

CHAPTER 50  
[Engrossed House Bill No. 50]  
IKE KINSWA STATE PARK--  
RECREATION AREA

AN ACT Relating to a state park; officially naming it; and requiring its proper designation.

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

NEW SECTION. Section 1. The legislature hereby names as the "Ike Kinswa State Park - Recreation Area" that area comprising approximately four hundred acres of Lewis County which is presently known as the "Mayfield Lake State Park." This park shall be designated as the "Ike Kinswa State Park - Recreation Area" in all literature published by the state wherever it is necessary and proper to refer to that park or area.

The legislature finds it appropriate to honor and preserve the memory of Ike Kinswa, who passed away many years ago, by renaming this park as a memorial to him, both as an individual and as a representative of the original inhabitants of a region which is now a part of the state of Washington.

The legislature further finds it appropriate to rename this state park to avoid the confusion resulting from the present existence in Lewis county of Mayfield Lake County Park and Mayfield Lake State Park. The legislature notes that the Lewis county park board has recently voted to retain the county park name.

NEW SECTION. Sec. 2. The proper state and local officials are directed and it shall be their duty to provide and install, change or alter, all necessary or existing designations of said park to make them conform to the provisions of this act.

Passed the House February 20, 1971.

Passed the Senate March 6, 1971.

Approved by the Governor March 22, 1971.

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CHAPTER 51  
[Engrossed House Bill No. 54]  
RECIPROCAL OR PROPORTIONAL  
REGISTRATION OF VEHICLES

AN ACT Relating to reciprocal or proportional registration of vehicles; amending section 12, chapter 106, Laws of 1963 and RCW 46.85.120; amending section 16, chapter 106, Laws of 1963 and RCW 46.85.160; amending section 17, chapter 106, Laws of

1963 and RCW 46.85.170; amending section 19, chapter 106, Laws of 1963, as amended by section 33, chapter 281, Laws of 1969 ex. sess., and RCW 46.85.190; and adding new sections to chapter 106, Laws of 1963 and to chapter 46.85 RCW.

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

Section 1. Section 12, chapter 106, Laws of 1963 and RCW 46.85.120 are each amended to read as follows:

(1) Any owner engaged in operating one or more fleets may, in lieu of registration of vehicles under the provisions of chapter 46.16 RCW and payment of excise taxes and fees imposed by chapter 82.44 RCW and RCW 81.80.320, register and license each fleet for operation in this state by filing an application with the department which shall contain 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 motor 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 motor vehicles in such fleet during said year.

(c) ("Reciprocity miles" as used in this section shall mean miles traveled by the motor vehicles of such fleet in another jurisdiction to which the fleet operator by virtue of reciprocity did not, either voluntarily or by operation of law or otherwise, pay full or proportional registration fees, trip permits, mileage taxes, weight distance taxes, gross receipt taxes, or any other fee or tax levied for the privilege of using the highway other than a tax on the fuel used for propelling such motor vehicles in such jurisdiction.

This state's pro rata share of "reciprocity miles" shall be determined by multiplying the total "reciprocity miles" by the fraction obtained by dividing the in-state miles by total fleet miles.

(d)) 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 ((plus this state's pro rata share of reciprocity miles)) by total fleet miles.

(b) Determine the total amount necessary under the provisions referred to in subsection (1) 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 obtained under subsection (2) (b) hereof by the fraction obtained under subsection (2) (a) hereof.

(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 separately in his application and compute and pay the fees therefor in accordance with such separate statement, as to which "total miles" shall be the total miles operated in all jurisdictions during the preceding year.

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

Sec. 2. Section 16, chapter 106, Laws of 1963 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 cards and such other identification devices which have been issued with respect to such vehicle ~~((as the department may deem advisable))~~. If a 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 fee paid 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 fee liability for subsequent additions to be prorated during such registration year or for additional gross weight fees due upon audit under RCW 46.85.190. If any such credit is less than ~~((five))~~ fifteen dollars, no credit shall be made or entered. In no event shall such amount be credited against fees other than those for such registration year nor shall any such amount be subject to refund.

