 person renting the vehicle, and the date and place when and where such  
15 vehicle driver's license was issued. Such record shall be open to  
16 inspection by any police officer or anyone acting for the director.

17 **Sec. 12.** RCW 46.20.349 and 2010 c 8 s 9026 are each amended to  
18 read as follows:

19 Any police officer who has received notice of the suspension or  
20 revocation of a driver's license from the department of licensing may,  
21 during the reported period of such suspension or revocation, stop any  
22 motor vehicle identified by its ((~~vehicle~~)) license plate number as  
23 being registered to the person whose driver's license has been  
24 suspended or revoked. The driver of such vehicle shall display his or  
25 her driver's license upon request of the police officer.

26 **Sec. 13.** RCW 46.30.020 and 2011 c 171 s 76 are each amended to  
27 read as follows:

28 (1)(a) No person may operate a motor vehicle subject to  
29 registration under chapter 46.16A RCW in this state unless the person  
30 is insured under a motor vehicle liability policy with liability limits  
31 of at least the amounts provided in RCW 46.29.090, is self-insured as  
32 provided in RCW 46.29.630, is covered by a certificate of deposit in  
33 conformance with RCW 46.29.550, or is covered by a liability bond of at  
34 least the amounts provided in RCW 46.29.090. Written proof of  
35 financial responsibility for motor vehicle operation must be provided

1 on the request of a law enforcement officer in the format specified  
2 under RCW 46.30.030.

3 (b) A person who drives a motor vehicle that is required to be  
4 registered in another state that requires drivers and owners of  
5 vehicles in that state to maintain insurance or financial  
6 responsibility shall, when requested by a law enforcement officer,  
7 provide evidence of financial responsibility or insurance as is  
8 required by the laws of the state in which the vehicle is registered.

9 (c) When asked to do so by a law enforcement officer, failure to  
10 display an insurance identification card as specified under RCW  
11 46.30.030 creates a presumption that the person does not have motor  
12 vehicle insurance.

13 (d) Failure to provide proof of motor vehicle insurance is a  
14 traffic infraction and is subject to penalties as set by the supreme  
15 court under RCW 46.63.110 or community restitution.

16 (2) If a person cited for a violation of subsection (1) of this  
17 section appears in person before the court or a violations bureau and  
18 provides written evidence that at the time the person was cited, he or  
19 she was in compliance with the financial responsibility requirements of  
20 subsection (1) of this section, the citation shall be dismissed and the  
21 court or violations bureau may assess court administrative costs of  
22 twenty-five dollars at the time of dismissal. In lieu of personal  
23 appearance, a person cited for a violation of subsection (1) of this  
24 section may, before the date scheduled for the person's appearance  
25 before the court or violations bureau, submit by mail to the court or  
26 violations bureau written evidence that at the time the person was  
27 cited, he or she was in compliance with the financial responsibility  
28 requirements of subsection (1) of this section, in which case the  
29 citation shall be dismissed without cost, except that the court or  
30 violations bureau may assess court administrative costs of twenty-five  
31 dollars at the time of dismissal.

32 (3) The provisions of this chapter shall not govern:

33 (a) The operation of a motor vehicle registered under RCW 46.18.220  
34 or 46.18.255, governed by RCW 46.16A.170, or registered with the  
35 Washington utilities and transportation commission as common or  
36 contract carriers; or

37 (b) The operation of a motorcycle as defined in RCW 46.04.330, a

1 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined  
2 in RCW 46.04.304.

3 (4) RCW 46.29.490 shall not be deemed to govern all motor vehicle  
4 liability policies required by this chapter but only those certified  
5 for the purposes stated in chapter 46.29 RCW.

6 **Sec. 14.** RCW 46.52.020 and 2002 c 194 s 1 are each amended to read  
7 as follows:

8 (1) A driver of any vehicle involved in an accident resulting in  
9 the injury to or death of any person or involving striking the body of  
10 a deceased person shall immediately stop such vehicle at the scene of  
11 such accident or as close thereto as possible but shall then forthwith  
12 return to, and in every event remain at, the scene of such accident  
13 until he or she has fulfilled the requirements of subsection (3) of  
14 this section; every such stop shall be made without obstructing traffic  
15 more than is necessary.

16 (2)(a) The driver of any vehicle involved in an accident resulting  
17 only in damage to a vehicle which is driven or attended by any person  
18 or damage to other property must move the vehicle as soon as possible  
19 off the roadway or freeway main lanes, shoulders, medians, and adjacent  
20 areas to a location on an exit ramp shoulder, the frontage road, the  
21 nearest suitable cross street, or other suitable location. The driver  
22 shall remain at the suitable location until he or she has fulfilled the  
23 requirements of subsection (3) of this section. Moving the vehicle in  
24 no way affects fault for an accident.

25 (b) A law enforcement officer or representative of the department  
26 of transportation may cause a motor vehicle, cargo, or debris to be  
27 moved from the roadway; and neither the department of transportation  
28 representative, nor anyone acting under the direction of the officer or  
29 the department of transportation representative is liable for damage to  
30 the motor vehicle, cargo, or debris caused by reasonable efforts of  
31 removal.

32 (3) Unless otherwise provided in subsection (7) of this section,  
33 the driver of any vehicle involved in an accident resulting in injury  
34 to or death of any person, or involving striking the body of a deceased  
35 person, or resulting in damage to any vehicle which is driven or  
36 attended by any person or damage to other property shall give his or  
37 her name, address, insurance company, insurance policy number, and

1 vehicle license plate number and shall exhibit his or her vehicle  
2 driver's license to any person struck or injured or the driver or any  
3 occupant of, or any person attending, any such vehicle collided with  
4 and shall render to any person injured in such accident reasonable  
5 assistance, including the carrying or the making of arrangements for  
6 the carrying of such person to a physician or hospital for medical  
7 treatment if it is apparent that such treatment is necessary or if such  
8 carrying is requested by the injured person or on his or her behalf.  
9 Under no circumstances shall the rendering of assistance or other  
10 compliance with the provisions of this subsection be evidence of the  
11 liability of any driver for such accident.

12 (4)(a) Any driver covered by the provisions of subsection (1) of  
13 this section failing to stop or comply with any of the requirements of  
14 subsection (3) of this section in the case of an accident resulting in  
15 death is guilty of a class B felony and, upon conviction, is punishable  
16 according to chapter 9A.20 RCW.

17 (b) Any driver covered by the provisions of subsection (1) of this  
18 section failing to stop or comply with any of the requirements of  
19 subsection (3) of this section in the case of an accident resulting in  
20 injury is guilty of a class C felony and, upon conviction, is  
21 punishable according to chapter 9A.20 RCW.

22 (c) Any driver covered by the provisions of subsection (1) of this  
23 section failing to stop or comply with any of the requirements of  
24 subsection (3) of this section in the case of an accident involving  
25 striking the body of a deceased person is guilty of a gross  
26 misdemeanor.

27 (d) This subsection shall not apply to any person injured or  
28 incapacitated by such accident to the extent of being physically  
29 incapable of complying with this section.

30 (5) Any driver covered by the provisions of subsection (2) of this  
31 section failing to stop or to comply with any of the requirements of  
32 subsection (3) of this section under said circumstances shall be guilty  
33 of a gross misdemeanor: PROVIDED, That this provision shall not apply  
34 to any person injured or incapacitated by such accident to the extent  
35 of being physically incapable of complying herewith.

36 (6) The license or permit to drive or any nonresident privilege to  
37 drive of any person convicted under this section or any local ordinance  
38 consisting of substantially the same language as this section of

1 failure to stop and give information or render aid following an  
2 accident with any vehicle driven or attended by any person shall be  
3 revoked by the department.

4 (7) If none of the persons specified are in condition to receive  
5 the information to which they otherwise would be entitled under  
6 subsection (3) of this section, and no police officer is present, the  
7 driver of any vehicle involved in such accident after fulfilling all  
8 other requirements of subsections (1) and (3) of this section insofar  
9 as possible on his or her part to be performed, shall forthwith report  
10 such accident to the nearest office of the duly authorized police  
11 authority and submit thereto the information specified in subsection  
12 (3) of this section.

