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HOUSE BILL 1117

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State of Washington

66th Legislature

2019 Regular Session

By Representative Valdez; by request of Department of Licensing

Prefiled 01/11/19.

1 AN ACT Relating to amending motor vehicle laws to align with  
2 federal definitions, make technical corrections, and move an  
3 effective date to meet a federal timeline; amending RCW 46.16A.010,  
4 46.25.010, 46.17.350, 46.18.210, 46.55.065, and 46.76.040; amending  
5 2018 c 49 s 5 (uncodified); reenacting and amending RCW 46.25.010;  
6 providing effective dates; and declaring an emergency.

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

8 **Sec. 1.** RCW 46.16A.010 and 2010 c 161 s 401 are each amended to  
9 read as follows:

10 For the purposes of this chapter unless the context clearly  
11 requires otherwise:

12 (1) "Commercial motor vehicle," for the purposes of requiring a  
13 department of transportation number, means the same as defined in RCW  
14 46.25.010(6), or a motor vehicle used in commerce when the motor  
15 vehicle: (a) Has a gross vehicle weight rating of 11,794 kilograms or  
16 more (26,001 pounds or more) inclusive of a towed unit or units of a  
17 gross vehicle weight rating of more than 4,536 kilograms (10,000  
18 pounds (~~or more~~)); (b) has a gross vehicle weight rating of 11,794  
19 kilograms or more (26,001 pounds or more); or (c) is used in the  
20 transportation of hazardous materials, as defined in RCW  
21 46.25.010(13);

1 (2) "Department of transportation number" means a department of  
2 transportation number from the federal motor carrier safety  
3 administration;

4 (3) "Interstate commercial motor vehicle" means a commercial  
5 vehicle that operates in more than one state;

6 (4) "Intrastate commercial motor vehicle" means a commercial  
7 vehicle that operates exclusively within the state of Washington;

8 (5) "Motor carrier" means a person or entity who has been issued  
9 a department of transportation number and who owns a commercial motor  
10 vehicle;

11 (6) "Registration year" means the effective period of a vehicle  
12 registration issued by the department. A registration year begins at  
13 12:01 a.m. on the date of the calendar year designated by the  
14 department and ends at 12:00 a.m. the same day the following year  
15 unless otherwise specified;

16 (7) "Renewal notice" means the notice to renew a vehicle  
17 registration sent to the registered owner by the department.

18 **Sec. 2.** RCW 46.25.010 and 2017 c 334 s 4 and 2017 c 194 s 1 are  
19 each reenacted and amended to read as follows:

20 The definitions set forth in this section apply throughout this  
21 chapter.

22 (1) "Alcohol" means any substance containing any form of alcohol,  
23 including but not limited to ethanol, methanol, propanol, and  
24 isopropanol.

25 (2) "Alcohol concentration" means:

26 (a) The number of grams of alcohol per one hundred milliliters of  
27 blood; or

28 (b) The number of grams of alcohol per two hundred ten liters of  
29 breath.

30 (3) "Commercial driver's license" (CDL) means a license issued to  
31 an individual under chapter 46.20 RCW that has been endorsed in  
32 accordance with the requirements of this chapter to authorize the  
33 individual to drive a class of commercial motor vehicle.

34 (4) The "commercial driver's license information system" (CDLIS)  
35 is the information system established pursuant to 49 U.S.C. Sec.  
36 31309 to serve as a clearinghouse for locating information related to  
37 the licensing and identification of commercial motor vehicle drivers.

38 (5) "Commercial learner's permit" (CLP) means a permit issued  
39 under RCW 46.25.052 for the purposes of behind-the-wheel training.

1 (6) "Commercial motor vehicle" means a motor vehicle or  
2 combination of motor vehicles used in commerce to transport  
3 passengers or property if the motor vehicle:

4 (a) Has a gross combination weight rating or gross combination  
5 weight of 11,794 kilograms or more (26,001 pounds or more), whichever  
6 is greater, inclusive of any towed unit or units with a gross vehicle  
7 weight rating or gross vehicle weight of more than 4,536 kilograms  
8 (10,000 pounds (~~or more~~)), whichever is greater; or

9 (b) Has a gross vehicle weight rating or gross vehicle weight of  
10 11,794 kilograms or more (26,001 pounds or more), whichever is  
11 greater; or

12 (c) Is designed to transport sixteen or more passengers,  
13 including the driver; or

14 (d) Is of any size and is used in the transportation of hazardous  
15 materials as defined in this section; or

16 (e) Is a school bus regardless of weight or size.

