

and it shall be invalid when the permittee's license has been issued or for good cause has been refused.

Passed the Senate February 17, 1986.

Passed the House March 1, 1986.

Approved by the Governor March 8, 1986.

Filed in Office of Secretary of State March 8, 1986.

## CHAPTER 18

[Substitute Senate Bill No. 4618]

### TRUCKS, TRACTORS, BUSES, STAGES—LICENSING AND REGISTRATION REVISIONS

AN ACT Relating to motor vehicle licensing and registration; amending RCW 46.04.650, 46.16.070, 46.16.079, 46.16.080, 46.16.083, 46.16.085, 46.16.088, 46.16.111, 46.16.135, 46.16.140, 46.16.170, 46.16.225, 46.16.260, 46.16.280, 46.16.290, 46.85.120, 46.85.130, 46.85.160, 46.87.010, 46.87.030, 46.87.090, and 46.88.010; amending section 24, chapter 380, Laws of 1985 (uncodified); amending section 25, chapter 380, Laws of 1985 (uncodified); reenacting and amending RCW 46.16.090; adding new sections to chapter 46.04 RCW; repealing RCW 46.16.130, 46.85.135, 46.85.147, 46.87.100, and 46.87.110; and providing an effective date.

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

Sec. 1. Section 46.04.650, chapter 12, Laws of 1961 as amended by section 8, chapter 62, Laws of 1975 and RCW 46.04.650 are each amended to read as follows:

"(~~Truck~~) Tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

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

"Truck" means every motor vehicle designed, used, or maintained primarily for the transportation of property.

NEW SECTION. Sec. 3. A new section is added to chapter 46.04 RCW to read as follows:

"Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles but so constructed as to permit carrying a load in addition to part of the weight of the vehicle and load so drawn.

Sec. 4. Section 46.16.070, chapter 12, Laws of 1961 as last amended by section 15, chapter 380, Laws of 1985 and RCW 46.16.070 are each amended to read as follows:

In lieu of all other vehicle licensing fees and in addition to the excise tax prescribed in chapter 82.44 RCW and the mileage fees prescribed for buses and stages in RCW 46.16.125, there shall be paid and collected annually for each motor truck, truck tractor, road tractor, tractor, bus, auto stage, or for hire vehicle with seating capacity of six or more, based upon the declared combined gross vehicle weight or declared gross vehicle weight

thereof, the following ((combined)) licensing fees by such gross vehicle weight:

4,000 lbs. ....	\$ 27.75
6,000 lbs. ....	\$ 32.72
8,000 lbs. ....	\$ 40.30
10,000 lbs. ....	\$ 45.37
12,000 lbs. ....	\$ 52.62
14,000 lbs. ....	\$ 59.86
16,000 lbs. ....	\$ 67.31
18,000 lbs. ....	\$ 99.02
20,000 lbs. ....	\$ 109.94
22,000 lbs. ....	\$ 118.76
24,000 lbs. ....	\$ 127.95
26,000 lbs. ....	\$ 135.08
28,000 lbs. ....	\$ 158.66
30,000 lbs. ....	\$ 182.18
32,000 lbs. ....	\$ 218.78
34,000 lbs. ....	\$ 232.06
36,000 lbs. ....	\$ 251.39
38,000 lbs. ....	\$ 275.51
40,000 lbs. ....	\$ 314.99
42,000 lbs. ....	\$ 327.16
44,000 lbs. ....	\$ 334.02
46,000 lbs. ....	\$ 358.91
48,000 lbs. ....	\$ 374.19
50,000 lbs. ....	\$ 405.36
52,000 lbs. ....	\$ 426.45
54,000 lbs. ....	\$ 460.02
56,000 lbs. ....	\$ 485.21
58,000 lbs. ....	\$ 504.53
60,000 lbs. ....	\$ 537.29
62,000 lbs. ....	\$ 575.50
64,000 lbs. ....	\$ 588.75
66,000 lbs. ....	\$ 655.14
68,000 lbs. ....	\$ 682.99
70,000 lbs. ....	\$ 735.14
72,000 lbs. ....	\$ 785.36
74,000 lbs. ....	\$ 853.15
76,000 lbs. ....	\$ 922.05
78,000 lbs. ....	\$1,006.10
80,000 lbs. ....	\$1,085.95

The proceeds from such fees shall be distributed in accordance with RCW 46.68.035.