13 **Sec. 15.** RCW 46.55.030 and 2010 c 8 s 9061 are each amended to  
14 read as follows:

15 (1) Application for licensing as a registered tow truck operator  
16 shall be made on forms furnished by the department, shall be  
17 accompanied by an inspection certification from the Washington state  
18 patrol, shall be signed by the applicant or an agent, and shall include  
19 the following information:

20 (a) The name and address of the person, firm, partnership,  
21 association, or corporation under whose name the business is to be  
22 conducted;

23 (b) The names and addresses of all persons having an interest in  
24 the business, or if the owner is a corporation, the names and addresses  
25 of the officers of the corporation;

26 (c) The names and addresses of all employees who serve as tow truck  
27 drivers;

28 (d) Proof of minimum insurance required by subsection (3) of this  
29 section;

30 (e) The vehicle license plate and vehicle identification numbers of  
31 all tow trucks of which the applicant is the registered owner;

32 (f) Any other information the department may require; and

33 (g) A certificate of approval from the Washington state patrol  
34 certifying that:

35 (i) The applicant has an established place of business and that  
36 mail is received at the address shown on the application;

1 (ii) The address of any storage locations where vehicles may be  
2 stored is correctly stated on the application;

3 (iii) The place of business has an office area that is accessible  
4 to the public without entering the storage area; and

5 (iv) The place of business has adequate and secure storage  
6 facilities, as defined in this chapter and the rules of the department,  
7 where vehicles and their contents can be properly stored and protected.

8 (2) Before issuing a registration certificate to an applicant, the  
9 department shall require the applicant to file with the department a  
10 surety bond in the amount of five thousand dollars running to the state  
11 and executed by a surety company authorized to do business in this  
12 state. The bond shall be approved as to form by the attorney general  
13 and conditioned that the operator shall conduct his or her business in  
14 conformity with the provisions of this chapter pertaining to abandoned  
15 or unauthorized vehicles, and to compensate any person, company, or the  
16 state for failure to comply with this chapter or the rules adopted  
17 hereunder, or for fraud, negligence, or misrepresentation in the  
18 handling of these vehicles. Any person injured by the tow truck  
19 operator's failure to fully perform duties imposed by this chapter and  
20 the rules adopted hereunder, or an ordinance or resolution adopted by  
21 a city, town, or county is entitled to recover actual damages,  
22 including reasonable attorneys' fees against the surety and the tow  
23 truck operator. Successive recoveries against the bond shall be  
24 permitted, but the aggregate liability of the surety to all persons  
25 shall not exceed the amount of the bond. As a condition of authority  
26 to do business, the operator shall keep the bond in full force and  
27 effect. Failure to maintain the penalty value of the bond or  
28 cancellation of the bond by the surety automatically cancels the  
29 operator's registration.

30 (3) Before the department may issue a registration certificate to  
31 an applicant, the applicant shall provide proof of minimum insurance  
32 requirements of:

33 (a) One hundred thousand dollars for liability for bodily injury or  
34 property damage per occurrence; and

35 (b) Fifty thousand dollars of legal liability per occurrence, to  
36 protect against vehicle damage, including but not limited to fire and  
37 theft, from the time a vehicle comes into the custody of an operator  
38 until it is redeemed or sold.

1 Cancellation of or failure to maintain the insurance required by  
2 (a) and (b) of this subsection automatically cancels the operator's  
3 registration.

4 (4) The fee for each original registration and annual renewal is  
5 one hundred dollars per company, plus fifty dollars per truck. The  
6 department shall forward the registration fee to the state treasurer  
7 for deposit in the motor vehicle fund.

8 (5) The applicant must submit an inspection certificate from the  
9 state patrol before the department may issue or renew an operator's  
10 registration certificate or tow truck permits.

11 (6) Upon approval of the application, the department shall issue a  
12 registration certificate to the registered operator to be displayed  
13 prominently at the operator's place of business.

14 **Sec. 16.** RCW 46.61.723 and 2011 c 171 s 82 are each amended to  
15 read as follows:

16 (1) Except as provided in subsection (3) of this section, a person  
17 may operate a medium-speed electric vehicle upon a highway of this  
18 state having a speed limit of thirty-five miles per hour or less, or  
19 forty-five miles per hour or less as provided in subsection (4) of this  
20 section, if:

21 (a) The person does not operate a medium-speed electric vehicle  
22 upon state highways that are listed in chapter 47.17 RCW;

23 (b) The person does not operate a medium-speed electric vehicle  
24 upon a highway of this state without first having obtained and having  
25 in full force and effect a current and proper vehicle (~~license~~)  
26 registration and display vehicle license (~~number~~) plates in  
27 compliance with chapter 46.16A RCW. The department must track medium-  
28 speed electric vehicles in a separate registration category for  
29 reporting purposes;

30 (c) The person does not operate a medium-speed electric vehicle  
31 upon a highway of this state without first obtaining a valid driver's  
32 license issued to Washington residents in compliance with chapter 46.20  
33 RCW;

34 (d) The person does not operate a medium-speed electric vehicle  
35 subject to registration under chapter 46.16A RCW on a highway of this  
36 state unless the person is insured under a motor vehicle liability  
37 policy in compliance with chapter 46.30 RCW; and

1 (e) The person operating a medium-speed electric vehicle does not  
2 cross a roadway with a speed limit in excess of thirty-five miles per  
3 hour, or forty-five miles per hour as provided in subsection (4) of  
4 this section, unless the crossing begins and ends on a roadway with a  
5 speed limit of thirty-five miles per hour or less, or forty-five miles  
6 per hour or less as provided in subsection (4) of this section, and  
7 occurs at an intersection of approximately ninety degrees, except that  
8 the operator of a medium-speed electric vehicle must not cross an  
9 uncontrolled intersection of streets and highways that are part of the  
10 state highway system subject to Title 47 RCW unless that intersection  
11 has been authorized by local authorities under subsection (3) of this  
12 section.

13 (2) Any person who violates this section commits a traffic  
14 infraction.

15 (3) This section does not prevent local authorities, with respect  
16 to streets and highways under their jurisdiction and within the  
17 reasonable exercise of their police power, from regulating the  
18 operation of medium-speed electric vehicles on streets and highways  
19 under their jurisdiction by resolution or ordinance of the governing  
20 body, if the regulation is consistent with this title, except that:

21 (a) Local authorities may not authorize the operation of medium-  
22 speed electric vehicles on streets and highways that are part of the  
23 state highway system subject to Title 47 RCW;

24 (b) Local authorities may not prohibit the operation of medium-  
25 speed electric vehicles upon highways of this state having a speed  
26 limit of thirty-five miles per hour or less; and

27 (c) Local authorities may not establish requirements for the  
28 registration (~~and licensing~~) of medium-speed electric vehicles.

29 (4) In counties consisting of islands whose only connection to the  
30 mainland are ferry routes, a person may operate a medium-speed electric  
31 vehicle upon a highway of this state having a speed limit of forty-five  
32 miles per hour or less. A person operating a medium-speed electric  
33 vehicle as authorized under this subsection must not cross a roadway  
34 with a speed limit in excess of forty-five miles per hour, unless the  
35 crossing begins and ends on a roadway with a speed limit of forty-five  
36 miles per hour or less and occurs at an intersection of approximately  
37 ninety degrees, except that the operator of a medium-speed electric  
38 vehicle must not cross an uncontrolled intersection of streets and

1 highways that are part of the state highway system subject to Title 47  
2 RCW unless that intersection has been authorized by local authorities  
3 under subsection (3) of this section.

4 (5) Accidents must be recorded and tracked in compliance with  
5 chapter 46.52 RCW. An accident report must indicate and be tracked  
6 separately when any of the vehicles involved are a medium-speed  
7 electric vehicle.

