

government and its existing public institutions, and shall take effect immediately.

Passed The House January 26, 1982.

Passed the Senate February 26, 1982.

Approved by the Governor March 8, 1982.

Filed in Office of Secretary of State March 8, 1982.

CHAPTER 16

[House Bill No. 500]

STATUTORY REFERENCES—CONSTRUCTION

AN ACT Relating to statutory construction; and adding a new section to chapter 1.12 RCW.

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

NEW SECTION. Section 1. There is added to chapter 1.12 RCW a new section to read as follows:

If a statute refers to another statute of this state, the reference includes any amendments to the referenced statute unless a contrary intent is clearly expressed.

Passed the House January 21, 1982.

Passed the Senate March 1, 1982.

Approved by the Governor March 8, 1982.

Filed in Office of Secretary of State March 8, 1982.

CHAPTER 17

[House Bill No. 896]

SNOWMOBILES—FEES—DEALER REGISTRATION REVOCATION, SUSPENSION, DENIAL—MONETARY PENALTIES—FINE REMITTANCE TO LOCAL GOVERNMENTS

AN ACT Relating to snowmobiles; amending section 2, chapter 29, Laws of 1971 ex. sess. as amended by section 3, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.020; amending section 4, chapter 29, Laws of 1971 ex. sess. as last amended by section 5, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.040; amending section 4, chapter 181, Laws of 1975 1st ex. sess. as amended by section 6, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.043; amending section 5, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.050; amending section 7, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.075; amending section 8, chapter 29, Laws of 1971 ex. sess. as last amended by section 8, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.080; amending section 2, chapter 148, Laws of 1980 and RCW 46.10.190; and prescribing penalties.

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

Section 1. Section 2, chapter 29, Laws of 1971 ex. sess. as amended by section 3, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.020 are each amended to read as follows:

(1) Except as provided in this chapter, no person shall own, transport, or operate any snowmobile within this state unless such snowmobile has been registered in accordance with the provisions of this chapter.

(2) A registration number shall be assigned, without payment of a fee, to snowmobiles owned by the state of Washington or its political subdivisions, and the assigned registration number shall be displayed upon each snowmobile in such manner as provided by rules adopted by the department.

Sec. 2. Section 4, chapter 29, Laws of 1971 ex. sess. as last amended by section 5, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.040 are each amended to read as follows:

Application for registration shall be made to the department in such manner and upon such forms as the department shall prescribe, and shall state the name and address of each owner of the snowmobile to be registered, and shall be signed by at least one such owner, and shall be accompanied by a registration fee of ~~((seven))~~ ten dollars ~~((and fifty cents))~~. Upon receipt of the application and the application fee, such snowmobile shall be registered and a registration number assigned, which shall be affixed to the snowmobile in a manner provided in RCW 46.10.070.

The registration provided in this section shall be valid for a period of one year. At the end of such period of registration, every owner of a snowmobile in this state shall renew his registration in such manner as the department shall prescribe, for an additional period of one year, upon payment of a renewal fee of ~~((seven))~~ ten dollars ~~((and fifty cents))~~.

Any person acquiring a snowmobile already validly registered under the provisions of this chapter must, within ten days of the acquisition or purchase of such snowmobile, make application to the department for transfer of such registration, and such application shall be accompanied by a transfer fee of one dollar.

A snowmobile owned by a resident of another state where registration is not required by law may be issued a nonresident registration permit valid for not more than sixty days. Application for such a permit shall state the name and address of each owner of the snowmobile to be registered and shall be signed by at least one such owner and shall be accompanied by a registration fee of ~~((two))~~ five dollars. The registration permit shall be carried on the vehicle at all times during its operation in this state.

The registration fees provided in this section shall be in lieu of any personal property or excise tax heretofore imposed on snowmobiles by this state or any political subdivision thereof, and no city, county, or other municipality, and no state agency shall hereafter impose any other registration or license fee on any snowmobile in this state.

The department shall make available a pair of uniform decals consistent with the provisions of RCW 46.10.070 as now or hereafter amended. In addition to the registration fee provided herein the department shall charge

each applicant for registration the actual cost of said decal. The department shall make available replacement decals for a fee equivalent to the actual cost of the decals.

Sec. 3. Section 4, chapter 181, Laws of 1975 1st ex. sess. as amended by section 6, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.043 are each amended to read as follows:

Each snowmobile dealer registered pursuant to the provisions of RCW 46.10.050 shall register the snowmobile or, in the event the snowmobile is currently registered, transfer the registration to the new owner prior to delivering the snowmobile to that new owner subsequent to the sale thereof by the dealer. Applications for registration and transfer of registration of snowmobiles shall be made to agents of the department authorized as such in accordance with RCW 46.01.140 and 46.01.150 as now or hereafter amended.

All registrations for snowmobiles (~~((manufactured after January 1, 1975;))~~) must be valid for the current registration period prior to the transfer of any registration, including assignment to a dealer. Upon the sale of a snowmobile by a dealer, the dealer may issue a temporary registration as provided by rules adopted by the department.

NEW SECTION. Sec. 4. There is added to chapter 46.10 RCW a new section to read as follows:

The director may by order deny, suspend, or revoke the registration of any snowmobile dealer or, in lieu thereof or in addition thereto, may by order assess monetary civil penalties not to exceed five hundred dollars per violation, if the director finds that the order is in the public interest and that the applicant or registrant, or any partner, officer, director, or owner of ten percent of the assets of the firm, or any employee or agent:

(1) Has failed to comply with the applicable provisions of this chapter or any rules adopted under this chapter; or

(2) Has failed to pay any monetary civil penalty assessed by the director under this section within ten days after the assessment becomes final.