Every motor truck, truck tractor, and tractor exceeding 6,000 pounds empty scale weight registered under chapter 46.16, 46.85, 46.87, or 46.88 RCW shall be licensed for not less than one hundred fifty percent of its empty weight unless ~~((such an))~~ the amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.041, in which event the vehicle shall be licensed for the maximum weight authorized for such a vehicle.

Sec. 5. Section 1, chapter 18, Laws of 1963 as amended by section 16, chapter 25, Laws of 1975 and RCW 46.16.079 are each amended to read as follows:

The licensee of any fixed load motor vehicle equipped for lifting or towing any disabled, impounded, or abandoned vehicle or part thereof, may pay a capacity fee of twenty-five dollars in addition to all other fees required for the annual licensing of motor vehicles in lieu of the ~~((additional))~~ licensing fees provided in RCW 46.16.070.

Sec. 6. Section 46.16.080, chapter 12, Laws of 1961 as amended by section 17, chapter 25, Laws of 1975 and RCW 46.16.080 are each amended to read as follows:

In lieu of the ~~((additional))~~ licensing fee provided for motor vehicles in RCW 46.16.070 there shall be collected, in addition to all other fees required for annual licensing of vehicles:

(1) A capacity fee of five dollars on any motor truck, truck tractor, tractor, trailer, or semitrailer used only for the purpose of transporting any well drilling machine, air compressor, rock crusher, conveyor, hoist, wrecker, donkey engine, cook house, tool house, bunk house, or similar machine or structure attached to or made a part of such motor truck, truck tractor, tractor, trailer, or semitrailer~~((PROVIDED, That))~~;

(2) No ~~((additional))~~ fee ~~((shall))~~ may be collected under this section or under RCW ~~((46.16.070))~~ 46.16.085 on any travel trailer~~((PROVIDED FURTHER, That))~~ that will be charged fees and taxes under RCW 46.01.140, 46.16.060, 46.16.063 and chapter 82.50 RCW;

(3) For each vehicle used exclusively in the transportation of circus, carnival, and show equipment and in the transportation of supplies used in conjunction therewith, ~~((there))~~ a capacity fee of ten dollars shall be charged in addition to all other fees ~~((provided))~~ required for the annual licensing of these vehicles~~((an annual capacity fee in the amount of ten dollars)).~~

Sec. 7. Section 46.16.083, chapter 12, Laws of 1961 as amended by section 4, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.083 are each amended to read as follows:

A converter gear used to convert a semitrailer into a trailer or a two-axle tractor into a three-axle tractor or used in any other manner to increase the number of axles of a vehicle may, at the option of the owner, be

licensed as a separate vehicle or the converter gear and the vehicle with which it is used may be licensed as a combination, in which event the combination of the two will be considered as a single vehicle for the purposes of this chapter.

Where converter gears are licensed separately the maximum gross weight including the load must be included in the licensed gross weight of the power unit ~~((or in the licensed gross weight of the trailer where the converter gear is used to increase the number of axles of a trailer or semitrailer for which gross weight fees have been separately paid under the provisions of RCW 46.16.115)).~~

Sec. 8. Section 16, chapter 380, Laws of 1985 and RCW 46.16.085 are each amended to read as follows:

In lieu of all other licensing fees ~~((for the licensing of the following listed vehicles in the state of Washington and)),~~ an annual license fee of thirty-five dollars shall be collected in addition to the excise tax ~~((as))~~ prescribed in chapter 82.44 RCW ~~((;))~~ for: (1) Each trailer and semitrailer not ((licensed)) subject to the license fee under RCW 46.16.065 ((with an unladen weight exceeding two thousand pounds, and for)); (2) every pole trailer ((and)); (3) every converter gear or auxiliary axle((, there shall be paid and collected annually a license fee of thirty-five dollars)) not licensed as a combination under the provisions of RCW 46.16.083. The proceeds from ~~((such))~~ this fee shall be distributed in accordance with RCW 46.68-.035. This section does not pertain to travel trailers or personal use trailers that are not used for commercial purposes or owned by commercial enterprises.