17 (7) "Conviction" means an unvacated adjudication of guilt, or a  
18 determination that a person has violated or failed to comply with the  
19 law in a court of original jurisdiction or by an authorized  
20 administrative tribunal, an unvacated forfeiture of bail or  
21 collateral deposited to secure the person's appearance in court, a  
22 plea of guilty or nolo contendere accepted by the court, the payment  
23 of a fine or court cost, entry into a deferred prosecution program  
24 under chapter 10.05 RCW, or violation of a condition of release  
25 without bail, regardless of whether or not the penalty is rebated,  
26 suspended, or probated.

27 (8) "Disqualification" means a prohibition against driving a  
28 commercial motor vehicle.

29 (9) "Drive" means to drive, operate, or be in physical control of  
30 a motor vehicle in any place open to the general public for purposes  
31 of vehicular traffic. For purposes of RCW 46.25.100, 46.25.110, and  
32 46.25.120, "drive" includes operation or physical control of a motor  
33 vehicle anywhere in the state.

34 (10) "Drugs" are those substances as defined by RCW 69.04.009,  
35 including, but not limited to, those substances defined by 49 C.F.R.  
36 Sec. 40.3.

37 (11) "Employer" means any person, including the United States, a  
38 state, or a political subdivision of a state, who owns or leases a  
39 commercial motor vehicle, or assigns a person to drive a commercial  
40 motor vehicle.

1 (12) "Gross vehicle weight rating" (GVWR) means the value  
2 specified by the manufacturer as the maximum loaded weight of a  
3 single vehicle. The GVWR of a combination or articulated vehicle,  
4 commonly referred to as the "gross combined weight rating" or GCWR,  
5 is the GVWR of the power unit plus the GVWR of the towed unit or  
6 units. If the GVWR of any unit cannot be determined, the actual gross  
7 weight will be used. If a vehicle with a GVWR of less than 11,794  
8 kilograms (26,001 pounds or less) has been structurally modified to  
9 carry a heavier load, then the actual gross weight capacity of the  
10 modified vehicle, as determined by RCW 46.44.041 and 46.44.042, will  
11 be used as the GVWR.

12 (13) "Hazardous materials" means any material that has been  
13 designated as hazardous under 49 U.S.C. Sec. 5103 and is required to  
14 be placarded under subpart F of 49 C.F.R. Part 172 or any quantity of  
15 a material listed as a select agent or toxin in 42 C.F.R. Part 73.

16 (14) "Motor vehicle" means a vehicle, machine, tractor, trailer,  
17 or semitrailer propelled or drawn by mechanical power used on  
18 highways, or any other vehicle required to be registered under the  
19 laws of this state, but does not include a vehicle, machine, tractor,  
20 trailer, or semitrailer operated exclusively on a rail.

21 (15)(a) "Nondomiciled CLP or CDL" means a permit or license,  
22 respectively, issued under RCW 46.25.054 to a person who meets one of  
23 the following criteria:

24 (i) Is domiciled in a foreign country as provided in 49 C.F.R.  
25 Sec. 383.23(b)(1) as it existed on October 1, 2017, or such  
26 subsequent date as may be provided by the department by rule,  
27 consistent with the purposes of this section; or

28 (ii) Is domiciled in another state as provided in 49 C.F.R. Sec.  
29 383.23(b)(2) as it existed on October 1, 2017, or such subsequent  
30 date as may be provided by the department by rule, consistent with  
31 the purposes of this section.

32 (b) The definition in this subsection (15) applies exclusively to  
33 the use of the term in this chapter and is not to be applied in any  
34 other chapter of the Revised Code of Washington.

35 (16) "Out-of-service order" means a declaration by an authorized  
36 enforcement officer of a federal, state, Canadian, Mexican, or local  
37 jurisdiction that a driver, a commercial motor vehicle, or a motor  
38 carrier operation is out-of-service pursuant to 49 C.F.R. Secs.  
39 386.72, 392.5, 395.13, 396.9, or compatible laws, or the North  
40 American uniform out-of-service criteria.