8 **Sec. 17.** RCW 46.61.725 and 2011 c 171 s 83 are each amended to  
9 read as follows:

10 (1) Absent prohibition by local authorities authorized under this  
11 section and except as prohibited elsewhere in this section, a person  
12 may operate a neighborhood electric vehicle upon a highway of this  
13 state having a speed limit of thirty-five miles per hour or less, or  
14 forty-five miles per hour or less as provided in subsection (4) of this  
15 section, if:

16 (a) The person does not operate a neighborhood electric vehicle  
17 upon state highways that are listed in chapter 47.17 RCW;

18 (b) The person does not operate a neighborhood electric vehicle  
19 upon a highway of this state without first having obtained and having  
20 in full force and effect a current and proper vehicle (~~license~~)  
21 registration and display vehicle license (~~number~~) plates in  
22 compliance with chapter 46.16A RCW. The department must track  
23 neighborhood electric vehicles in a separate registration category for  
24 reporting purposes;

25 (c) The person does not operate a neighborhood electric vehicle  
26 upon a highway of this state without first obtaining a valid driver's  
27 license issued to Washington residents in compliance with chapter 46.20  
28 RCW;

29 (d) The person does not operate a neighborhood electric vehicle  
30 subject to registration under chapter 46.16A RCW on a highway of this  
31 state unless the person is insured under a motor vehicle liability  
32 policy in compliance with chapter 46.30 RCW; and

33 (e) The person operating a neighborhood electric vehicle does not  
34 cross a roadway with a speed limit in excess of thirty-five miles per  
35 hour, or forty-five miles per hour as provided in subsection (4) of  
36 this section, unless the crossing begins and ends on a roadway with a  
37 speed limit of thirty-five miles per hour or less, or forty-five miles

1 per hour or less as provided in subsection (4) of this section, and  
2 occurs at an intersection of approximately ninety degrees, except that  
3 the operator of a neighborhood electric vehicle must not cross an  
4 uncontrolled intersection of streets and highways that are part of the  
5 state highway system subject to Title 47 RCW unless that intersection  
6 has been authorized by local authorities provided elsewhere in this  
7 section.

8 (2) Any person who violates this section commits a traffic  
9 infraction.

10 (3) This section does not prevent local authorities, with respect  
11 to streets and highways under their jurisdiction and within the  
12 reasonable exercise of their police power, from regulating the  
13 operation of neighborhood electric vehicles on streets and highways  
14 under their jurisdiction by resolution or ordinance of the governing  
15 body, if the regulation is consistent with the provisions of this  
16 title, except that:

17 (a) Local authorities may not authorize the operation of  
18 neighborhood electric vehicles on streets and highways that are part of  
19 the state highway system subject to the provisions of Title 47 RCW;

20 (b) Local authorities may not prohibit the operation of  
21 neighborhood electric vehicles upon highways of this state having a  
22 speed limit of twenty-five miles per hour or less; and

23 (c) Local authorities are prohibited from establishing any  
24 requirements for the registration (~~and licensing~~) of neighborhood  
25 electric vehicles.

26 (4) In counties consisting of islands whose only connection to the  
27 mainland are ferry routes, a person may operate a neighborhood electric  
28 vehicle upon a highway of this state having a speed limit of forty-five  
29 miles per hour or less. A person operating a neighborhood electric  
30 vehicle as authorized under this subsection must not cross a roadway  
31 with a speed limit in excess of forty-five miles per hour, unless the  
32 crossing begins and ends on a roadway with a speed limit of forty-five  
33 miles per hour or less and occurs at an intersection of approximately  
34 ninety degrees, except that the operator of a neighborhood electric  
35 vehicle must not cross an uncontrolled intersection of streets and  
36 highways that are part of the state highway system subject to Title 47  
37 RCW unless that intersection has been authorized by local authorities  
38 under subsection (3) of this section.

1 (5) Accidents must be recorded and tracked in compliance with  
2 chapter 46.52 RCW. An accident report must indicate and be tracked  
3 separately when any of the vehicles involved are a neighborhood  
4 electric vehicle.

5 **Sec. 18.** RCW 46.63.060 and 2011 c 233 s 1 are each amended to read  
6 as follows:

7 (1) A notice of traffic infraction represents a determination that  
8 an infraction has been committed. The determination will be final  
9 unless contested as provided in this chapter.

10 (2) The form for the notice of traffic infraction shall be  
11 prescribed by rule of the supreme court and shall include the  
12 following:

13 (a) A statement that the notice represents a determination that a  
14 traffic infraction has been committed by the person named in the notice  
15 and that the determination shall be final unless contested as provided  
16 in this chapter;

17 (b) A statement that a traffic infraction is a noncriminal offense  
18 for which imprisonment may not be imposed as a sanction; that the  
19 penalty for a traffic infraction may include sanctions against the  
20 person's driver's license including suspension, revocation, or denial;  
21 that the penalty for a traffic infraction related to standing,  
22 stopping, or parking may include nonrenewal of the vehicle (~~license~~)  
23 registration;

24 (c) A statement of the specific traffic infraction for which the  
25 notice was issued;

26 (d) A statement of the monetary penalty established for the traffic  
27 infraction;

28 (e) A statement of the options provided in this chapter for  
29 responding to the notice and the procedures necessary to exercise these  
30 options;

31 (f) A statement that at any hearing to contest the determination  
32 the state has the burden of proving, by a preponderance of the  
33 evidence, that the infraction was committed; and that the person may  
34 subpoena witnesses including the officer who issued the notice of  
35 infraction;

36 (g) A statement that at any hearing requested for the purpose of

1 explaining mitigating circumstances surrounding the commission of the  
2 infraction the person will be deemed to have committed the infraction  
3 and may not subpoena witnesses;

4 (h) A statement that the person must respond to the notice as  
5 provided in this chapter within fifteen days or the person's driver's  
6 license or driving privilege will be suspended by the department until  
7 any penalties imposed pursuant to this chapter have been satisfied; and

8 (i) A statement that failure to appear at a hearing requested for  
9 the purpose of contesting the determination or for the purpose of  
10 explaining mitigating circumstances will result in the suspension of  
11 the person's driver's license or driving privilege, or in the case of  
12 a standing, stopping, or parking violation, refusal of the department  
13 to renew the vehicle ((~~license~~)) registration, until any penalties  
14 imposed pursuant to this chapter have been satisfied.

15 (3) A form for a notice of traffic infraction printed after July  
16 22, 2011, must include a statement that the person may be able to enter  
17 into a payment plan with the court under RCW 46.63.110.

18 **Sec. 19.** RCW 46.68.425 and 2011 c 171 s 88 are each amended to  
19 read as follows:

20 (1) The department shall:

21 (a) Collect special license plate fees established under RCW  
22 46.17.220;

23 (b) Deduct an amount not to exceed twelve dollars for initial issue  
24 and two dollars for renewal issue for administration and collection  
25 expenses incurred by it; and

26 (c) Remit the remaining proceeds to the custody of the state  
27 treasurer with a proper identifying detailed report.

28 (2) The state treasurer shall credit the proceeds to the motor  
29 vehicle fund until the department determines that the state has been  
30 reimbursed for the cost of implementing the special license plate.  
31 Upon determination by the department that the state has been  
32 reimbursed, the state treasurer shall credit the remaining special  
33 license plate fees to the following accounts by special license plate  
34 type:

| 1  | SPECIAL LICENSE PLATE TYPE       | ACCOUNT        | CONDITIONS FOR USE OF FUNDS                  |
|----|----------------------------------|----------------|--|
| 2  | Armed forces                     | RCW 43.60A.140 | N/A  |
| 3  | Endangered wildlife              | RCW 77.12.170  | Must be used only for the department of      |
| 4  |                                  |                | fish and wildlife's endangered wildlife      |
| 5  |                                  |                | program activities                           |
| 6  | Keep kids safe                   | RCW 43.121.100 | As specified in RCW ((43.121.050))           |
| 7  |                                  |                | <u>43.121.100</u>                            |
| 8  | Washington state parks           | RCW 79A.05.059 | Provide public educational opportunities     |
| 9  |                                  |                | and enhancement of Washington state          |
| 10 |                                  |                | parks  |
| 11 | Washington's wildlife collection | RCW 77.12.170  | Only for the department of fish and          |
| 12 |                                  |                | wildlife's game species management           |
| 13 |                                  |                | activities                                   |
| 14 | Wild on Washington               | RCW 77.12.170  | Dedicated to the department of fish and      |
| 15 |                                  |                | wildlife's watchable wildlife activities, as |
| 16 |                                  |                | defined in RCW 77.32.560                     |

17       **Sec. 20.** RCW 46.70.011 and 2010 c 161 s 1130 are each reenacted  
18 and amended to read as follows:

19       As used in this chapter:

20       (1) "Auction" means a transaction conducted by means of exchanges  
21 between an auctioneer and the members of the audience, constituting a  
22 series of oral invitations for offers for the purchase of vehicles made  
23 by the auctioneer, offers to purchase by members of the audience, and  
24 the acceptance of the highest or most favorable offer to purchase.