Sec. 9. Section 17, chapter 380, Laws of 1985 and RCW 46.16.088 are each amended to read as follows:

Except as provided in RCW 46.16.290, the transfer of license ~~((number))~~ plates ~~((;))~~ issued pursuant to this chapter ~~((;))~~ between two or more vehicles is a traffic infraction subject to a fine not to exceed five hundred dollars. Any law enforcement agency that determines that a license ~~((number))~~ plate has been transferred between two or more vehicles shall confiscate the license ~~((number))~~ plates and return them to the department for nullification along with full details of the reasons for confiscation. Each vehicle identified in the transfer will be issued a new license ~~((number))~~ plate upon application by the owner or owners thereof and payment of the full fees and taxes.

Sec. 10. Section 46.16.090, chapter 12, Laws of 1961 as last amended by section 18, chapter 380, Laws of 1985 and by section 16, chapter 457, Laws of 1985 and RCW 46.16.090 are each reenacted and amended to read as follows:

Motor trucks, truck tractors, and tractors may be specially licensed based on the declared gross weight thereof for the various amounts set forth

in the schedule provided in RCW 46.16.070 less twenty-two dollars; divide the difference by two and add twenty-two dollars, when such vehicles are owned and operated by farmers, but only if the following condition or conditions exist:

(1) When such vehicles are to be used for the transportation of ~~((such))~~ the farmer's own farm, orchard, or dairy products, or ~~((such))~~ the farmer's own private sector cultured aquatic products as defined in RCW 15.85.020, from point of production to market or warehouse, and of supplies to be used on the farmer's farm ~~((PROVIDED, That))~~. Fish other than those that are such private sector cultured aquatic products and forestry products ~~((shall))~~ are not ~~((be))~~ considered as farm products; and/or

(2) When such vehicles are to be used for the infrequent or seasonal transportation by one ~~((such))~~ farmer for another farmer in the farmer's neighborhood of products of the farm, orchard, dairy, or aquatic farm owned by ~~((such))~~ the other farmer from point of production to market or warehouse, or supplies to be used on ~~((such))~~ the other farm, but only if ~~((such))~~ transportation for another farmer is for compensation other than money ~~((PROVIDED, HOWEVER, That))~~. Farmers shall be permitted an allowance of an additional eight thousand pounds, within the legal limits, on such vehicles, when used in the transportation of ~~((such))~~ the farmer's own farm machinery between the farmer's own farm or farms and for a distance of not more than thirty-five miles from the farmer's farm or farms.

The department shall prepare a special form of application to be used by farmers applying for licenses under this section, which form shall contain a statement to the effect that the vehicle concerned will be used subject to the limitations of this section. The department shall prepare special insignia which shall be placed upon all such vehicles to indicate that the vehicle is specially licensed, or may, in its discretion, substitute a special license plate for such vehicle for such designation.

Operation of such a specially licensed vehicle in transportation upon public highways in violation of the limitations of this section is a traffic infraction.

Sec. 11. Section 57, chapter 83, Laws of 1967 ex. sess. as last amended by section 1, chapter 231, Laws of 1971 ex. sess. and RCW 46.16.111 are each amended to read as follows:

~~((Unless the owner thereof elects to pay tonnage fees separately on his trailer or semitrailer pursuant to RCW 46.16.115))~~ The maximum gross weight in the case of any motor truck, tractor, or truck tractor shall be the scale weight of the motor truck, tractor, or truck tractor, plus the scale weight of any trailer, semitrailer, converter gear, or pole trailer to be towed thereby, to which shall be added the maximum load to be carried thereon or towed thereby as set by the licensee in ~~((his))~~ the application ~~((or otherwise: PROVIDED, That))~~. If the sum of the scale weight and maximum load of ~~((such))~~ the trailer is not greater than four thousand pounds, ~~((such))~~ that

sum shall not be computed as part of the maximum gross weight of any motor truck, tractor, or truck tractor (~~((PROVIDED, FURTHER, That))~~). Where the trailer is a utility trailer, travel trailer, horse trailer, or boat trailer, for the personal use of the owner of the truck, tractor, or truck tractor, and not for sale or commercial purposes, the gross weight of such trailer and its load shall not be computed as part of the maximum gross weight of any motor truck, tractor, or truck tractor ((PROVIDED, FURTHER, That)). The weight of any camper ((as defined in RCW 46.04.085 shall be)) is exempt from the determination of gross weight in the computation of any ((tonnage)) licensing fees required under RCW 46.16.070.