1 (17) "Positive alcohol confirmation test" means an alcohol  
2 confirmation test that:

3 (a) Has been conducted by a breath alcohol technician under 49  
4 C.F.R. Part 40; and

5 (b) Indicates an alcohol concentration of 0.04 or more.

6 A report that a person has refused an alcohol test, under  
7 circumstances that constitute the refusal of an alcohol test under 49  
8 C.F.R. Part 40, will be considered equivalent to a report of a  
9 positive alcohol confirmation test for the purposes of this chapter.

10 (18) "School bus" means a commercial motor vehicle used to  
11 transport preprimary, primary, or secondary school students from home  
12 to school, from school to home, or to and from school-sponsored  
13 events. School bus does not include a bus used as a common carrier.

14 (19) "Serious traffic violation" means:

15 (a) Excessive speeding, defined as fifteen miles per hour or more  
16 in excess of the posted limit;

17 (b) Reckless driving, as defined under state or local law;

18 (c) Driving while using a personal electronic device, defined as  
19 a violation of RCW 46.61.672, which includes in the activities it  
20 prohibits driving while holding a personal electronic device in  
21 either or both hands and using a hand or finger for texting, or an  
22 equivalent administrative rule or local law, ordinance, rule, or  
23 resolution;

24 (d) A violation of a state or local law relating to motor vehicle  
25 traffic control, other than a parking violation, arising in  
26 connection with an accident or collision resulting in death to any  
27 person;

28 (e) Driving a commercial motor vehicle without obtaining a  
29 commercial driver's license;

30 (f) Driving a commercial motor vehicle without a commercial  
31 driver's license in the driver's possession; however, any individual  
32 who provides proof to the court by the date the individual must  
33 appear in court or pay any fine for such a violation, that the  
34 individual held a valid CDL on the date the citation was issued, is  
35 not guilty of a "serious traffic violation";

36 (g) Driving a commercial motor vehicle without the proper class  
37 of commercial driver's license endorsement or endorsements for the  
38 specific vehicle group being operated or for the passenger or type of  
39 cargo being transported; and

1 (h) Any other violation of a state or local law relating to motor  
2 vehicle traffic control, other than a parking violation, that the  
3 department determines by rule to be serious.

4 (20) "State" means a state of the United States and the District  
5 of Columbia.

6 (21) "Substance abuse professional" means an alcohol and drug  
7 specialist meeting the credentials, knowledge, training, and  
8 continuing education requirements of 49 C.F.R. Sec. 40.281.

9 (22) "Tank vehicle" means any commercial motor vehicle that is  
10 designed to transport any liquid or gaseous materials within a tank  
11 or tanks having an individual rated capacity of more than one hundred  
12 nineteen gallons and an aggregate rated capacity of one thousand  
13 gallons or more that is either permanently or temporarily attached to  
14 the vehicle or the chassis. A commercial motor vehicle transporting  
15 an empty storage container tank, not designed for transportation,  
16 with a rated capacity of one thousand gallons or more that is  
17 temporarily attached to a flatbed trailer is not considered a tank  
18 vehicle.

19 (23) "Type of driving" means one of the following:

20 (a) "Nonexcepted interstate," which means the CDL or CLP holder  
21 or applicant operates or expects to operate in interstate commerce,  
22 is both subject to and meets the qualification requirements under 49  
23 C.F.R. Part 391 as it existed on July 8, 2014, or such subsequent  
24 date as may be provided by the department by rule, consistent with  
25 the purposes of this section, and is required to obtain a medical  
26 examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on  
27 July 8, 2014, or such subsequent date as may be provided by the  
28 department by rule, consistent with the purposes of this section;

29 (b) "Excepted interstate," which means the CDL or CLP holder or  
30 applicant operates or expects to operate in interstate commerce, but  
31 engages exclusively in transportation or operations excepted under 49  
32 C.F.R. Secs. 390.3(f), 391.2, 391.68, or 398.3, as they existed on  
33 July 8, 2014, or such subsequent date as may be provided by the  
34 department by rule, consistent with the purposes of this section,  
35 from all or parts of the qualification requirements of 49 C.F.R. Part  
36 391 as it existed on July 8, 2014, or such subsequent date as may be  
37 provided by the department by rule, consistent with the purposes of  
38 this section, and is therefore not required to obtain a medical  
39 examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on

1 July 8, 2014, or such subsequent date as may be provided by the  
2 department by rule, consistent with the purposes of this section;

3 (c) "Nonexcepted intrastate," which means the CDL or CLP holder  
4 or applicant operates only in intrastate commerce and is therefore  
5 subject to state driver qualification requirements; or

6 (d) "Excepted intrastate," which means the CDL or CLP holder or  
7 applicant operates in intrastate commerce, but engages exclusively in  
8 transportation or operations excepted from all or parts of the state  
9 driver qualification requirements.