25       (2) "Auction company" means a sole proprietorship, partnership,  
26 corporation, or other legal or commercial entity licensed under chapter  
27 18.11 RCW that only sells or offers to sell vehicles at auction or only  
28 arranges or sponsors auctions.

29       (3) "Buyer's agent" means any person, firm, partnership,  
30 association, limited liability company, limited liability partnership,  
31 or corporation retained or employed by a consumer to arrange for or to  
32 negotiate, or both, the purchase or lease of a new motor vehicle on  
33 behalf of the consumer, and who is paid a fee or receives other  
34 compensation from the consumer for its services.

35       (4) "Department" means the department of licensing, which shall  
36 administer and enforce the provisions of this chapter.

1 (5) "Director" means the director of licensing.

2 (6) "Established place of business" means a location meeting the  
3 requirements of RCW 46.70.023(1) at which a vehicle dealer conducts  
4 business in this state.

5 (7) "Listing dealer" means a used mobile home dealer who makes  
6 contracts with sellers who will compensate the dealer for obtaining a  
7 willing purchaser for the seller's mobile home.

8 (8) "Manufacturer" means any person, firm, association,  
9 corporation, or trust, resident or nonresident, who manufactures or  
10 assembles new and unused vehicles or remanufactures vehicles in whole  
11 or in part and further includes the terms:

12 (a) "Distributor," which means any person, firm, association,  
13 corporation, or trust, resident or nonresident, who in whole or in part  
14 offers for sale, sells, or distributes any new and unused vehicle to  
15 vehicle dealers or who maintains factory representatives.

16 (b) "Factory branch," which means a branch office maintained by a  
17 manufacturer for the purpose of selling or offering for sale, vehicles  
18 to a distributor, wholesaler, or vehicle dealer, or for directing or  
19 supervising in whole or in part factory or distributor representatives,  
20 and further includes any sales promotion organization, whether a  
21 person, firm, or corporation, which is engaged in promoting the sale of  
22 new and unused vehicles in this state of a particular brand or make to  
23 vehicle dealers.

24 (c) "Factory representative," which means a representative employed  
25 by a manufacturer, distributor, or factory branch for the purpose of  
26 making or promoting for the sale of their vehicles or for supervising  
27 or contracting with their dealers or prospective dealers.

28 (9) "Motor vehicle" means every vehicle which is self-propelled and  
29 every vehicle which is propelled by electric power obtained from  
30 overhead trolley wires, but not operated upon rails, and which is  
31 required to be registered and titled under this title.

32 (10) "New motor vehicle" means any motor vehicle that is self-  
33 propelled and is required to be registered and titled under this title,  
34 has not been previously titled to a retail purchaser or lessee, and is  
35 not a "used vehicle" as defined under RCW 46.04.660.

36 (11) "Principal place of business" means that dealer firm's  
37 business location in the state, which place the dealer designates as  
38 their principal place of business.

1 (12) "Recreational vehicle" means a travel trailer, motor home,  
2 truck camper, or camping trailer that is primarily designed and used as  
3 temporary living quarters, is either self-propelled or mounted on or  
4 drawn by another vehicle, is transient, is not occupied as a primary  
5 residence, and is not immobilized or permanently affixed to a mobile  
6 home lot.

7 (13) "Retail vehicle dealer" means a vehicle dealer who may buy and  
8 sell at both wholesale and retail.

9 (14) "Subagency" means any place of business of a vehicle dealer  
10 within the state, which place is physically and geographically  
11 separated from the principal place of business of the firm or any place  
12 of business of a vehicle dealer within the state, at which place the  
13 firm does business using a name other than the principal name of the  
14 firm, or both.

15 (15) "Temporary subagency" means a location other than the  
16 principal place of business or subagency within the state where a  
17 licensed vehicle dealer may secure a license to conduct the business  
18 and is licensed for a period of time not to exceed ten days for a  
19 specific purpose such as auto shows, shopping center promotions, tent  
20 sales, exhibitions, or similar merchandising ventures. No more than  
21 six temporary subagency licenses may be issued to a licensee in any  
22 twelve-month period.

23 (16) "Vehicle" means and includes every device capable of being  
24 moved upon a public highway and in, upon, or by which any persons or  
25 property is or may be transported or drawn upon a public highway,  
26 excepting devices moved by human or animal power or used exclusively  
27 upon stationary rails or tracks.

28 (17) "Vehicle dealer" means any person, firm, association,  
29 corporation, or trust, not excluded by subsection (18) of this section,  
30 engaged in the business of buying, selling, listing, exchanging,  
31 offering, brokering, leasing with an option to purchase, auctioning,  
32 soliciting, or advertising the sale of new or used vehicles, or  
33 arranging or offering or attempting to solicit or negotiate on behalf  
34 of others, a sale, purchase, or exchange of an interest in new or used  
35 motor vehicles, irrespective of whether the motor vehicles are owned by  
36 that person. Vehicle dealers shall be classified as follows:

37 (a) A "motor vehicle dealer" is a vehicle dealer that deals in new  
38 or used motor vehicles, or both;

1 (b) A "mobile home and travel trailer dealer" is a vehicle dealer  
2 that deals in mobile homes, park trailers, or travel trailers, or more  
3 than one type of these vehicles;

4 (c) A "miscellaneous vehicle dealer" is a vehicle dealer that deals  
5 in motorcycles or vehicles other than motor vehicles or mobile homes  
6 and travel trailers or any combination of such vehicles;

7 (d) A "recreational vehicle dealer" is a vehicle dealer that deals  
8 in travel trailers, motor homes, truck campers, or camping trailers  
9 that are primarily designed and used as temporary living quarters, are  
10 either self-propelled or mounted on or drawn by another vehicle, are  
11 transient, are not occupied as a primary residence, and are not  
12 immobilized or permanently affixed to a mobile home lot.

13 (18) "Vehicle dealer" does not include, nor do the licensing  
14 requirements of RCW 46.70.021 apply to, the following persons, firms,  
15 associations, or corporations:

16 (a) Receivers, trustees, administrators, executors, guardians, or  
17 other persons appointed by, or acting under a judgment or order of, any  
18 court; or

19 (b) Public officers while performing their official duties; or

20 (c) Employees of vehicle dealers who are engaged in the specific  
21 performance of their duties as such employees; or

22 (d) Any person engaged in an isolated sale of a vehicle in which  
23 that person is the registered or legal owner, or both, thereof; or

24 (e) Any person, firm, association, corporation, or trust, engaged  
25 in the selling of equipment other than vehicles, subject to  
26 registration, used for agricultural or industrial purposes; or

27 (f) A real estate broker licensed under chapter 18.85 RCW, or an  
28 affiliated licensee, who, on behalf of another negotiates the purchase,  
29 sale, lease, or exchange of a manufactured or mobile home in  
30 conjunction with the purchase, sale, exchange, rental, or lease of the  
31 land upon which the manufactured or mobile home is, or will be,  
32 located; or

33 (g) Owners who are also operators of special highway construction  
34 equipment, as defined in RCW 46.04.551, or of the highway construction  
35 equipment for which a vehicle (~~license~~) registration and display of  
36 vehicle license (~~number~~) plates is required; or

37 (h) Any bank, trust company, savings bank, mutual savings bank,  
38 savings and loan association, credit union, and any parent, subsidiary,

1 or affiliate thereof, authorized to do business in this state under  
2 state or federal law with respect to the sale or other disposition of  
3 a motor vehicle owned and used in their business; or with respect to  
4 the acquisition and sale or other disposition of a motor vehicle in  
5 which the entity has acquired an interest as a lessor, lessee, or  
6 secured party; or

7 (i) Any person who is regularly engaged in the business of  
8 acquiring leases or installment contracts by assignment, with respect  
9 to the acquisition and sale or other disposition of a motor vehicle in  
10 which the person has acquired an interest as a result of the business.