The maximum gross weight in the case of any bus, auto stage (~~((and))~~), or for hire vehicle, except taxicabs, with a seating capacity over six, shall be the scale weight of each bus, auto stage, and for hire vehicle plus ~~((an average load factor of fifty percent of))~~ the seating capacity, including the operator's seat, computed at one hundred and fifty pounds per seat.

Sec. 12. Section 46.16.135, chapter 12, Laws of 1961 as last amended by section 19, chapter 380, Laws of 1985 and RCW 46.16.135 are each amended to read as follows:

The ~~((combined))~~ annual vehicle licensing fees as provided in RCW 46.16.070 for any motor vehicle or combination of vehicles having a declared gross weight in excess of twelve thousand pounds may be paid for any full registration month or months at one-twelfth of the usual annual fee plus two dollars, this sum to be multiplied by the number of full months for which the fees are paid if for less than a full year. An additional fee of two dollars shall be ~~((charged by the director))~~ collected each time a license fee is paid. ~~((The director may adopt rules on the issuance and display of certificates or insignia.))~~

Operation of a vehicle licensed under the provisions of this section by any person upon the public highways after the expiration of the monthly license is a traffic infraction, and in addition the person shall be required to pay a license fee for the vehicle involved covering an entire registration year's operation, less the fees for any registration month or months of the registration year already paid. If, within five days, no license fee for a full registration year has been paid 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. 13. Section 46.16.140, chapter 12, Laws of 1961 as amended by section 47, chapter 136, Laws of 1979 ex. sess. and RCW 46.16.140 are each amended to read as follows:

It is a traffic infraction for any person to operate, or cause, permit, or suffer to be operated upon a public highway of this state any bus, auto stage, motor truck, ~~((trailer, pole trailer, or semitrailer))~~ truck tractor, or

tractor, with passengers, or with a maximum gross weight, in excess of that for which the motor vehicle or combination is licensed.

Any person who operates or causes to be operated upon a public highway of this state any motor truck, ~~((trailer, pole trailer, or semitrailer))~~ truck tractor, or tractor with a maximum gross weight in excess of the maximum gross weight for which the vehicle is licensed shall be deemed to have set a new maximum gross weight and shall, in addition to any penalties otherwise provided, be required to purchase a new license covering the new maximum gross weight, and any failure to secure such new license is a traffic infraction ~~((: PROVIDED, That this section shall not apply to for hire vehicles or auto stages operating principally within cities and towns: PROVIDED FURTHER, That upon surrender of the license originally purchased the director shall allow proper credit for the gross weight fee originally paid: PROVIDED FURTHER, That))~~. No such person may be permitted or required to purchase the new license ((upon)) for a gross weight or combined gross weight which would exceed the maximum gross weight or combined gross weight allowed by law. This section does not apply to for hire vehicles, buses, or auto stages operating principally within cities and towns.

Sec. 14. Section 46.16.170, chapter 12, Laws of 1961 and RCW 46.16.170 are each amended to read as follows:

Every motor truck, ~~((trailer and semitrailer))~~ truck tractor, and tractor shall have painted or stenciled upon the outside thereof, in a conspicuous place, in letters not less than two inches high, the maximum gross weight or combined gross weight for which the same is licensed, as provided in this chapter ~~((, and it shall be))~~. It is unlawful for the owner ((and) or operator of any ((such)) vehicle to display a maximum gross weight ((for which such vehicle is licensed)) or combined gross weight other than that shown on the current certificate of license registration of ((such)) the vehicle.

Sec. 15. Section 2, chapter 118, Laws of 1975 1st ex. sess. as amended by section 140, chapter 158, Laws of 1979 and RCW 46.16.225 are each amended to read as follows:

Notwithstanding any provision of law to the contrary, the ~~((director of licensing))~~ department 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 licensing))~~ adopted in accordance with the provisions of chapter 34.04 RCW. ~~((Such))~~ The 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))~~ the system. ~~((Such))~~ The 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 and maintaining a staggered vehicle registration system (~~((when compared with the revenue generated by the current registration system))~~).

