

warrants out of any money in the county, port district, or city or town treasury, as appropriate, not otherwise appropriated.

Passed the Senate March 8, 1986.

Passed the House March 4, 1986.

Approved by the Governor April 1, 1986.

Filed in Office of Secretary of State April 1, 1986.

CHAPTER 186

[Substitute Senate Bill No. 4536]

MOTOR VEHICLE REGISTRATION—OFF-ROAD VEHICLE CERTIFICATE OF OWNERSHIP—LICENSURE OF NONROADWORTHY VEHICLES, IMMUNITY

AN ACT Relating to motor vehicle registration; amending RCW 46.16.010 and 46.16.028; reenacting and amending RCW 46.63.020; adding a new section to chapter 46.12 RCW; adding a new section to chapter 46.16 RCW; and prescribing penalties.

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

Sec. 1. Section 46.16.010, chapter 12, Laws of 1961 as last amended by section 1, chapter 148, Laws of 1977 ex. sess. and RCW 46.16.010 are each amended to read as follows:

It shall be unlawful for a person to operate any vehicle over and along a public highway of this state without first having obtained and having in full force and effect a current and proper vehicle license and display vehicle license number plates therefor as by this chapter provided(~~(-PROVIDED; That)~~). Failure to make initial registration before operation on the highways of this state is a misdemeanor, and any person convicted thereof shall be punished by a fine of no less than one hundred sixty-five dollars, no part of which may be suspended or deferred. Failure to renew an expired registration before operation on the highways of this state is a traffic infraction.

These provisions shall not apply to farm vehicle as defined in RCW 46.04.181 if operated within a radius of fifteen miles of the farm where principally used or garaged, farm tractors and farm implements including trailers designed as cook or bunk houses used exclusively for animal herding temporarily operating or drawn upon the public highways, and trailers used exclusively to transport farm implements from one farm to another during the daylight hours or at night when such equipment has lights that comply with the law: PROVIDED FURTHER, That these provisions shall not apply to spray or fertilizer applicator rigs designed and used exclusively for spraying or fertilization in the conduct of agricultural operations and not primarily for the purpose of transportation, and nurse rigs or equipment auxiliary to the use of and designed or modified for the fueling, repairing or loading of spray and fertilizer applicator rigs and not used, designed or modified primarily for the purpose of transportation: PROVIDED FURTHER, That these provisions shall not apply to fork lifts operated during daylight hours on public highways adjacent to and within five hundred feet

of the warehouses which they serve: PROVIDED FURTHER, That these provisions shall not apply to equipment defined as follows:

"Special highway construction equipment" is any vehicle which is designed and used primarily for grading of highways, paving of highways, earth moving, and other construction work on highways and which is not designed or used primarily for the transportation of persons or property on a public highway and which is only incidentally operated or moved over the highway. It includes, but is not limited to, road construction and maintenance machinery so designed and used such as portable air compressors, air drills, asphalt spreaders, bituminous mixers, bucket loaders, track laying tractors, ditchers, leveling graders, finishing machines, motor graders, paving mixers, road rollers, scarifiers, earth moving scrapers and carryalls, lighting plants, welders, pumps, power shovels and draglines, self-propelled and tractor-drawn earth moving equipment and machinery, including dump trucks and tractor-dump trailer combinations which either (1) are in excess of the legal width or (2) which, because of their length, height or unladen weight, may not be moved on a public highway without the permit specified in RCW 46.44.090 and which are not operated laden except within the boundaries of the project limits as defined by the contract, and other similar types of construction equipment, or (3) which are driven or moved upon a public highway only for the purpose of crossing such highway from one property to another, provided such movement does not exceed five hundred feet and the vehicle is equipped with wheels or pads which will not damage the roadway surface.

Exclusions:

"Special highway construction equipment" does not include any of the following:

Dump trucks originally designed to comply with the legal size and weight provisions of this code notwithstanding any subsequent modification which would require a permit, as specified in RCW 46.44.090, to operate such vehicles on a public highway, including trailers, truck-mounted transit mixers, cranes and shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

Sec. 2. Section 1, chapter 353, Laws of 1985 and RCW 46.16.028 are each amended to read as follows:

(1) For the purposes of vehicle license registration, a resident is a person who:

(a) Owns a vehicle that is licensable under this chapter and that is physically present in the state of Washington more than six months in any continuous twelve-month period; or

(b) Resides in this state more than six months in any continuous twelve-month period; or

(c) Becomes a registered voter in this state; or

(d) Receives benefits under one of the Washington public assistance programs; or

(e) Declares himself to be a resident for the purpose of obtaining a state license or tuition fees at resident rates.

(2) A resident of the state shall register under chapters 46.12 and 46.16 RCW a ((motor)) vehicle to be operated on the highways of the state.