11 (19) "Vehicle salesperson" means any person who for any form of  
12 compensation sells, auctions, leases with an option to purchase, or  
13 offers to sell or to so lease vehicles on behalf of a vehicle dealer.

14 (20) "Wholesale vehicle dealer" means a vehicle dealer who buys and  
15 sells other than at retail.

16 **Sec. 21.** RCW 46.71.080 and 2011 c 171 s 93 are each amended to  
17 read as follows:

18 Whenever a vehicle (~~(license)~~) registration renewal form under RCW  
19 46.16A.110 is given to the registered owner of any vehicle, the  
20 department of licensing shall give to the owner written notice of the  
21 provisions of this chapter in a manner prescribed by the director of  
22 licensing.

23 **Sec. 22.** RCW 46.85.060 and 1987 c 142 s 4 are each amended to read  
24 as follows:

25 In the absence of an agreement or arrangement with another  
26 jurisdiction, the department may examine the laws and requirements of  
27 such jurisdiction and declare the extent and nature of exemptions,  
28 benefits and privileges to be extended to vehicles properly registered  
29 or licensed in such other jurisdiction, or to the owners of such  
30 vehicles, which shall, in the judgment of the department, be in the  
31 best interest of this state and the citizens thereof and which shall be  
32 fair and equitable to this state and the citizens thereof, and all of  
33 the same shall be determined on the basis and recognition of the  
34 benefits which accrue to the economy of this state from the  
35 uninterrupted flow of commerce. Declarations of exemptions, benefits,

1 and privileges issued by the department shall include at least the  
2 following exemptions:

3 (1) Nonresident persons not employed in this state may operate a  
4 vehicle in this state that is currently licensed in another  
5 jurisdiction for a period not to exceed six months in any continuous  
6 twelve-month period.

7 (2) Nonresident persons employed in this state may operate vehicles  
8 not to exceed twelve thousand pounds registered gross vehicle weight  
9 that are currently licensed in another jurisdiction if no permanent,  
10 temporary, or part-time residence is maintained in this state for a  
11 period greater than six months in any continuous twelve-month period.

12 (3) A vehicle or a combination of vehicles, not exceeding a  
13 registered gross or combined gross vehicle weight of twelve thousand  
14 pounds, which is properly base licensed in another jurisdiction and  
15 registered to a bona fide business in that jurisdiction is not required  
16 to obtain a Washington vehicle (~~license~~) registration except when  
17 such vehicle is owned or operated by a business or branch office of a  
18 business located in Washington.

19 (4) The department of licensing, after consultation with the  
20 department of revenue, shall adopt such rules as it deems necessary for  
21 the administration of these exemptions, benefits, and privileges.

22 **Sec. 23.** RCW 46.87.070 and 2005 c 194 s 5 are each amended to read  
23 as follows:

24 Trailers, semitrailers, and pole trailers that are properly based  
25 in jurisdictions other than Washington, and that display currently  
26 registered license plates from such jurisdictions will be granted  
27 vehicle (~~license~~) registration reciprocity in this state without the  
28 need of further vehicle (~~license~~) registration. If pole trailers are  
29 not required to be licensed separately by a member jurisdiction, such  
30 vehicles may be operated in this state without displaying a current  
31 base license plate.

32 **Sec. 24.** RCW 46.87.310 and 1996 c 91 s 2 are each amended to read  
33 as follows:

34 Any owner whose application for proportional registration has been  
35 accepted shall preserve the records on which the application is based  
36 for a period of four years following the preceding year or period upon

1 which the application is based. These records shall be complete and  
2 shall include, but not be limited to, the following: Copies of  
3 proportional registration applications and supplements for all  
4 jurisdictions in which the fleet is prorated; proof of proportional or  
5 full registration with other jurisdictions; vehicle (~~license~~)  
6 registration or trip permits; temporary authorization permits;  
7 documents establishing the latest purchase year and cost of each fleet  
8 vehicle in ready-for-the-road condition; weight certificates indicating  
9 the unladen, ready-for-the-road, weight of each vehicle in the fleet;  
10 periodic summaries of mileage by fleet and by individual vehicles;  
11 individual trip reports, driver's daily logs, or other source documents  
12 maintained for each individual trip that provide trip dates, points of  
13 origin and destinations, total miles traveled, miles traveled in each  
14 jurisdiction, routes traveled, vehicle equipment number, driver's full  
15 name, and all other information pertinent to each trip. Upon request  
16 of the department, the owner shall make the records available to the  
17 department at its designated office for audit as to accuracy of  
18 records, computations, and payments. The department shall assess and  
19 collect any unpaid fees and taxes found to be due the state and provide  
20 credits or refunds for overpayments of Washington fees and taxes as  
21 determined in accordance with formulas and other requirements  
22 prescribed in this chapter. If the owner fails to maintain complete  
23 records as required by this section, the department shall attempt to  
24 reconstruct or reestablish such records. However, if the department is  
25 unable to do so and the missing or incomplete records involve mileages  
26 accrued by vehicles while they are part of the fleet, the department  
27 may assess an amount not to exceed the difference between the  
28 Washington proportional fees and taxes paid and one hundred percent of  
29 the fees and taxes. Further, if the owner fails to maintain complete  
30 records as required by this section, or if the department determines  
31 that the owner should have registered more vehicles in this state under  
32 this chapter, the department may deny the owner the right of any  
33 further benefits provided by this chapter until any final audit or  
34 assessment made under this chapter has been satisfied.

35 The department may audit the records of any owner and may make  
36 arrangements with agencies of other jurisdictions administering motor  
37 vehicle registration laws for joint audits of any such owner. No  
38 assessment for deficiency or claim for credit may be made for any

1 period for which records are no longer required. Any fees, taxes,  
2 penalties, or interest found to be due and owing the state upon audit  
3 shall bear interest at the rate of one percent per month, or fraction  
4 thereof, from the first day of the calendar month after the amount  
5 should have been paid until the date of payment. If the audit  
6 discloses a deliberate and willful intent to evade the requirements of  
7 payment under RCW 46.87.140, a penalty of ten percent shall also be  
8 assessed.

9 If the audit discloses that an overpayment to the state in excess  
10 of ten dollars has been made, the department shall certify the  
11 overpayment to the state treasurer who shall issue a warrant for the  
12 overpayment to the vehicle operator. Overpayments shall bear interest  
13 at the rate of eight percent per annum from the date on which the  
14 overpayment is incurred until the date of payment.

15 **Sec. 25.** RCW 46.87.400 and 1987 c 244 s 53 are each amended to  
16 read as follows:

17 (1) The director, the state of Washington, and its political  
18 subdivisions are immune from civil liability arising from the issuance  
19 of a vehicle (~~(license)~~) registration to a nonroadworthy vehicle.

20 (2) No suit or action may be commenced or prosecuted against the  
21 director or the state of Washington by reason of any act done or  
22 omitted to be done in the administration of the duties and  
23 responsibilities imposed upon the director under this chapter.

