

NEW SECTION. Sec. 5. This 1975 act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House May 21, 1975.

Passed the Senate May 15, 1975.

Approved by the Governor May 29, 1975.

Filed in Office of Secretary of State May 29, 1975.

CHAPTER 118

[House Bill No. 305]

MOTOR VEHICLES, TRAILERS, AND CAMPERS—FEES AND TAXES—STAGGERED REGISTRATION

AN ACT Relating to staggered vehicle license registration; amending section 46.16.060, chapter 12, Laws of 1961 as last amended by section 3, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.060; amending section 46.16.065, chapter 12, Laws of 1961 as amended by section 10, chapter 7, Laws of 1961 ex. sess. and RCW 46.16.065; amending section 46.16.130, chapter 12, Laws of 1961 and RCW 46.16.130; amending section 46.16.135, chapter 12, Laws of 1961 as amended by section 7, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.135; amending section 46.16.137, chapter 12, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1974 ex. sess. and RCW 46.16.137; amending section 46.16.210, chapter 12, Laws of 1961 as amended by section 1, chapter 75, Laws of 1969 ex. sess. and RCW 46.16.210; amending section 46.16.220, chapter 12, Laws of 1961 as amended by section 9, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.220; amending section 46.16.320, chapter 12, Laws of 1961 as last amended by section 1, chapter 206, Laws of 1969 ex. sess. and RCW 46.16.320; amending section 7, chapter 231, Laws of 1971 ex. sess. as amended by section 1, chapter 41, Laws of 1975 and RCW 46.16.505; amending section 82.44.040, chapter 15, Laws of 1961 and RCW 82.44.040; amending section 52, chapter 299, Laws of 1971 ex. sess. and RCW 82.44.045; amending section 82.44.060, chapter 15, Laws of 1961 as amended by section 4, chapter 199, Laws of 1963 and RCW 82.44.060; amending section 55, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.400; amending section 56, chapter 299, Laws of 1971 ex. sess. as amended by section 2, chapter 144, Laws of 1972 ex. sess. and RCW 82.50.410; amending section 61, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.460; adding new sections to chapter 12, Laws of 1961 and to chapter 46.16 RCW; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 12, Laws of 1961 and to chapter 46.16 RCW a new section to read as follows:

(1) The term "registration year" for the purposes of chapters 46.16, 82.44, and 82.50 RCW shall mean the effective period of a vehicle license issued by the department. Such year shall commence at 12:01 a.m. on the date of the calendar year designated by the department and shall end at 12:01 a.m. on the same date of the next succeeding calendar year.

(2) Each registration year may be divided into twelve registration months. Each registration month shall commence on the day numerically corresponding to the day of the calendar month on which the registration year begins, and shall terminate on the numerically corresponding day of the next succeeding calendar month.

(3) Each registration year may be divided into four registration quarters, each consisting of three registration months. The first quarter shall commence with registration month one.

(4) Where the term "last day of the month" is utilized in chapters 46.16, 82.44, and 82.50 RCW in lieu of a specified day of any calendar month it shall mean the

last day of such calendar month or months irrespective of the numerical designation of that day.

(5) In the event the final day of a registration year, quarter, or month falls on a Saturday, Sunday, or legal holiday, such period shall extend through the end of the next business day.

NEW SECTION. Sec. 2. There is added to chapter 12, Laws of 1961 and to chapter 46.16 RCW a new sections to read is follows:

Notwithstanding any provision of law to the contrary, the director of the department of motor vehicles may extend or diminish vehicle license registration periods for the purpose of staggering renewal periods. Such extension or diminishment of a vehicle license registration period shall be by rule and regulation of the department of motor vehicles adopted in accordance with the provisions of chapter 34.04 RCW. Such rules may provide for the omission of any classes or classifications of vehicle from the staggered renewal system and may provide for the gradual introduction of classes or classifications of vehicles into such a system. Such rules and regulations shall provide for the collection of proportionately increased or decreased vehicle license registration fees, including tonnage fees, if applicable, and of excise or property taxes required to be paid at the time of registration.

It is the intent of the legislature that there shall be neither a significant net gain nor loss of revenue to the state general fund or the motor vehicle fund as the result of implementing a staggered vehicle registration system when compared with the revenue generated by the current registration system.