10 (24) "United States" means the fifty states and the District of  
11 Columbia.

12 (25) "Verified positive drug test" means a drug test result or  
13 validity testing result from a laboratory certified under the  
14 authority of the federal department of health and human services  
15 that:

16 (a) Indicates a drug concentration at or above the cutoff  
17 concentration established under 49 C.F.R. Sec. 40.87; and

18 (b) Has undergone review and final determination by a medical  
19 review officer.

20 A report that a person has refused a drug test, under  
21 circumstances that constitute the refusal of a federal department of  
22 transportation drug test under 49 C.F.R. Part 40, will be considered  
23 equivalent to a report of a verified positive drug test for the  
24 purposes of this chapter.

25 **Sec. 3.** RCW 46.25.010 and 2018 c 49 s 4 are each amended to read  
26 as follows:

27 The definitions set forth in this section apply throughout this  
28 chapter.

29 (1) "Alcohol" means any substance containing any form of alcohol,  
30 including but not limited to ethanol, methanol, propanol, and  
31 isopropanol.

32 (2) "Alcohol concentration" means:

33 (a) The number of grams of alcohol per one hundred milliliters of  
34 blood; or

35 (b) The number of grams of alcohol per two hundred ten liters of  
36 breath.

37 (3) "Commercial driver's license" (CDL) means a license issued to  
38 an individual under chapter 46.20 RCW that has been endorsed in

1 accordance with the requirements of this chapter to authorize the  
2 individual to drive a class of commercial motor vehicle.

3 (4) The "commercial driver's license information system" (CDLIS)  
4 is the information system established pursuant to 49 U.S.C. Sec.  
5 31309 to serve as a clearinghouse for locating information related to  
6 the licensing and identification of commercial motor vehicle drivers.

7 (5) "Commercial learner's permit" (CLP) means a permit issued  
8 under RCW 46.25.052 for the purposes of behind-the-wheel training.

9 (6) "Commercial motor vehicle" means a motor vehicle or  
10 combination of motor vehicles used in commerce to transport  
11 passengers or property if the motor vehicle:

12 (a) Has a gross combination weight rating or gross combination  
13 weight of 11,794 kilograms or more (26,001 pounds or more), whichever  
14 is greater, inclusive of any towed unit or units with a gross vehicle  
15 weight rating or gross vehicle weight of more than 4,536 kilograms  
16 (10,000 pounds (~~or more~~)), whichever is greater; or

17 (b) Has a gross vehicle weight rating or gross vehicle weight of  
18 11,794 kilograms or more (26,001 pounds or more), whichever is  
19 greater; or

20 (c) Is designed to transport sixteen or more passengers,  
21 including the driver; or

22 (d) Is of any size and is used in the transportation of hazardous  
23 materials as defined in this section; or

24 (e) Is a school bus regardless of weight or size.

25 (7) "Conviction" means an unvacated adjudication of guilt, or a  
26 determination that a person has violated or failed to comply with the  
27 law in a court of original jurisdiction or by an authorized  
28 administrative tribunal, an unvacated forfeiture of bail or  
29 collateral deposited to secure the person's appearance in court, a  
30 plea of guilty or nolo contendere accepted by the court, the payment  
31 of a fine or court cost, entry into a deferred prosecution program  
32 under chapter 10.05 RCW, or violation of a condition of release  
33 without bail, regardless of whether or not the penalty is rebated,  
34 suspended, or probated.

35 (8) "Disqualification" means a prohibition against driving a  
36 commercial motor vehicle.

37 (9) "Drive" means to drive, operate, or be in physical control of  
38 a motor vehicle in any place open to the general public for purposes  
39 of vehicular traffic. For purposes of RCW 46.25.100, 46.25.110, and

1 46.25.120, "drive" includes operation or physical control of a motor  
2 vehicle anywhere in the state.