Sec. 3. Section 17, chapter 106, Laws of 1963 and RCW 46.85.170 are each amended to read as follows:

The initial application for proportional registration of a

fleet shall state the mileage data with respect to such fleet for the preceding year in this and other jurisdictions. If no operations were conducted with such fleet during the preceding year, the application shall contain a full statement of the proposed method of operation and estimates of annual mileage in this state and other jurisdictions. The department shall determine the in-state and total fleet miles to be used in computing the fee payment for the fleet. The department may evaluate and adjust the estimate in the application if it is not satisfied as to the correctness thereof.

When operations are materially changed through merger, acquisition or extended authority, the department shall require the filing of an amended application setting forth the proposed operation by use of estimated mileages for all jurisdictions. The department may adjust such estimated mileages by audit or otherwise to an actual travel basis to insure proper fee payment to this state. The actual calendar year travel basis may be utilized for determination of fee payments until such time as the normal mileage year is available under the new operation.

Sec. 4. Section 19, chapter 106, Laws of 1963, as amended by section 33, chapter 281, Laws of 1969 ex.sess. and RCW 46.85.190 are each amended to read as follows:

Any owner whose application for proportional registration has been accepted shall preserve the records on which the application is based for a period of four years following the year or period upon which said application is based. Upon request of the department, the owner shall make such records available to the department, at its designated office for audit as to accuracy of computations and payments and assessment of deficiencies or allowances for credit. If the department determines that the applicant should have registered more vehicles in this state under the provisions of this chapter the department may deny him the right of any further benefits by reason of any reciprocal agreement or declaration until the fees, interest and penalties for such additional vehicle or vehicles which should have been registered, have been paid. The fees, interest and penalties determined to be due and owing under the provisions of this paragraph shall be a lien upon all the property of the applicant, and such lien shall attach at the time the audit report has been mailed to such applicant by the department, and shall have the effect of an execution duly levied on such property and shall so remain until said additional fees, interest and penalties so determined, are paid, or a sufficient amount of such property sold for the payment thereof. The department may make arrangements with agencies of other jurisdictions administering motor vehicle registration laws for joint audits of any such owner. No assessment for deficiency or claim for credit may be made for any period for which records are no longer required. Any

sums found to be due and owing upon audit shall bear interest of six percent from the date when they should have been paid until the date of actual payment. If the audit discloses a deliberate and wilful intent to evade the requirements of payment under RCW 46.85.110 and 46.85.120, a penalty of ten percent shall also be assessed.

If the audit discloses that an overpayment to the state in excess of twenty-five dollars has been made, the department shall certify such overpayment to the state treasurer who shall issue a warrant for such overpayment to the vehicle operator.

All carriers registered under the provisions of this chapter shall maintain detailed mileage records on an individual vehicle basis. Such operating records shall be prepared for each trip and shall include dates, origin and destination points, total miles traveled, miles traveled in each state, vehicle equipment number, driver's full name and all other information pertinent to the particular trip.

NEW SECTION. Sec. 5. There is added to chapter 106, Laws of 1963 and to chapter 46.85 RCW a new section to read as follows:

Each application or supplemental application for reciprocal or proportional registration of vehicles shall be accompanied by an application fee, in addition to all other fees, of five dollars for nine or less vehicles, ten dollars for ten through twenty-four vehicles, and fifteen dollars for twenty-five or more vehicles.

NEW SECTION. Sec. 6. There is added to chapter 106, Laws of 1963 and to chapter 46.85 RCW a new section to read as follows:

If it is determined that any Washington based carrier has not proportionally registered a vehicle or vehicles in another jurisdiction or jurisdictions which are members of the Uniform Compact Agreement after indicating his intent to do so in his application to the state, and has failed to pay other fees in lieu thereof, the mileage traveled in such jurisdiction or jurisdictions shall be added to Washington in-state miles for computation of the Washington travel percentage.

NEW SECTION. Sec. 7. There is added to chapter 106, Laws of 1963 and to chapter 46.85 RCW a new section to read as follows:

Any prorated carrier increasing the gross weight of a vehicle or vehicles shall be subject to a five dollar minimum fee per vehicle.

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