Sec. 16. Section 46.16.260, chapter 12, Laws of 1961 as last amended by section 3, chapter 113, Laws of 1979 ex. sess. and RCW 46.16.260 are each amended to read as follows:

A certificate of license registration to be valid must have endorsed thereon the signature of the registered owner (if a firm or corporation, the signature of one of its officers or other duly authorized agent) and must be carried in the vehicle for which it is issued, at all times in the manner prescribed by the (~~((director))~~) department. It shall be unlawful for any person to operate or have in his possession a vehicle without carrying thereon such certificate of license registration (~~((and/or maximum gross weight license as herein provided))~~). Any person in charge of such vehicle shall, upon demand of any of the local authorities or of any police officer or of any representative of the department, permit an inspection of such certificate of license registration (~~((and/or maximum gross weight license))~~). This section does not apply to a vehicle for which annual renewal of its license (~~((number))~~) plates is not required and which is marked in accordance with the provisions of RCW 46.08.065.

Sec. 17. Section 46.16.280, chapter 12, Laws of 1961 as amended by section 20, chapter 32, Laws of 1967 and RCW 46.16.280 are each amended to read as follows:

In case of loss (~~((or))~~), destruction, sale, or transfer of any (~~((for hire))~~) motor vehicle (~~((, auto stage, motor truck, trailer, or semitrailer))~~) subject to the license fees under RCW 46.16.070, the registered owner thereof may (~~((retain the right to the load license or seat license to apply in licensing such vehicle as may be procured in replacement thereof and in any case of sale or transfer where load or seat license has not been assigned on the certificate of license registration it will be presumed that the same was intended to be retained by the previous registered owner thereof))~~), under the following conditions, obtain credit for the unused portion of the licensing fee paid for the vehicle:

(1) The licensing fee paid for the motor vehicle will be reduced by one-twelfth for each calendar month and fraction thereof elapsing between the first month of the current registration year in which the motor vehicle was registered and the month the registrant surrenders the vehicle's registration certificate for the registration year to the department or an authorized agent of the department.



(2) If any such credit is less than fifteen dollars, no credit may be given.

(3) The credit may only be applied against the licensing fee liability due under RCW 46.16.070 for the replacement motor vehicle. The credit may only be used during the registration year from which it was obtained.

(4) In no event is such credit subject to refund.

Whenever ~~((during the calendar year))~~ any vehicle has been so altered as to change its license classification~~((;))~~ in such a manner that the vehicle license number plates are rendered improper ~~((therefor))~~, the current ~~((vehicle))~~ license ~~((number))~~ plates shall be surrendered to the ~~((director and))~~ department. New ~~((and proper vehicle))~~ license ~~((number))~~ plates shall be issued ~~((on))~~ upon application ~~((therefor))~~ accompanied by a one dollar fee ~~((therefor in the amount of one dollar))~~ in addition to any other or different charge by reason of licensing under a new classification. Such application shall be on forms prescribed by the ~~((director))~~ department and forwarded with the proper fee to ~~((his office))~~ the department or the office of ~~((his))~~ a duly authorized agent of the department.

Sec. 18. Section 46.16.290, chapter 12, Laws of 1961 as amended by section 2, chapter 27, Laws of 1983 and RCW 46.16.290 are each amended to read as follows:

In any case of a valid sale or transfer of the ownership of any vehicle, the right to the certificates properly transferable therewith, except as provided in RCW 46.16.280, and to the vehicle license ~~((number))~~ plates passes to the purchaser or transferee~~((, and))~~. It is unlawful for the holder of such certificates, except as provided in RCW 46.16.280, or vehicle license ~~((number))~~ plates to fail, neglect, or refuse to endorse the certificates and deliver the vehicle license ~~((number))~~ plates to the purchaser or transferee. If the sale or transfer is of a vehicle licensed by the state or any county, city, town, school district, or other political subdivision entitled to exemption as provided by law, or, if the vehicle is licensed with personalized plates, amateur radio operator plates, medal of honor plates, disabled person plates, disabled veteran plates, or prisoner of war plates, the vehicle license ~~((number))~~ plates therefor shall be retained and may be displayed upon a vehicle obtained in replacement of the vehicle so sold or transferred.