24 **Sec. 26.** RCW 69.43.010 and 2001 c 96 s 2 are each amended to read  
25 as follows:

26 (1) A report to the state board of pharmacy shall be submitted in  
27 accordance with this chapter by a manufacturer, wholesaler, retailer,  
28 or other person who sells, transfers, or otherwise furnishes to any  
29 person any of the following substances or their salts or isomers:

- 30 (a) Anthranilic acid;
- 31 (b) Barbituric acid;
- 32 (c) Chlorephedrine;
- 33 (d) Diethyl malonate;
- 34 (e) D-lysergic acid;
- 35 (f) Ephedrine;
- 36 (g) Ergotamine tartrate;

- 1 (h) Ethylamine;
- 2 (i) Ethyl malonate;
- 3 (j) Ethylephedrine;
- 4 (k) Lead acetate;
- 5 (l) Malonic acid;
- 6 (m) Methylamine;
- 7 (n) Methylformamide;
- 8 (o) Methylephedrine;
- 9 (p) Methylpseudoephedrine;
- 10 (q) N-acetylanthranilic acid;
- 11 (r) Norpseudoephedrine;
- 12 (s) Phenylacetic acid;
- 13 (t) Phenylpropanolamine;
- 14 (u) Piperidine;
- 15 (v) Pseudoephedrine; and
- 16 (w) Pyrrolidine.

17 (2) The state board of pharmacy shall administer this chapter and  
18 may, by rule adopted pursuant to chapter 34.05 RCW, add a substance to  
19 or remove a substance from the list in subsection (1) of this section.  
20 In determining whether to add or remove a substance, the board shall  
21 consider the following:

22 (a) The likelihood that the substance is useable as a precursor in  
23 the illegal production of a controlled substance as defined in chapter  
24 69.50 RCW;

25 (b) The availability of the substance;

26 (c) The relative appropriateness of including the substance in this  
27 chapter or in chapter 69.50 RCW; and

28 (d) The extent and nature of legitimate uses for the substance.

29 (3)(a) Any manufacturer, wholesaler, retailer, or other person  
30 shall, before selling, transferring, or otherwise furnishing any  
31 substance specified in subsection (1) of this section to any person,  
32 require proper identification from the purchaser.

33 (b) For the purposes of this subsection, "proper identification"  
34 means:

35 (i) A motor vehicle operator's license or other official state-  
36 issued identification of the purchaser containing a photograph of the  
37 purchaser, and includes the residential or mailing address of the  
38 purchaser, other than a post office box number;

1 (ii) The ((~~motor vehicle~~)) license plate number of any motor  
2 vehicle owned or operated by the purchaser;

3 (iii) A letter of authorization from any business for which any  
4 substance specified in subsection (1) of this section is being  
5 furnished, which includes the business license number and address of  
6 the business;

7 (iv) A description of how the substance is to be used; and

8 (v) The signature of the purchaser.

9 The person selling, transferring, or otherwise furnishing any  
10 substance specified in subsection (1) of this section shall affix his  
11 or her signature as a witness to the signature and identification of  
12 the purchaser.

13 (c) A violation of or a failure to comply with this subsection is  
14 a misdemeanor.

15 (4) Any manufacturer, wholesaler, retailer, or other person who  
16 sells, transfers, or otherwise furnishes the substance specified in  
17 subsection (1) of this section to any person shall, not less than  
18 twenty-one days before delivery of the substance, submit a report of  
19 the transaction, which includes the identification information  
20 specified in subsection (3) of this section to the state board of  
21 pharmacy. However, the state board of pharmacy may authorize the  
22 submission of the reports on a monthly basis with respect to repeated,  
23 regular transactions between the furnisher and the recipient involving  
24 the same substance if the state board of pharmacy determines that  
25 either of the following exist:

26 (a) A pattern of regular supply of the substance exists between the  
27 manufacturer, wholesaler, retailer, or other person who sells,  
28 transfers, or otherwise furnishes such substance and the recipient of  
29 the substance; or

30 (b) The recipient has established a record of using the substance  
31 for lawful purposes.

32 (5) Any person specified in subsection (4) of this section who does  
33 not submit a report as required by subsection (4) of this section is  
34 guilty of a gross misdemeanor.

35 **Sec. 27.** RCW 70.160.070 and 2006 c 2 s 5 are each amended to read  
36 as follows:

37 (1) Any person intentionally violating this chapter by smoking in

1 a public place or place of employment, or any person removing,  
2 defacing, or destroying a sign required by this chapter, is subject to  
3 a civil fine of up to one hundred dollars. Any person passing by or  
4 through a public place while on a public sidewalk or public right-of-  
5 way has not intentionally violated this chapter. Local law enforcement  
6 agencies shall enforce this section by issuing a notice of infraction  
7 to be assessed in the same manner as traffic infractions. The  
8 provisions contained in chapter 46.63 RCW for the disposition of  
9 traffic infractions apply to the disposition of infractions for  
10 violation of this subsection except as follows:

11 (a) The provisions in chapter 46.63 RCW relating to the provision  
12 of records to the department of licensing in accordance with RCW  
13 46.20.270 are not applicable to this chapter; and

14 (b) The provisions in chapter 46.63 RCW relating to the imposition  
15 of sanctions against a person's driver's license or vehicle (~~license~~)  
16 registration are not applicable to this chapter.

17 The form for the notice of infraction for a violation of this  
18 subsection shall be prescribed by rule of the supreme court.

19 (2) When violations of RCW 70.160.050 occur, a warning shall first  
20 be given to the owner or other person in charge. Any subsequent  
21 violation is subject to a civil fine of up to one hundred dollars.  
22 Each day upon which a violation occurs or is permitted to continue  
23 constitutes a separate violation.

24 (3) Local health departments shall enforce RCW 70.160.050 regarding  
25 the duties of owners or persons in control of public places and places  
26 of employment by either of the following actions:

27 (a) Serving notice requiring the correction of any violation; or

28 (b) Calling upon the city or town attorney or county prosecutor or  
29 local health department attorney to maintain an action for an  
30 injunction to enforce RCW 70.160.050, to correct a violation, and to  
31 assess and recover a civil penalty for the violation.

32 **Sec. 28.** RCW 82.38.100 and 2010 c 161 s 907 are each amended to  
33 read as follows:

34 (1) Any special fuel user operating a motor vehicle in this state  
35 for commercial purposes may apply for a special fuel trip permit. The  
36 permit:

1 (a) Is good for a period of three consecutive days beginning and  
2 ending on the dates shown on the face of the permit issued;

3 (b) Is valid only for the vehicle for which it is issued;

4 (c) Must identify, as the department may require, the vehicle for  
5 which it is issued; and

6 (d) Must be completed in its entirety, signed, and dated by the  
7 operator before operation of the vehicle on the public highways of this  
8 state.

9 (2) Correction of data on the permit such as dates, vehicle license  
10 plate number, or vehicle identification number invalidates the permit.  
11 A violation of, or a failure to comply with, this subsection is a gross  
12 misdemeanor.

13 (3) Blank special fuel trip permits may be obtained from field  
14 offices of the department of transportation, department of licensing,  
15 county auditors or other agents, or subagents appointed by the  
16 department for the fee provided in RCW 46.17.400 (1)(f) (~~and (4)~~).  
17 The fee is in lieu of the special fuel tax otherwise assessable against  
18 the permit holder for importing and using special fuel in a motor  
19 vehicle on the public highways of this state. A report of mileage may  
20 not be required with respect to the motor vehicle. Special fuel trip  
21 permits may not be issued if the applicant has outstanding fuel taxes,  
22 penalties, or interest owing to the state or has had a special fuel  
23 license revoked for cause and the cause has not been removed.

24 (4) Special fuel trip permits are not subject to exchange, refund,  
25 or credit.

26 **Sec. 29.** RCW 88.02.530 and 2011 c 171 s 127 are each amended to  
27 read as follows:

28 (1) A legal owner or the legal owner's authorized representative  
29 shall promptly apply for a duplicate certificate of title if a  
30 certificate of title is lost, stolen, mutilated, or destroyed, or  
31 becomes illegible. The application for a duplicate certificate of  
32 title must:

33 (a) Include information required by the department;

34 (b) Be accompanied by an affidavit of loss or destruction;

35 (c) Be accompanied by the fee required in RCW 88.02.640(1)(~~(k)~~)

36 (d).

1 (2) The duplicate certificate of title must contain the word  
2 "duplicate." It must be mailed to the first priority secured party  
3 named in it or, if none, to the registered owner.

4 (3) A person recovering a certificate of title for which a  
5 duplicate has been issued shall promptly return the certificate of  
6 title that has been recovered to the department.