Sec. 3. Section 46.16.060, chapter 12, Laws of 1961 as last amended by section 3, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.060 are each amended to read as follows:

Except as otherwise specifically provided by law for the licensing of vehicles, there shall be paid and collected annually for each (~~calendar~~) registration year or fractional part thereof and upon each vehicle a license fee or, if the vehicle was previously licensed in this state and has not been registered in another jurisdiction in the intervening period, a renewal license fee. Such license fee shall be in the sum of thirteen dollars and forty cents, and such renewal fee shall be in the sum of nine dollars and forty cents: PROVIDED, HOWEVER, That the fee for licensing each house moving dolly which is used exclusively for moving buildings or homes on the highway under special permit as provided for in chapter 46.44 RCW, shall be twenty-five dollars and no other fee shall be charged for the load carried thereon.

Sec. 4. Section 46.16.065, chapter 12, Laws of 1961 as amended by section 10, chapter 7, Laws of 1961 ex. sess. and RCW 46.16.065 are each amended to read as follows:

In lieu of the fees provided in RCW 46.16.060, private passenger car one or two-wheel trailers of two thousand pounds gross weight or less, may be licensed upon the payment of a license fee in the sum of four dollars and fifty cents or, if the vehicle was previously licensed in this state and has not been registered in another jurisdiction in the intervening period, a renewal license fee in the sum of three dollars and twenty-five cents, but only if such trailers are to be operated

upon the public highway by the owners thereof. It is the intention of the legislature that this reduced license shall be issued only as to trailers operated for personal use of the owners and not trailers held for rental to the public.

Sec. 5. Section 46.16.130, chapter 12, Laws of 1961 and RCW 46.16.130 are each amended to read as follows:

Whenever an application is made for a license on a motor truck, trailer, tractor, semitrailer, for hire vehicle, bus or auto stage subsequent to ~~((March thirty-first of any calendar))~~ the end of the first registration quarter of any registration year, the license fees based on gross weight or seating capacity of such vehicles shall be computed as follows:

Upon ~~((motor))~~ vehicles above described licensed in this state ~~((after March thirty-first of any year, but before July first))~~ during the second registration quarter, the license fees imposed by this section for such year shall be reduced by one-fourth thereof; upon vehicles licensed in this state ((after June thirtieth of any year, but before October first)) during the third registration quarter, the license fees shall be reduced by one-half thereof; and upon vehicles licensed in this state ((after September thirtieth of any year)) during the fourth registration quarter, the license fees shall be reduced by three-fourths thereof: PROVIDED, That such reductions shall not apply to special permits nor to vehicles licensed during the immediately preceding registration year.

Sec. 6. Section 46.16.135, chapter 12, Laws of 1961 as amended by section 7, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.135 are each amended to read as follows:

Tonnage for motor trucks, trailers, tractors, pole trailers, or semitrailers having a declared gross weight in excess of twenty thousand pounds may be purchased for ~~((quarterly periods ending on March 31st, June 30th, September 30th, and December 31st))~~ any registration quarter at one-fourth of the usual annual tonnage fee: PROVIDED, That the fee for the registration quarter in which the vehicle is licensed shall be reduced by one-twelfth of the usual tonnage fee for each full ((calendar)) registration month of the registration quarter that shall have elapsed at the time the vehicle is licensed. An additional fee of one dollar shall be charged by the director each time tonnage is purchased. The director is authorized to establish rules and regulations relative to the issuance and display of certificates or insignia.

No vehicle licensed under the provisions of this section shall be operated over the public highways unless the owner or operator renews the quarterly tonnage ~~((within ten days after))~~ permit prior to the expiration of the existing tonnage permit. Any person who operates any such vehicle upon the public highways after the expiration of ~~((said ten days))~~ the existing tonnage permit, shall be guilty of a misdemeanor, and in addition shall be required to purchase a tonnage permit for the vehicle involved at the fee covering an entire registration year's operation thereof, less the fees for any registration quarter or registration quarters of the registration year already paid. If, within five days thereafter, no license for a full registration year has been purchased as required aforesaid, the Washington state patrol, county sheriff, or city police shall impound such vehicle in such manner as may be directed for such cases by the chief of the Washington state patrol, until such requirement is met.