3 (10) "Drugs" are those substances as defined by RCW 69.04.009,  
4 including, but not limited to, those substances defined by 49 C.F.R.  
5 Sec. 40.3.

6 (11) "Employer" means any person, including the United States, a  
7 state, or a political subdivision of a state, who owns or leases a  
8 commercial motor vehicle, or assigns a person to drive a commercial  
9 motor vehicle.

10 (12) "Gross vehicle weight rating" (GVWR) means the value  
11 specified by the manufacturer as the maximum loaded weight of a  
12 single vehicle. The GVWR of a combination or articulated vehicle,  
13 commonly referred to as the "gross combined weight rating" or GCWR,  
14 is the GVWR of the power unit plus the GVWR of the towed unit or  
15 units. If the GVWR of any unit cannot be determined, the actual gross  
16 weight will be used. If a vehicle with a GVWR of less than 11,794  
17 kilograms (26,001 pounds or less) has been structurally modified to  
18 carry a heavier load, then the actual gross weight capacity of the  
19 modified vehicle, as determined by RCW 46.44.041 and 46.44.042, will  
20 be used as the GVWR.

21 (13) "Hazardous materials" means any material that has been  
22 designated as hazardous under 49 U.S.C. Sec. 5103 and is required to  
23 be placarded under subpart F of 49 C.F.R. Part 172 or any quantity of  
24 a material listed as a select agent or toxin in 42 C.F.R. Part 73.

25 (14) "Motor vehicle" means a vehicle, machine, tractor, trailer,  
26 or semitrailer propelled or drawn by mechanical power used on  
27 highways, or any other vehicle required to be registered under the  
28 laws of this state, but does not include a vehicle, machine, tractor,  
29 trailer, or semitrailer operated exclusively on a rail.

30 (15)(a) "Nondomiciled CLP or CDL" means a permit or license,  
31 respectively, issued under RCW 46.25.054 to a person who meets one of  
32 the following criteria:

33 (i) Is domiciled in a foreign country as provided in 49 C.F.R.  
34 Sec. 383.23(b)(1) as it existed on October 1, 2017, or such  
35 subsequent date as may be provided by the department by rule,  
36 consistent with the purposes of this section; or

37 (ii) Is domiciled in another state as provided in 49 C.F.R. Sec.  
38 383.23(b)(2) as it existed on October 1, 2017, or such subsequent  
39 date as may be provided by the department by rule, consistent with  
40 the purposes of this section.

1 (b) The definition in this subsection (15) applies exclusively to  
2 the use of the term in this chapter and is not to be applied in any  
3 other chapter of the Revised Code of Washington.

4 (16) "Out-of-service order" means a declaration by an authorized  
5 enforcement officer of a federal, state, Canadian, Mexican, or local  
6 jurisdiction that a driver, a commercial motor vehicle, or a motor  
7 carrier operation is out-of-service pursuant to 49 C.F.R. Secs.  
8 386.72, 392.5, 395.13, 396.9, or compatible laws, or the North  
9 American uniform out-of-service criteria.

10 (17) "Positive alcohol confirmation test" means an alcohol  
11 confirmation test that:

12 (a) Has been conducted by a breath alcohol technician under 49  
13 C.F.R. Part 40; and

14 (b) Indicates an alcohol concentration of 0.04 or more.

15 A report that a person has refused an alcohol test, under  
16 circumstances that constitute the refusal of an alcohol test under 49  
17 C.F.R. Part 40, will be considered equivalent to a report of a  
18 positive alcohol confirmation test for the purposes of this chapter.

19 (18) "School bus" means a commercial motor vehicle used to  
20 transport preprimary, primary, or secondary school students from home  
21 to school, from school to home, or to and from school-sponsored  
22 events. School bus does not include a bus used as a common carrier.