7 **Sec. 30.** RCW 88.02.540 and 2011 c 326 s 4 are each amended to read  
8 as follows:

9 (1) The application for a quick title of a vessel must be made by  
10 the owner or the owner's representative to the department,  
11 participating county auditor or other agent, or subagent appointed by  
12 the director on a form furnished or approved by the department and must  
13 contain:

14 (a) A description of the vessel, including make, model, hull  
15 identification number, series, and body;

16 (b) The name and address of the person who is to be the registered  
17 owner of the vessel and, if the vessel is subject to a security  
18 interest, the name and address of the secured party; and

19 (c) Other information as may be required by the department.

20 (2) The application for a quick title must be signed by the person  
21 applying to be the registered owner and be sworn to by that person in  
22 the manner described under RCW 9A.72.085. The department must keep a  
23 copy of the application.

24 (3) The application for a quick title must be accompanied by:

25 (a) All fees and taxes due for an application for a certificate of  
26 title, including a quick title service fee under RCW 88.02.640(1)(j);  
27 and

28 (b) The most recent certificate of title or other satisfactory  
29 evidence of ownership.

30 (4) All applications for quick title must meet the requirements  
31 established by the department.

32 (5) For the purposes of this section, "quick title" means a  
33 certificate of title printed at the time of application.

34 (6) A subagent may process a quick title under this section only  
35 after (a) the department has instituted a process in which blank  
36 certificates of title can be inventoried; (b) the county auditor of the

1 county in which the subagent is located has processed quick titles for  
2 a minimum of six months; and (c) the county auditor approves a request  
3 from a subagent in its county to process quick titles.

4 **Sec. 31.** RCW 88.02.560 and 2011 c 171 s 129 are each amended to  
5 read as follows:

6 (1) An application for a vessel registration must be made by the  
7 owner or the owner's authorized representative to the department,  
8 county auditor or other agent, or subagent appointed by the director on  
9 a form furnished or approved by the department. The application must  
10 contain:

- 11 (a) The name and address of each owner of the vessel;
- 12 (b) Other information the department may require; and
- 13 (c) The signature of at least one owner.

14 (2) The application for vessel registration must be accompanied by  
15 the:

16 (a) Vessel registration fee required under RCW 88.02.640(1)(~~(i)~~)  
17 (k);

18 (b) Derelict vessel and invasive species removal fee under RCW  
19 88.02.640(3)(b) and derelict vessel removal surcharge required under  
20 RCW 88.02.640(4);

21 (c) Filing fee required under RCW 88.02.640(1)(~~(e)~~) (f);

22 (d) License plate technology fee required under RCW  
23 88.02.640(1)(~~(f)~~) (g);

24 (e) License service fee required under RCW 88.02.640(1)(~~(g)~~) (h);  
25 and

26 (f) Watercraft excise tax required under chapter 82.49 RCW.

27 (3) Upon receipt of an application for vessel registration and the  
28 required fees and taxes, the department shall assign a registration  
29 number and issue a decal for each vessel. The registration number and  
30 decal must be issued and affixed to the vessel in a manner prescribed  
31 by the department consistent with the standard numbering system for  
32 vessels required in 33 C.F.R. Part 174. A valid decal affixed as  
33 prescribed must indicate compliance with the annual registration  
34 requirements of this chapter.

35 (4) Vessel registrations and decals are valid for a period of one  
36 year, except that the director may extend or diminish vessel  
37 registration periods and vessel decals for the purpose of staggered

1 renewal periods. For registration periods of more or less than one  
2 year, the department may collect prorated annual registration fees and  
3 excise taxes based upon the number of months in the registration  
4 period.

5 (5) Vessel registrations are renewable every year in a manner  
6 prescribed by the department upon payment of the fees and taxes  
7 described in subsection (2) of this section. Upon renewing a vessel  
8 registration, the department shall issue a new decal to be affixed as  
9 prescribed by the department.

10 (6) When the department issues either a notice to renew a vessel  
11 registration or a decal for a new or renewed vessel registration, it  
12 shall also provide information on the location of marine oil recycling  
13 tanks and sewage holding tank pumping stations. This information must  
14 be provided to the department by the state parks and recreation  
15 commission in a form ready for distribution. The form must be  
16 developed and prepared by the state parks and recreation commission  
17 with the cooperation of the department of ecology. The department, the  
18 state parks and recreation commission, and the department of ecology  
19 shall enter into a memorandum of agreement to implement this process.

20 (7) A person acquiring a vessel from a dealer or a vessel already  
21 validly registered under this chapter shall, within fifteen days of the  
22 acquisition or purchase of the vessel, apply to the department, county  
23 auditor or other agent, or subagent appointed by the director for  
24 transfer of the vessel registration, and the application must be  
25 accompanied by a transfer fee as required in RCW 88.02.640(1)((+1+))  
26 (n).

27 **Sec. 32.** RCW 88.02.590 and 2011 c 171 s 130 are each amended to  
28 read as follows:

29 (1) A registered owner or the registered owner's authorized  
30 representative shall promptly apply for a duplicate registration  
31 certificate when a registration certificate is lost, stolen, mutilated,  
32 or destroyed, or becomes illegible. The application for a duplicate  
33 registration certificate must:

- 34 (a) Be accompanied by an affidavit of loss or destruction;  
35 (b) Include information required by the department; and  
36 (c) Be accompanied by the fee required in RCW 88.02.640(1)((+d+))

1 (e), in addition to any other fees or taxes required for the  
2 transaction.

3 (2) A person recovering a registration certificate for which a  
4 duplicate has been issued shall promptly return the registration  
5 certificate that has been recovered to the department.

6 **Sec. 33.** RCW 88.02.595 and 2011 c 171 s 131 are each amended to  
7 read as follows:

8 (1) A registered owner or the registered owner's authorized  
9 representative shall promptly apply for a pair of replacement decals  
10 when the decals are lost, stolen, mutilated, or destroyed, or become  
11 illegible. The application for replacement decals must:

12 (a) Be accompanied by an affidavit of loss or destruction;

13 (b) Include information required by the department;

14 (c) Be accompanied by the fee required in RCW 88.02.640(1)(~~(+j)~~)  
15 (1), in addition to any other fees or taxes required for the  
16 transaction.

17 (2) A person recovering decals for which a replacement has been  
18 issued shall promptly return the decals that have been recovered to the  
19 department.

20 **Sec. 34.** RCW 88.02.610 and 2011 c 171 s 132 are each amended to  
21 read as follows:

22 (1) A vessel owner shall apply for a vessel visitor permit if the  
23 vessel is:

24 (a) Currently registered or numbered under the laws of a country  
25 other than the United States or has a valid United States customs  
26 service cruising license issued under 19 C.F.R. Sec. 4.94; and

27 (b) Being used on Washington state waters for the personal use of  
28 the owner for more than sixty days.

29 (2) A vessel visitor permit:

30 (a) May be obtained from the department, county auditor or other  
31 agent, or subagent appointed by the director;

32 (b) Must show the date the vessel first came into Washington state;  
33 and

34 (c) Is valid as long as the vessel remains currently registered or  
35 numbered under the laws of a country other than the United States or  
36 the United States customs service cruising license remains valid.

1 (3) The department, county auditor or other agent, or subagent  
2 appointed by the director shall collect the fee required in RCW  
3 88.02.640(1)((~~m~~)) (o) when issuing a vessel visitor permit.

4 (4) The department shall adopt rules to implement this section,  
5 including rules on issuing and displaying the vessel visitor permit.

6 **Sec. 35.** RCW 88.02.620 and 2011 c 171 s 133 are each amended to  
7 read as follows:

8 (1) A vessel owner who is a nonresident natural person shall apply  
9 for a nonresident vessel permit on or before the sixty-first day of use  
10 in Washington state if the vessel:

11 (a) Is currently registered or numbered under the laws of the state  
12 of principal operation or has been issued a valid number under federal  
13 law; and

14 (b) Has been brought into Washington state for personal use for not  
15 more than six months in any continuous twelve-month period.