~~((3) It is a misdemeanor for a person to violate this section.))~~

Sec. 3. Section 12, chapter 10, Laws of 1982 as last amended by section 7, chapter 302, Laws of 1985 and by section 2, chapter 353, Laws of 1985 and by section 28, chapter 377, Laws of 1985 and RCW 46.63.020 are each reenacted and amended to read as follows:

Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

(1) RCW 46.09.120(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;

(2) RCW 46.09.130 relating to operation of nonhighway vehicles;

(3) RCW 46.10.090(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;

(4) RCW 46.10.130 relating to the operation of snowmobiles;

(5) Chapter 46.12 RCW relating to certificates of ownership and registration;

(6) RCW ~~((46.16.028))~~ 46.16.010 relating to initial registration of motor vehicles ~~((by residents))~~;

(7) RCW 46.16.160 relating to vehicle trip permits;

(8) RCW 46.20.021 relating to driving without a valid driver's license;

(9) RCW 46.20.336 relating to the unlawful possession and use of a driver's license;

(10) RCW 46.20.342 relating to driving with a suspended or revoked license;

(11) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license;

(12) RCW 46.20.416 relating to driving while in a suspended or revoked status;

(13) RCW 46.20.420 relating to the operation of a motor vehicle with a suspended or revoked license;

(14) Chapter 46.29 RCW relating to financial responsibility;

- (15) RCW 46.44.180 relating to operation of mobile home pilot vehicles;
- (16) RCW 46.48.175 relating to the transportation of dangerous articles;
- (17) RCW 46.52.010 relating to duty on striking an unattended car or other property;
- (18) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;
- (19) RCW 46.52.090 relating to reports by repairmen, storagemen, and appraisers;
- (20) RCW 46.52.100 relating to driving under the influence of liquor or drugs;
- (21) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company and an employer;
- (22) RCW 46.55.020 relating to engaging in the activities of a registered tow truck operator without a registration certificate;
- (23) RCW 46.61.015 relating to obedience to police officers, flagmen, or fire fighters;
- (24) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;
- (25) RCW 46.61.022 relating to failure to stop and give identification to an officer;
- (26) RCW 46.61.024 relating to attempting to elude pursuing police vehicles;
- (27) RCW 46.61.500 relating to reckless driving;
- (28) RCW 46.61.502 and 46.61.504 relating to persons under the influence of intoxicating liquor or drugs;
- (29) RCW 46.61.520 relating to vehicular homicide by motor vehicle;
- (30) RCW 46.61.522 relating to vehicular assault;
- (31) RCW 46.61.525 relating to negligent driving;
- (32) RCW 46.61.530 relating to racing of vehicles on highways;
- (33) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;
- (34) RCW 46.64.010 relating to unlawful cancellation of or attempt to cancel a traffic citation;
- (35) RCW 46.64.020 relating to nonappearance after a written promise;
- (36) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;
- (37) Chapter 46.65 RCW relating to habitual traffic offenders;
- (38) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;

(39) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;

(40) Chapter 46.80 RCW relating to motor vehicle wreckers;

(41) Chapter 46.82 RCW relating to driver's training schools.

NEW SECTION. Sec. 4. A new section is added to chapter 46.12 RCW to read as follows:

The department shall issue a certificate of ownership valid for title purposes only to the owner of an off-road vehicle as defined in RCW 46.09.020. The owner shall pay the fees established by RCW 46.12.040. Issuance of such certificate does not qualify the vehicle for licensing under chapter 46.16 RCW.

NEW SECTION. Sec. 5. A new section is added to chapter 46.16 RCW to read as follows:

The director, the state of Washington, and its political subdivisions shall be immune from civil liability arising from the issuance of a vehicle license to a nonroadworthy vehicle.

Passed the Senate March 9, 1986.

Passed the House March 6, 1986.

Approved by the Governor April 1, 1986.

Filed in Office of Secretary of State April 1, 1986.

CHAPTER 187

[Substitute Senate Bill No. 4544]

VULNERABLE ADULTS—PROTECTION

AN ACT Relating to vulnerable adults; amending RCW 74.34.030, 74.34.040, and 74.34.050; and adding new sections to chapter 74.34 RCW.

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

Sec. 1. Section 9, chapter 97, Laws of 1984 and RCW 74.34.030 are each amended to read as follows:

((When a)) Any person, including but not limited to, financial institutions or attorneys, having reasonable cause to believe that a vulnerable adult has suffered abuse, exploitation, neglect, or abandonment, or is otherwise in need of protective services may report such information to the department. Any police officer, social worker, employee of the department, a social service, welfare, mental health, or health agency, congregate long-term care facility, or health care ((practitioner)) provider licensed under Title 18 RCW, including but not limited to doctors, nurses, psychologists, and pharmacists, ((has)) having reasonable cause to believe that a vulnerable adult has suffered abuse, exploitation, neglect, or abandonment, ((the person)) shall make an immediate oral report ((the incident, or cause a report to be