23 (19) "Serious traffic violation" means:

24 (a) Excessive speeding, defined as fifteen miles per hour or more  
25 in excess of the posted limit;

26 (b) Reckless driving, as defined under state or local law;

27 (c) Driving while using a personal electronic device, defined as  
28 a violation of RCW 46.61.672, which includes in the activities it  
29 prohibits driving while holding a personal electronic device in  
30 either or both hands and using a hand or finger for texting, or an  
31 equivalent administrative rule or local law, ordinance, rule, or  
32 resolution;

33 (d) A violation of a state or local law relating to motor vehicle  
34 traffic control, other than a parking violation, arising in  
35 connection with an accident or collision resulting in death to any  
36 person;

37 (e) Driving a commercial motor vehicle without obtaining a  
38 commercial driver's license;

39 (f) Driving a commercial motor vehicle without a commercial  
40 driver's license in the driver's possession; however, any individual

1 who provides proof to the court by the date the individual must  
2 appear in court or pay any fine for such a violation, that the  
3 individual held a valid CDL on the date the citation was issued, is  
4 not guilty of a "serious traffic violation";

5 (g) Driving a commercial motor vehicle without the proper class  
6 of commercial driver's license endorsement or endorsements for the  
7 specific vehicle group being operated or for the passenger or type of  
8 cargo being transported; and

9 (h) Any other violation of a state or local law relating to motor  
10 vehicle traffic control, other than a parking violation, that the  
11 department determines by rule to be serious.

12 (20) "State" means a state of the United States and the District  
13 of Columbia.

14 (21) "Substance abuse professional" means an alcohol and drug  
15 specialist meeting the credentials, knowledge, training, and  
16 continuing education requirements of 49 C.F.R. Sec. 40.281.

17 (22) "Tank vehicle" means any commercial motor vehicle that is  
18 designed to transport any liquid or gaseous materials within a tank  
19 or tanks having an individual rated capacity of more than one hundred  
20 nineteen gallons and an aggregate rated capacity of one thousand  
21 gallons or more that is either permanently or temporarily attached to  
22 the vehicle or the chassis. A commercial motor vehicle transporting  
23 an empty storage container tank, not designed for transportation,  
24 with a rated capacity of one thousand gallons or more that is  
25 temporarily attached to a flatbed trailer is not considered a tank  
26 vehicle.

27 (23) "Type of driving" means one of the following:

28 (a) "Nonexcepted interstate," which means the CDL or CLP holder  
29 or applicant operates or expects to operate in interstate commerce,  
30 is both subject to and meets the qualification requirements under 49  
31 C.F.R. Part 391 as it existed on April 30, 2019, or such subsequent  
32 date as may be provided by the department by rule, consistent with  
33 the purposes of this section, and is required to obtain a medical  
34 examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on  
35 April 30, 2019, or such subsequent date as may be provided by the  
36 department by rule, consistent with the purposes of this section;

37 (b) "Excepted interstate," which means the CDL or CLP holder or  
38 applicant operates or expects to operate in interstate commerce, but  
39 engages exclusively in transportation or operations excepted under 49  
40 C.F.R. Secs. 390.3(f), 391.2, 391.68, or 398.3, as they existed on

1 April 30, 2019, or such subsequent date as may be provided by the  
2 department by rule, consistent with the purposes of this section,  
3 from all or parts of the qualification requirements of 49 C.F.R. Part  
4 391 as it existed on April 30, 2019, or such subsequent date as may  
5 be provided by the department by rule, consistent with the purposes  
6 of this section, and is required to obtain a medical examiner's  
7 certificate in accordance with procedures provided in 49 C.F.R. Sec.  
8 391.45 as it existed on April 30, 2019, or such subsequent date as  
9 may be provided by the department by rule, consistent with the  
10 purposes of this section;

11 (c) "Nonexcepted intrastate," which means the CDL or CLP holder  
12 or applicant operates only in intrastate commerce and is required to  
13 obtain a medical examiner's certificate in accordance with procedures  
14 provided in 49 C.F.R. Sec. 391.45 as it existed on April 30, 2019, or  
15 such subsequent date as may be provided by the department by rule,  
16 consistent with the purposes of this section; or

17 (d) "Excepted intrastate," which means the CDL or CLP holder  
18 wishes to maintain a CDL or CLP but not operate a commercial motor  
19 vehicle without changing his or her self-certification type.

20 (24) "United States" means the fifty states and the District of  
21 Columbia.

22 (25) "Verified positive drug test" means a drug test result or  
23 validity testing result from a laboratory certified under the  
24 authority of the federal department of health and human services  
25 that:

26 (a) Indicates a drug concentration at or above the cutoff  
27 concentration established under 49 C.F.R. Sec. 40.87; and

28 (b) Has undergone review and final determination by a medical  
29 review officer.