Sec. 7. Section 46.16.137, chapter 12, Laws of 1961 as last amended by section 1, chapter 172, Laws of 1974 ex. sess. and RCW 46.16.137 are each amended to read as follows:

During the months of October, November, December, January, February, and March the gross weight license for a three-axle truck, a three-axle truck tractor and a two-axle pole trailer used in combination, and a three-axle truck and two-axle trailer used in combination, when such vehicles or combinations of vehicles are licensed to the maximum gross weight provided by law and are used exclusively in the transportation of logs may be purchased for a monthly period. The fee for such a monthly license shall be one-twelfth the annual maximum gross weight fee provided for in RCW 46.16.070 and 46.16.111 or in RCW 46.16.070 and 46.16.115. For each fee so paid, other than at the time of the payment of the basic license fee, an additional fee of one dollar and fifty cents shall be charged by the director. The monthly license shall be effective ~~((from the first day of the month in which it is purchased, through the last day of that calendar))~~ for one entire registration month. The director or his authorized agent shall issue a permit ~~((stating the month for which the vehicle is licensed))~~ indicating that monthly tonnage fees have been paid, which permit shall be carried in the vehicle throughout the registration month for which it is issued. The director is authorized to establish rules and regulations relative to the issuance of such permits. No vehicle licensed under the provisions of this section shall be operated over the public highways unless the owner or operator thereof ~~((within five days after))~~ prior to the expiration of any such monthly period applies for, and pays the required fee for, a license for an additional monthly period, a three-month period, or for the remainder of the registration year. Any person who operates any such vehicle upon the public highways after the expiration of ~~((said five days))~~ the existing tonnage permit, shall be guilty of a misdemeanor, and in addition shall be required to purchase a gross weight license for the vehicle involved at the fee covering an entire registration year's license for operation thereof, less the fees for any period or periods of the registration year already paid. If, within five days thereafter, no license for a full registration year has been purchased as required aforesaid, the Washington state patrol, county sheriff, or city police shall impound such vehicle in such manner as may be directed for such cases by the chief of the Washington state patrol, until such requirement is met.

Sec. 8. Section 46.16.210, chapter 12, Laws of 1961 as amended by section 1, chapter 75, Laws of 1969 ex. sess. and RCW 46.16.210 are each amended to read as follows:

(1) Upon receipt of the application and proper fee for original vehicle license, the director shall make a recheck of the application, and in the event that there is any error in the application it may be returned to the county auditor or other agent to effectively secure the correction of such error, who shall return the same corrected to the director.

(2) Application for the renewal of a vehicle license shall be made to the director or his agents, including county auditors, by the registered owner on a form prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vehicle was registered in Washington unless the applicant submits a preprinted application mailed from

Olympia, and the payment of such license fees and excise tax as may be required by law. Such application shall be handled in the same manner and the fees transmitted to the state treasurer in the same manner as in the case of an original application. Any such application which upon validation becomes a renewal certificate need not have entered upon it the name of the lien holder, if any, of the vehicle concerned.

(3) Persons expecting to be out of the state during the normal forty-five day renewal period (~~(from January 1st through February 1st may, not earlier than December 1st, but prior to January 1st,)~~) of a vehicle license may secure renewal of ~~((a))~~ such vehicle license for a period of thirty days prior thereto and have license plates or tabs preissued by making application to the director or his agents upon forms prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vehicle was registered in Washington and be accompanied by such license fees, including a special handling fee of ~~((one dollar, fifty cents))~~ two dollars; one dollar to be retained by the issuing agency, and ((fifty cents)) one dollar to be deposited in the highway safety fund, and excise tax as may be required by law.

Sec. 9. Section 46.16.220, chapter 12, Laws of 1961 as amended by section 9, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.220 are each amended to read as follows:

Vehicle licenses and vehicle license number plates may be ~~((issued))~~ renewed for the ~~((current))~~ subsequent registration ~~((licensing period))~~ year on and after the ~~((first))~~ forty-fifth day ~~((thereof))~~ prior to the end of the current registration year and must be used and displayed from the date of issue or from the ~~((thirty-fifth))~~ day ~~((after))~~ of the expiration of the preceding ~~((licensing period))~~ registration year, whichever date is later: PROVIDED, That in no case shall a citation be issued for nonregistration prior to the first day of the month following the calendar month in which vehicle licenses and vehicle license number plates are to be renewed.