16 (2) A nonresident vessel permit:

17 (a) May be obtained from the department, county auditor or other  
18 agent, or subagent appointed by the director;

19 (b) Must show the date the vessel first came into Washington state;  
20 and

21 (c) Is valid for two months.

22 (3) The department, county auditor or other agent, or subagent  
23 appointed by the director shall collect the fee required in RCW  
24 88.02.640(1)((~~h~~)) (i) when issuing nonresident vessel permits.

25 (4) A nonresident vessel permit is not required under this section  
26 if the vessel is used in conducting temporary business activity within  
27 Washington state.

28 (5) The department shall adopt rules to implement this section,  
29 including rules on issuing and displaying the nonresident vessel  
30 permit.

31 **Sec. 36.** RCW 88.02.640 and 2011 c 326 s 5, 2011 c 171 s 134, and  
32 2011 c 169 s 1 are each reenacted and amended to read as follows:

33 (1) In addition to any other fees and taxes required by law, the  
34 department, county auditor or other agent, or subagent appointed by the  
35 director shall charge the following vessel fees and surcharge:

| 1  | FEE                                      | AMOUNT                 | AUTHORITY                    | DISTRIBUTION           |
|----|--|------------------------|------------------------------|------------------------|
| 2  | (a) Dealer temporary permit              | \$5.00                 | RCW 88.02.800(2)             | General fund           |
| 3  | (b) Derelict vessel and                  | Subsection (3) of this | Subsection (3) of this       | Subsection (3) of this |
| 4  | invasive species removal                 | section                | section                      | section                |
| 5  | (c) Derelict vessel removal              | \$1.00                 | Subsection (4) of this       | Subsection (4) of this |
| 6  | surcharge                                |                        | section                      | section                |
| 7  | (d) <u>Duplicate certificate of</u>      | <u>\$1.25</u>          | <u>RCW 88.02.530(1)(c)</u>   | <u>General fund</u>    |
| 8  | <u>title</u>                             |                        |                              |                        |
| 9  | (e) Duplicate registration               | \$1.25                 | RCW 88.02.590(1)(c)          | General fund           |
| 10 | <del>((e))</del> (f) Filing              | RCW 46.17.005          | RCW <del>((46.17.005))</del> | RCW 46.68.400          |
| 11 |  |                        | <u>88.02.560(2)</u>          |                        |
| 12 | <del>((f))</del> (g) License plate       | RCW 46.17.015          | RCW <del>((46.17.015))</del> | RCW 46.68.370          |
| 13 | technology                               |                        | <u>88.02.560(2)</u>          |                        |
| 14 | <del>((g))</del> (h) License service     | RCW 46.17.025          | RCW <del>((46.17.025))</del> | RCW 46.68.220          |
| 15 |  |                        | <u>88.02.560(2)</u>          |                        |
| 16 | <del>((h))</del> (i) Nonresident         | \$25.00                | RCW 88.02.620(3)             | Subsection (5) of this |
| 17 | vessel permit                            |                        |                              | section                |
| 18 | <del>((i))</del> (j) Quick title service | \$50.00                | RCW 88.02.540(3)             | Subsection (7) of this |
| 19 |  |                        |                              | section                |
| 20 | <del>((j))</del> (k) Registration        | \$10.50                | RCW 88.02.560(2)             | RCW 88.02.650          |
| 21 | <del>((k))</del> (l) Replacement         | \$1.25                 | RCW 88.02.595(1)(c)          | General fund           |
| 22 | decal                                    |                        |                              |                        |
| 23 | <del>((l))</del> (m) Title application   | \$5.00                 | RCW 88.02.515                | General fund           |
| 24 | <del>((m))</del> (n) Transfer            | \$1.00                 | RCW 88.02.560(7)             | General fund           |
| 25 | <del>((n))</del> (o) Vessel visitor      | \$30.00                | RCW 88.02.610(3)             | Subsection (6) of this |
| 26 | permit                                   |                        |                              | section                |

27 (2) The five dollar dealer temporary permit fee required in  
28 subsection (1) of this section must be credited to the payment of  
29 registration fees at the time application for registration is made.

30 (3)(a) The derelict vessel and invasive species removal fee  
31 required in subsection (1) of this section is five dollars and must be  
32 distributed as follows:

33 (i) One dollar and fifty cents must be deposited in the aquatic  
34 invasive species prevention account created in RCW 77.12.879;

1 (ii) One dollar must be deposited into the aquatic algae control  
2 account created in RCW 43.21A.667;

3 (iii) Fifty cents must be deposited into the aquatic invasive  
4 species enforcement account created in RCW 43.43.400; and

5 (iv) Two dollars must be deposited in the derelict vessel removal  
6 account created in RCW 79.100.100.

7 (b) If the department of natural resources indicates that the  
8 balance of the derelict vessel removal account, not including any  
9 transfer or appropriation of funds into the account or funds deposited  
10 into the account collected under subsection (5) of this section reaches  
11 one million dollars as of March 1st of any year, the collection of the  
12 two dollars of the derelict vessel and invasive species removal fee  
13 that is deposited into the derelict vessel removal account as  
14 authorized in (a)(iv) of this subsection must be suspended for the  
15 following fiscal year.

16 (4) Until January 1, 2014, an annual derelict vessel removal  
17 surcharge of one dollar must be charged with each vessel registration.  
18 The surcharge:

19 (a) Is to address the significant backlog of derelict vessels  
20 accumulated in Washington state waters that pose a threat to the health  
21 and safety of the people and to the environment;

22 (b) Is to be used only for the removal of vessels that are less  
23 than seventy-five feet in length; and

24 (c) Must be deposited into the derelict vessel removal account  
25 created in RCW 79.100.100.

26 (5) The twenty-five dollar nonresident vessel permit fee must be  
27 paid by the vessel owner to the department for the cost of providing  
28 the identification document by the department. Any moneys remaining  
29 from the fee after the payment of costs must be allocated to counties  
30 by the state treasurer for approved boating safety programs under RCW  
31 88.02.650.

32 (6) The thirty dollar vessel visitor permit fee must be distributed  
33 as follows:

34 (a) Five dollars must be deposited in the derelict vessel removal  
35 account created in RCW 79.100.100;

36 (b) The department may keep an amount to cover costs for providing  
37 the vessel visitor permit;

1 (c) Any moneys remaining must be allocated to counties by the state  
2 treasurer for approved boating safety programs under RCW 88.02.650; and

3 (d) Any fees required for licensing agents under RCW 46.17.005 are  
4 in addition to any other fee or tax due for the titling and  
5 registration of vessels.

6 (7)(a) The fifty dollar quick title service fee must be distributed  
7 as follows:

8 (i) If the fee is paid to the director, the fee must be deposited  
9 to the general fund.

10 (ii) If the fee is paid to the participating county auditor or  
11 other agent or subagent appointed by the director, twenty-five dollars  
12 must be deposited to the general fund. The remainder must be retained  
13 by the county treasurer in the same manner as other fees collected by  
14 the county auditor.

15 (b) For the purposes of this subsection, "quick title" has the same  
16 meaning as in RCW 88.02.540.

17 NEW SECTION. **Sec. 37.** RCW 46.04.622 is recodified as RCW  
18 46.04.3812.

19 NEW SECTION. **Sec. 38.** RCW 46.04.62250 is recodified as RCW  
20 46.04.541.

21 NEW SECTION. **Sec. 39.** RCW 46.04.630 is recodified as RCW  
22 46.04.6203.

23 NEW SECTION. **Sec. 40.** RCW 46.04.650 is recodified as RCW  
24 46.04.589.

25 NEW SECTION. **Sec. 41.** The following acts or parts of acts are  
26 each repealed:

27 (1) RCW 46.04.62240 (Share the Road license plates) and 2005 c 426  
28 s 2;

29 (2) RCW 46.04.62260 (Ski & Ride Washington license plates) and 2011  
30 c 171 s 18 & 2005 c 220 s 2; and

31 (3) RCW 46.18.050 (Department duties--Applications, financial

1 reports) and 2011 c 171 s 65.

2 NEW SECTION. **Sec. 42.** This act takes effect June 30, 2012.

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