30 A report that a person has refused a drug test, under  
31 circumstances that constitute the refusal of a federal department of  
32 transportation drug test under 49 C.F.R. Part 40, will be considered  
33 equivalent to a report of a verified positive drug test for the  
34 purposes of this chapter.

35 **Sec. 4.** RCW 46.17.350 and 2014 c 30 s 2 are each amended to read  
36 as follows:

37 (1) Before accepting an application for a vehicle registration,  
38 the department, county auditor or other agent, or subagent appointed

1 by the director shall require the applicant, unless specifically  
2 exempt, to pay the following vehicle license fee by vehicle type:

3	VEHICLE TYPE	INITIAL	RENEWAL	DISTRIBUTED
4		FEE	FEE	UNDER
5	(a) Auto stage, six seats or	\$ 30.00	\$ 30.00	RCW 46.68.030
6	less			
7	(b) Camper	\$ 4.90	\$ 3.50	RCW 46.68.030
8	(c) Commercial trailer	\$ 34.00	<del>(\$ 30.00)</del>	RCW 46.68.035
9			<u>\$ 34.00</u>	
10	(d) For hire vehicle, six	\$ 30.00	\$ 30.00	RCW 46.68.030
11	seats or less			
12	(e) Mobile home (if	\$ 30.00	\$ 30.00	RCW 46.68.030
13	registered)			
14	(f) Moped	\$ 30.00	\$ 30.00	RCW 46.68.030
15	(g) Motor home	\$ 30.00	\$ 30.00	RCW 46.68.030
16	(h) Motorcycle	\$ 30.00	\$ 30.00	RCW 46.68.030
17	(i) Off-road vehicle	\$ 18.00	\$ 18.00	RCW 46.68.045
18	(j) Passenger car	\$ 30.00	\$ 30.00	RCW 46.68.030
19	(k) Private use single-axle	\$ 15.00	\$ 15.00	RCW 46.68.035
20	trailer			
21	(l) Snowmobile	\$ 50.00	\$ 50.00	RCW 46.68.350
22	(m) Snowmobile, vintage	\$ 12.00	\$ 12.00	RCW 46.68.350
23	(n) Sport utility vehicle	\$ 30.00	\$ 30.00	RCW 46.68.030
24	(o) Tow truck	\$ 30.00	\$ 30.00	RCW 46.68.030
25	(p) Trailer, over 2000	\$ 30.00	\$ 30.00	RCW 46.68.030
26	pounds			
27	(q) Travel trailer	\$ 30.00	\$ 30.00	RCW 46.68.030
28	(r) Wheeled all-terrain	\$ 12.00	\$ 12.00	RCW 46.09.540
29	vehicle, on-road use			
30	(s) Wheeled all-terrain	\$ 18.00	\$ 18.00	RCW 46.09.510
31	vehicle, off-road use			

32 (2) The vehicle license fee required in subsection (1) of this  
33 section is in addition to the filing fee required under RCW  
34 46.17.005, and any other fee or tax required by law.

1       **Sec. 5.** RCW 46.18.210 and 2010 c 161 s 612 are each amended to  
2 read as follows:

3       (1) A registered owner may apply to the department for special  
4 armed forces license plates for (~~motor~~) vehicles representing the  
5 following:

6       (a) Air force;

7       (b) Army;

8       (c) Coast guard;

9       (d) Marine corps;

10       (e) National guard; or

11       (f) Navy.

12       (2) Armed forces license plates may be purchased by:

13       (a) Active duty military personnel;

14       (b) Families of veterans and service members;

15       (c) Members of the national guard;

16       (d) Reservists; or

17       (e) Veterans, as defined in RCW 41.04.007.

18       (3) A person who applies for special armed forces license plates  
19 shall provide:

20       (a) DD-214 or discharge papers if the applicant is a veteran;

21       (b) A military identification card or retired military  
22 identification card; or

23       (c) A declaration of fact attesting to the applicant's  
24 eligibility as required under this section.

25       (4) For the purposes of this section:

26       (a) "Child" includes stepchild, adopted child, foster child,  
27 grandchild, or son or daughter-in-law.

28       (b) "Family" or "families" includes an individual's spouse,  
29 child, parent, sibling, aunt, uncle, or cousin.

30       (c) "Parent" includes stepparent, grandparent, or in-laws.