Sec. 19. Section 12, chapter 106, Laws of 1963 as last amended by section 4, chapter 173, Laws of 1985 and RCW 46.85.120 are each amended to read as follows:

(1) Any owner engaged in interstate operation of one or more fleets may, in lieu of registration of vehicles under chapter 46.16 RCW, register and license each fleet for operation in this state under chapter 46.85 RCW by filing a prorate application for each fleet with the department containing the following information and such other information pertinent to vehicle registration as the department may require:

(a) Total fleet miles. This shall be the total number of miles operated in all jurisdictions during the preceding year by the vehicles in such fleet during said year.

(b) In-state miles. This shall be the total number of miles operated in this state during the preceding year by the vehicles in such fleet during said year.

(c) A description and identification of each vehicle of such fleet which is to be operated in this state during the registration year for which proportional fleet registration is requested.

(2) The application for each fleet shall, at the time and in the manner required by the department, be supported by fee payment computed as follows:

(a) Divide the sum of the in-state miles by total fleet miles.

(b) Determine the total fees and taxes required under subsection (2)(c) of this section to register each and every vehicle in the fleet for which registration is requested, based on the regular annual fees or applicable fees for the unexpired portion of the registration year.

(c) Multiply the sum of the proratable fees and taxes required by RCW ~~((46.16.060;))~~ 46.16.070, 46.16.085, 82.38.075, and 82.44.020 by the fraction obtained under subsection (2)(a) of this section ~~((and then add the other applicable fees required by RCW 46.01.140 and chapters 46.16 and 46.85 RCW that are nonproratable)).~~

(3) The applicant for proportional registration of any fleet, the nonmotor vehicles of which are operated in jurisdictions in addition to those in which the applicant's fleet motor vehicles are operated, may state such nonmotor vehicles in a separate application and compute and pay the fees therefor in accordance with such separate application, as to which "total miles" shall be the total miles operated in all jurisdictions during the preceding year.

~~((4) In no event shall the proportional fee payment be less than a minimum of five dollars per motor truck, truck tractor, or auto stage, and three dollars per vehicle of any other type.))~~

Sec. 20. Section 13, chapter 106, Laws of 1963 as amended by section 4, chapter 222, Laws of 1981 and RCW 46.85.130 are each amended to read as follows:

(1) The department, upon acceptance and approval of a prorate application, shall register the vehicles so described and identified and may issue a license plate or plates, or a distinctive sticker, or other suitable identification device, for each vehicle described in the application upon payment of the appropriate fees and taxes for such application ~~((and for the stickers or devices issued. A fee of two dollars shall be paid for each license plate, sticker, or device issued for each proportionally registered vehicle)).~~ A registration cab card shall be issued for each proportionally registered vehicle. Such

registration card shall, in addition to the information required by RCW 46.12.050, bear upon its face the number of the license plate (~~(or other device)~~) issued to such proportionally registered vehicle and shall be carried in such vehicles at all times or, in the case of a combination, it may be carried in the vehicle supplying the motive power.

(2) Fleet vehicles so registered and identified shall be deemed to be fully licensed and registered in this state for any type of movement or operation, except that, in those instances in which a grant of authority is required for interstate or intrastate movement or operation, no such vehicle shall be operated in interstate or intrastate commerce in this state unless the owner thereof has been granted interstate operating authority by the interstate commerce commission in the case of interstate operations or intrastate operating authority by the Washington utility and transportation commission in the case of intrastate operations and unless said vehicle is being operated in conformity with such authority.

(3) The department may issue temporary (~~(proration)~~) authorization permits (TAPs) to qualifying operators for the operation of vehicles pending issuance of license identification. A fee of one dollar plus a one dollar filing fee shall be collected for each permit issued. The permit fee shall be deposited in the motor vehicle fund, and the filing fee shall be distributed pursuant to RCW 46.01.140. The department shall have the authority to adopt rules (~~(and regulations)~~) for use and issuance of the permits.