Sec. 5. Section 5, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.050 are each amended to read as follows:

(1) Each dealer of snowmobiles in this state shall register with the department in such manner and upon such forms as the department shall prescribe. Upon receipt of a dealer's application for registration and the registration fee provided for in subsection (2) of this section, such dealer shall be registered and a registration number assigned.

(2) The registration fee for dealers shall be twenty-five dollars per year, and such fee shall cover all of the snowmobiles owned by a dealer for other than personal use and not rented on a regular, commercial basis: **PROVIDED**, That snowmobiles rented on a regular commercial basis by a dealer

shall be registered separately under the provisions of RCW 46.10.020, 46.10.040, 46.10.060, and 46.10.070.

(3) Upon registration each dealer shall purchase, at a cost to be determined by the department, dealer number plates of a size and color to be determined by the department, which shall contain the registration number assigned to that dealer. Each snowmobile operated by a dealer for the purposes enumerated in subsection (2) of this section shall display such number plates in a clearly visible manner.

(4) No person other than a dealer or a representative thereof shall display a dealer number plate, and no dealer or a representative thereof shall use a dealer's number plate for any purpose other than the purposes described in subsection (2) of this section.

(5) Dealer registration numbers shall be nontransferable.

(6) ~~((Six months after August 9, 1971;))~~ It shall be unlawful for any dealer to sell any snowmobile at wholesale or retail, or to test or demonstrate any snowmobile, within the state, unless registered in accordance with the provisions of this section.

Sec. 6. Section 7, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.075 are each amended to read as follows:

There is created a snowmobile account within the general fund. Snowmobile registration fees, monetary civil penalties from snowmobile dealers, and snowmobile fuel tax moneys collected under this chapter and in excess of the amounts fixed for the administration of the registration and fuel tax provisions of this chapter shall be deposited in the snowmobile account and shall be appropriated only to the state parks and recreation commission for the administration and coordination of this chapter.

~~((All moneys collected by the department as snowmobile registration fees or moneys from the motor vehicle fund which the director has determined to be a tax on snowmobile fuel prior to September 1, 1979, which remain undistributed and within the general fund shall be transferred to and become a part of the snowmobile account within the general fund:))~~

Sec. 7. Section 8, chapter 29, Laws of 1971 ex. sess. as last amended by section 8, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.080 are each amended to read as follows:

The moneys collected by the department as snowmobile registration fees, monetary civil penalties from snowmobile dealers, and fuel tax moneys placed in the snowmobile account shall be distributed in the following manner:

(1) Actual expenses not to exceed three percent for each year shall be retained by the department to cover expenses incurred in the administration of the registration and fuel tax provisions of this chapter.

(2) The remainder of such funds each year shall be remitted to the state treasurer to be deposited in the snowmobile account of the general fund and shall be appropriated only to the commission to be expended for snowmobile

purposes. Such purposes may include but not necessarily be limited to the administration, acquisition, development, operation, and maintenance of snowmobile facilities and development and implementation of snowmobile safety, enforcement, and education programs.

(3) Nothing in this section is intended to discourage any public agency in this state from developing and implementing snowmobile programs. The commission is authorized to make grants to public agencies and to contract with any public or private agency or person for the purpose of developing and implementing snowmobile programs, provided that the programs are not inconsistent with the rules adopted by the commission.

Sec. 8. Section 2, chapter 148, Laws of 1980 and RCW 46.10.190 are each amended to read as follows:

(1) Except as provided in RCW 46.10.090(2), section 4 of this 1982 act, and 46.10.130, any violation of the provisions of this chapter is a traffic infraction: PROVIDED, That the penalty for failing to display a valid registration decal under RCW 46.10.090 as now or hereafter amended shall be a fine of ((twenty-five)) forty dollars and ((sixty percent of)) such fine shall be remitted ((to the state treasurer for deposit in the snowmobile account in the general fund to be expended for snowmobile purposes as provided in this chapter and forty percent remitted)) to the general fund of the ((local government)) governmental unit, which personnel issued the citation, for expenditure solely for snowmobile law enforcement.

(2) In addition to the penalties provided in RCW 46.10.090 and subsection (1) of this section, the operator and/or the owner of any snowmobile used with the permission of the owner shall be liable for three times the amount of any damage to trees, shrubs, growing crops, or other property injured as the result of travel by such snowmobile over the property involved.

Passed the House February 15, 1982.

Passed the Senate March 1, 1982.

Approved by the Governor March 8, 1982.

Filed in Office of Secretary of State March 8, 1982.

CHAPTER 18

[Substitute Senate Bill No. 3743]

JUDICIAL RETIREMENT FOR DISABILITY

AN ACT Relating to judicial retirement; amending section 12, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.120; amending section 2, chapter 229, Laws of 1937 as last amended by section 5, chapter 106, Laws of 1973 and RCW 2.12.020; amending section 21, chapter 274, Laws of 1947 as last amended by section 5, chapter 277, Laws of 1955 and RCW 41.40.200; amending section 24, chapter 274, Laws of 1947 as last amended by section 9, chapter 128, Laws of 1969 and RCW 41.40.230; and amending section 8, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.670.

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