31       (d) "Sibling" includes brother, half brother, stepbrother,  
32 sister, half sister, stepsister, or brother or sister-in-law.

33       (5) Armed forces license plates are not free of charge to  
34 disabled veterans, former prisoners of war, or spouses or domestic  
35 partners of deceased former prisoners of war under RCW 46.18.235.

36       **Sec. 6.** RCW 46.55.065 and 2018 c 135 s 2 are each amended to  
37 read as follows:

38       (1) If a tow truck, the registered owner of which is a registered  
39 tow truck operator, is to conduct transporter business under chapter

1 46.76 RCW, the license plate that is required to be displayed under  
2 RCW 46.16A.030 must contain an indicator tab that the vehicle is  
3 licensed to perform transporter services. The fee for an original  
4 transporter's license plate indicator tab for a tow truck, the  
5 registered owner of which is a registered tow truck operator, is  
6 (~~twenty-five~~) two dollars. Vehicles that are used to conduct  
7 transporter business and are not owned by a registered tow truck  
8 operator must follow the requirements of chapter 46.76 RCW.

9 (2) If a tow truck, the registered owner of which is a registered  
10 tow truck operator, is used for a hulk hauler or scrap processor  
11 business under chapter 46.79 RCW, the license plate that is required  
12 under RCW 46.16A.030 must contain an indicator tab that the vehicle  
13 is licensed to perform hulk hauler or scrap processor purposes under  
14 the laws of the state of Washington. The fee for a hulk hauler or  
15 scrap processor business license plate indicator tab is five dollars  
16 for the original tab and two dollars for each additional tab.  
17 Vehicles that are used to conduct hulk hauler or scrap processor  
18 business and are not owned by a registered tow truck operator must  
19 follow the requirements of chapter 46.79 RCW.

20 (3) If a tow truck, the registered owner of which is a registered  
21 tow truck operator, is used for a wrecker business under chapter  
22 46.80 RCW, the license plate displayed that is required under RCW  
23 46.16A.030 must contain an indicator tab that the vehicle is licensed  
24 to perform wrecker services. The fee for a wrecker license plate  
25 indicator tab is five dollars for the original tab and two dollars  
26 for each additional tab. Vehicles that are used to conduct wrecker  
27 business and are not owned by a registered tow truck operator must  
28 follow the requirements of chapter 46.80 RCW.

29 (4) (a) The license plate indicator tabs must:

30 (i) Affix to the license plate required to be displayed under RCW  
31 46.16A.030;

32 (ii) Clearly identify the business purpose of the licensed  
33 vehicle;

34 (iii) Use some combination of letters and numbers to indicate a  
35 vehicle is licensed to conduct transporter business under chapter  
36 46.76 RCW, hulk hauler or scrap processor business under chapter  
37 46.79 RCW, or wrecker business under chapter 46.80 RCW; and

38 (iv) Be approved by the department.

1 (b) All other requirements concerning registration and display of  
2 plates as required under chapter 46.16A RCW may not conflict with  
3 this section.

4 (5) Chapter 135, Laws of 2018 does not allow for the use of  
5 indicator tabs, authorized in this section, on a special or  
6 personalized license plate authorized in chapter 46.18 RCW.

7 **Sec. 7.** RCW 46.76.040 and 2018 c 16 s 2 are each amended to read  
8 as follows:

9 The fee for an original transporter's license is twenty-five  
10 dollars. Transporter license number plates bearing an appropriate  
11 symbol and serial number or an indicator tab pursuant to RCW  
12 46.55.065 must be attached to all vehicles being delivered or  
13 evaluated in the conduct of the business licensed under this chapter.  
14 The plates or indicator tab may be obtained for a fee of two dollars  
15 for each set.

16 **Sec. 8.** 2018 c 49 s 5 (uncodified) is amended to read as  
17 follows:

18 This act takes effect (~~April 30, 2019~~) June 1, 2020.

19 NEW SECTION. **Sec. 9.** Sections 6 and 7 of this act are necessary  
20 for the immediate preservation of the public peace, health, or  
21 safety, or support of the state government and its existing public  
22 institutions, and take effect June 1, 2019.

23 NEW SECTION. **Sec. 10.** Section 8 of this act is necessary for  
24 the immediate preservation of the public peace, health, or safety, or  
25 support of the state government and its existing public institutions,  
26 and takes effect April 30, 2019.

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