Sec. 10. Section 46.16.320, chapter 12, Laws of 1961 as last amended by section 1, chapter 206, Laws of 1969 ex. sess. and RCW 46.16.320 are each amended to read as follows:

Every person having a valid official amateur radio operator's license issued for a term of five years by the federal communications commission, is entitled to apply to the director for, and upon satisfactory showing, to receive, in lieu of the regular motor vehicle license plates similar plates bearing the official amateur radio call letters of the applicant assigned by the federal communications commission instead of numbers.

In addition to the annual license fee collected under chapter 46.16 RCW and chapter 82.44 RCW, there shall be collected from each applicant for such special license plates an additional license fee of five dollars upon the issue of a state plate but shall not apply on those years that a yearly tab is issued. Such special fee shall be deposited in the motor vehicle fund. Application for renewal of the amateur radio operator's call license plate must be made ~~((by January 10th of each renewal))~~ no later than twenty days prior to the end of each registration year, and all such applications shall be accompanied by a notarized statement of facts included on the amateur's valid FCC license.

Sec. 11. Section 7, chapter 231, Laws of 1971 ex. sess. as amended by section 1, chapter 41, Laws of 1975 and RCW 46.16.505 are each amended to read as follows:

It shall be unlawful for a person to operate any vehicle equipped with a camper over and along a public highway of this state without first having obtained and having in full force and effect a current and proper camper license and displaying a camper license number plate therefor as required by law: PROVIDED, HOWEVER, That if a camper is part of the inventory of a manufacturer or dealer and is unoccupied at all times, and a dated demonstration permit, valid for no more than seventy-two hours is carried in the motor vehicle at all times it is operated by any such individual, such camper may be demonstrated if carried upon an appropriately licensed vehicle.

Application for an original camper license shall be made on a form furnished for the purpose by the director. Such application shall be made by the owner of the camper or his duly authorized agent over the signature of such owner or agent, and he shall certify that the statements therein are true and to the best of his knowledge. The application must show:

- (1) Name and address of the owner of the camper;
- (2) Trade name of the camper, model, year, and the serial number thereof;
- (3) Such other information as the director requires.

There shall be paid and collected annually for each ~~((calendar))~~ registration year or fractional part thereof and upon each camper a license fee or, if the camper was previously licensed in this state and has not been registered in another jurisdiction in the intervening period, a renewal license fee. Such license fee shall be in the sum of four dollars and ninety cents, and such renewal license fee shall be in the sum of three dollars and fifty cents.

Except as otherwise provided for in this section, the provisions of chapter 46.16 RCW shall apply to campers in the same manner as they apply to vehicles.

Sec. 12. Section 82.44.040, chapter 15, Laws of 1961 and RCW 82.44.040 are each amended to read as follows:

(1) ~~The ((commission and association of county assessors of the state))~~ department of revenue, in consultation with the department of motor vehicles shall prepare ~~((and, on or before December 1st of each year, furnish to the county auditor of each county in the state))~~ at least once each year a schedule for use in the collection of the excise tax imposed by this chapter. Such schedule shall be based upon such information as may be available to them pertaining to the fair market value of motor vehicles. Such vehicles shall be classified ~~((therein))~~ into a convenient number of classes on the basis of price, make, type, year of manufacture, or any other reasonable basis, and to the value of vehicles within the classes as thus determined shall be applied the rate of tax prescribed in RCW 82.44.020. In determining fair market value, the ~~((commission and county assessors))~~ department of revenue may use any guidebook, report, or compendium of recognized standing in the automotive industry. The schedule shall show, so far as possible, the amount of excise tax for vehicles within each class and shall sufficiently describe the various motor vehicles included within each classification to enable the ~~((county auditor))~~ department of motor vehicles and its agents to ascertain readily the amount of tax applicable to any particular motor vehicle.

Sec. 13. Section 52, chapter 299, Laws of 1971 ex. sess. and RCW 82.44.045 are each amended to read as follows:

The department of revenue and (~~(association of county assessors)~~) the department of motor vehicles shall include campers on the schedule prepared by them as required under RCW 82.44.040, and any unlisted campers shall be appraised in the same manner as motor vehicles as provided in RCW 82.44.050.

Sec. 14. Section 82.44.060, chapter 15, Laws of 1961 as amended by section 4, chapter 199, Laws of 1963 and RCW 82.44.060 are each amended to read as follows:

The excise tax hereby imposed shall be due and payable to the (~~(county auditor)~~) department of motor vehicles or its agents at the time of registration of a motor vehicle. Whenever an application is made to the (~~(auditor)~~) department of motor vehicles or its agents for a license for a motor vehicle (~~(he)~~) there shall (~~(collect)~~) be collected, in addition to the amount of the license fee or renewal license fee, the amount of the excise tax imposed by this chapter prorated to comply with the effective date of the annual schedule prepared pursuant to RCW 82.44.040, and no dealer's license or license plates, and no license or license plates for a motor vehicle shall be issued unless such tax is paid in full. The excise tax hereby imposed shall be collected for each (~~(calendar)~~) registration year: PROVIDED, That the (~~(calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the)~~) excise tax upon a motor vehicle licensed for the first time in this state after the last day of any registration month shall only be levied for the remaining months of the (~~(calendar)~~) registration year including the month in which the motor vehicle is being licensed: PROVIDED FURTHER, That the tax shall in no case be less than two dollars.

A motor vehicle shall be deemed licensed for the first time in this state when such vehicle was not previously licensed by this state for the registration year immediately preceding the registration year in which the application for license is made and the vehicle has not been registered in another jurisdiction in the intervening period.

No additional tax shall be imposed under this chapter upon any vehicle upon the transfer of ownership thereof if the tax imposed with respect to such vehicle has already been paid for the registration year or fraction of a registration year in which transfer of ownership occurs.

Sec. 15. Section 55, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.400 are each amended to read as follows:

An annual excise tax is imposed on the owner of any travel trailer or camper for the privilege of using such travel trailer or camper in this state. The tax shall be collected for each (~~(calendar)~~) registration year by the department of motor vehicles or the county auditor of the county in which the travel trailer or camper is located at the time payment is made and shall be due on and after (~~(January 1st)~~) the first day of the registration year or on the date the travel trailer or camper is first purchased or brought into this state, and paid on or before (~~(January 31st)~~) the first day of each (~~(calendar)~~) registration year or thirty days after the travel trailer or camper is first purchased or brought into this state, whichever is later. No additional tax shall be imposed under this chapter upon any travel trailer or camper upon the transfer of ownership thereof, if the tax imposed by this

chapter with respect to such travel trailer or camper has already been paid for the ~~((calendar))~~ registration year or fractional part thereof in which such transfer occurs.

Sec. 16. Section 56, chapter 299, Laws of 1971 ex. sess. as amended by section 2, chapter 144, Laws of 1972 ex. sess. and RCW 82.50.410 are each amended to read as follows:

The rate and measure of tax imposed by this chapter for each ~~((calendar))~~ registration year shall be one percent of the fair market value of the travel trailer or camper, as determined in the manner provided in this chapter: PROVIDED, That the ~~((calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the))~~ excise tax upon a travel trailer or camper used for the first time in this state after the last day of any registration month shall only be levied for the remaining months of the ~~((calendar))~~ registration year including the month in which the travel trailer or camper is first used: PROVIDED FURTHER, That the minimum amount of tax payable shall be two dollars.

A travel trailer or camper shall be deemed used for the first time in this state when such vehicle was not previously licensed by this state for the registration year or any part thereof immediately preceding the registration year in which application for license is made.

Sec. 17. Section 61, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.460 are each amended to read as follows:

~~((On or before the fifteenth day of February of each calendar year))~~ Prior to the end of any registration year of a vehicle, the director shall cause to be mailed to the owners of travel trailers or campers, of record, notice of the amount of tax payable during the ~~((calendar))~~ succeeding registration year. Said notice shall contain a legal description of the travel trailer or camper, prominent notice of penalties, due dates, and such other information as may be required by the director. If payment is not made ~~((within thirty days of the issuance of said notice))~~ prior to the beginning of the registration year, the director may forward a notification of delinquency to the county sheriff of the county wherein the travel trailer or camper is located, requesting distraint of said travel trailer or camper.

NEW SECTION. Sec. 18. If any provision of this 1975 amendatory act is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this 1975 amendatory act and the applicability thereof to persons and circumstances shall not be affected thereby.

NEW SECTION. Sec. 19. This 1975 amendatory act shall take effect on January 1, 1977: PROVIDED, That the director of the department of motor vehicles may, prior to such effective date, undertake and perform duties and conduct activities necessary for the timely implementation of this 1975 amendatory act on such date.

Passed the House May 21, 1975.

Passed the Senate May 15, 1975.

Approved by the Governor May 29, 1975.

Filed in Office of Secretary of State May 29, 1975.