(4) The department may refuse to issue any license or permit authorized by subsections (1) or (3) of this section to any person: (a) Who formerly held any type of license or permit issued by the department pursuant to chapter 46.16, 46.85, 82.36, 82.37, or 82.38 RCW which has been revoked for cause, which cause has not been removed; or (b) who is a subterfuge for the real party in interest whose license or permit issued by the department pursuant to chapter 46.16, 46.85, 82.36, 82.37, or 82.38 RCW and has been revoked for cause, which cause has not been removed; or (c) who, as an individual licensee, or officer, director, owner, or managing employee of a nonindividual licensee, has had a license or permit issued by the department pursuant to chapter 46.16, 46.85, 82.36, 82.37, or 82.38 RCW which has been revoked for cause, which cause has not been removed; or (d) who has an unsatisfied debt to the state assessed under either chapter 46.16, 46.85, 82.36, 82.37, 82.38, or 82.44 RCW.

(5) The department may revoke the license or permit authorized by subsections (1) or (3) of this section issued to any person for any of the grounds constituting cause for denial of licenses or permits set forth in subsection (4) of this section.

(6) Before such refusal or revocation under subsections (4) or (5) of this section, the department shall grant the applicant a hearing and shall grant him at least ten days written notice of the time and place thereof.

Sec. 21. Section 16, chapter 106, Laws of 1963 as amended by section 2, chapter 51, Laws of 1971 and RCW 46.85.160 are each amended to read as follows:

If any vehicle is withdrawn from a proportionally registered fleet during the period for which it is registered under the provisions of this chapter, the owner of such fleet shall ((so)) notify the department on appropriate forms to be prescribed by the department. The department may require the owner to surrender proportional registration cab cards and ((such)) other identification devices which have been issued ((with respect)) to such vehicle. If a motor vehicle is permanently withdrawn from a proportionally registered fleet because it has been destroyed, sold, or otherwise completely removed from the service of the registrant, the unused portion of the ((gross weight)) licensing fee paid under RCW 46.16.070 with respect to such vehicle(~~(, which shall be a sum equal to the amount of gross weight fee paid with respect to such vehicle when it was first proportionally registered in such registration year,))~~ reduced by one-twelfth for each calendar month and fraction thereof elapsing between the first day of the month of the current year in which the vehicle was registered and the date the notice of withdrawal is received by the department, shall be credited to the proportional registration account of such owner. ((Such)) Credit shall be applied against the ((gross weight)) licensing fee liability for subsequent additions of motor vehicles to be prorated during such registration year or for additional ((gross weight)) licensing fees due under RCW 46.16.070 or determined to be due upon audit under RCW 46.85.190. If any such credit is less than fifteen dollars, no credit shall be made or entered. In no event shall ((such)) any amount be credited against fees other than those for such registration year nor shall any ((such)) amount be subject to refund.

Sec. 22. Section 1, chapter 380, Laws of 1985 and RCW 46.87.010 are each amended to read as follows:

This chapter applies to proportional registration and reciprocity granted under provisions of the International Registration Plan (IRP) and will be implemented beginning with the first registration year following the year in which Washington becomes a member of the IRP. Provisions and terms of the IRP shall prevail unless given a different meaning in this chapter or in rules adopted under the authority of this chapter. The director may adopt and enforce rules deemed necessary to implement and administer this chapter. Beginning with the first registration year in which the state of Washington begins registering fleets under provisions of the IRP, registrants having a fleet of apportioned vehicles operating in two or more member jurisdictions may elect to proportionally register the vehicles of the fleet under the provisions of this chapter in lieu of full, proportional, or temporary registration as provided for in chapter 46.16, 46.85, or 46.88 RCW.

Sec. 23. Section 3, chapter 380, Laws of 1985 and RCW 46.87.030 are each amended to read as follows:

(1) When application to register an apportioned vehicle is made after March 31st of a registration year, the apportionable fees may be reduced by one-twelfth for each full registration month that has elapsed at the time a temporary authorization permit (TAP) was issued or if no TAP was issued, at such time as an application for registration is received in the department. The filing of any application with the department incurs liability for the fees and taxes applicable to the vehicles contained in the application. If the vehicle is being added to a currently registered fleet, the mileage percentage previously established for the fleet shall be used in the computation of the fees.

(2) A motor vehicle permanently withdrawn from service that was previously registered as part of a proportionally registered fleet may be deleted from the fleet by the registrant by submitting a supplemental application to the department. Upon receipt of the application and surrender of the original cab card and license plates of the vehicle, the unused portion of the fees paid for each full month of the registration year remaining shall be applied against liability of the registrant for license fees due ~~((m))~~ for motor vehicles added to the fleet during the remainder of the same registration year. If any such credit is less than fifteen dollars, no credit will be given. In no event is the amount subject to refund.

Sec. 24. Section 9, chapter 380, Laws of 1985 and RCW 46.87.090 are each amended to read as follows:

To replace a vehicle license plate(s) due to the loss, defacement, or destruction of the plate(s) issued for an apportioned vehicle, the owner shall apply for new apportioned vehicle license plates on a form furnished by the department. The application, together with the cab card of the vehicle, shall be filed with the department. A fee of ten dollars for vehicles required to display two apportioned vehicle license plates or five dollars for vehicles required to display one apportioned vehicle license plate shall accompany the application. The department shall issue a new apportioned vehicle license plate(s) and cab card upon acceptance of the completed application form and the required replacement fee.

Sec. 25. Section 32, chapter 281, Laws of 1969 ex. sess. as amended by section 202, chapter 158, Laws of 1979 and RCW 46.88.010 are each amended to read as follows:

The owner of any commercial vehicle or vehicles lawfully registered in another state and who wishes to use such vehicle or vehicles in this state in intrastate operations for periods less than a year may obtain permits for such operations upon application to the department ~~((of licensing or a county auditor))~~. Such permits may be issued for thirty, sixty, or ninety day periods. The cost of each such permit shall ~~((include the fees provided for in RCW sections 46.01.140, 46.16.061, 46.16.060 and))~~ be one-twelfth of the fees provided for in RCW 46.16.070 or 46.16.085, as appropriate, and 82.44.020 for each thirty days' operations provided for in the permit.

Sec. 26. Section 24, chapter 380, Laws of 1985 (uncodified) is amended to read as follows:

The following acts or parts of acts are each repealed:

(1) Section 15, chapter 170, Laws of 1969 ex. sess., section 4, chapter 150, Laws of 1973 1st ex. sess., section 2, chapter 64, Laws of 1975-'76 2nd ex. sess. and RCW 46.16.115 ((are each repealed));

(2) Section 46.16.130, chapter 12, Laws of 1961, section 5, chapter 118, Laws of 1975 1st ex. sess., section 1, chapter 54, Laws of 1975-'76 2nd ex. sess. and RCW 46.16.130;

(3) Section 5, chapter 51, Laws of 1971, section 5, chapter 222, Laws of 1981 and RCW 46.85.135;

(4) Section 7, chapter 51, Laws of 1971 and RCW 46.85.147;

(5) Section 10, chapter 380, Laws of 1985 and RCW 46.87.100; and

(6) Section 11, chapter 380, Laws of 1985 and RCW 46.87.110.

Such repeals shall not be construed as affecting any existing right acquired under the statutes repealed, nor as affecting any proceeding instituted thereunder, nor any rule, regulation, or order promulgated thereunder, nor any administrative action taken thereunder.

Sec. 27. Section 25, chapter 380, Laws of 1985 (uncodified) is amended to read as follows:

Chapter 380, Laws of 1985 and this 1986 act shall take effect on January 1st ((of the year following the year in which the state of Washington becomes a member of the International Registration Plan)) 1987. The new fees required by RCW 46.16.070, 46.16.080, 46.16.090, and 46.16.085 shall be assessed beginning with the renewal of vehicle registrations with a December 1986 expiration date or later and all initial registrations that become effective on or after January 1, 1987. The director of the department of licensing may immediately take such steps as are necessary to insure that this act is implemented on its effective date.

Passed the Senate February 17, 1986.

Passed the House March 1, 1986.

Approved by the Governor March 8, 1986.

Filed in Office of Secretary of State March 8, 1986.

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## CHAPTER 19

[Substitute Senate Bill No. 4684]  
RESTITUTION BY INMATES

AN ACT Relating to inmate restitution; and amending RCW 72.09.050.

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

Sec. 1. Section 5, chapter 136, Laws of 1981 and RCW 72.09.050 are each amended to read as follows: