

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5585

62nd Legislature
2011 Regular Session

Passed by the Senate February 28, 2011
YEAS 48 NAYS 0

President of the Senate

Passed by the House April 5, 2011
YEAS 95 NAYS 1

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5585** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5585

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By Senate Transportation (originally sponsored by Senator Carrell)

READ FIRST TIME 02/17/11.

1 AN ACT Relating to street rod and custom vehicles; amending RCW
2 46.16A.060, 46.12.560, and 46.37.518; adding new sections to chapter
3 46.04 RCW; adding new sections to chapter 46.12 RCW; adding a new
4 section to chapter 46.16A RCW; adding a new section to chapter 46.37
5 RCW; repealing RCW 46.04.3815, 46.04.571, 46.12.705, and 46.12.710; and
6 providing an effective date.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.04 RCW
9 to read as follows:

10 "Street rod vehicle" means a motor vehicle that:

11 (1) Is a 1948 or older vehicle or the vehicle was manufactured
12 after 1948 to resemble a vehicle manufactured before 1949; and

13 (2) Has alterations to one or more of the major component parts
14 listed in RCW 46.80.010 that change the appearance or performance of
15 the vehicle from the original manufacturer's design or has a body
16 constructed from nonoriginal materials.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.12 RCW
18 to read as follows:

1 (1) When applying for a certificate of title for a street rod
2 vehicle for the first time, the owner of the street rod vehicle must:

3 (a) Submit a certification that the street rod vehicle:

4 (i) Will be maintained for occasional transportation, exhibitions,
5 club activities, parades, tours, and similar uses; and

6 (ii) Will not be used for general daily transportation; and

7 (b) Provide a certificate of vehicle inspection as required under
8 RCW 46.12.560(4).

9 (2) The model year and the year of manufacture that are listed on
10 the certificate of title of a street rod vehicle must be the model year
11 and year of manufacture that the body of the street rod vehicle
12 resembles.

13 (3) The presence of modern equipment including, but not limited to,
14 brakes, engines, or seat belts, or the presence of optional equipment
15 referenced in RCW 46.37.518, on a street rod vehicle does not
16 invalidate the year of manufacture on the certificate of title.

17 (4) A street rod vehicle must be registered under RCW 46.18.220.

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

20 "Custom vehicle" means any motor vehicle that:

21 (1) Is at least thirty years old and of a model year after 1948 or
22 was manufactured to resemble a vehicle at least thirty years old and of
23 a model year after 1948; and

24 (2) Has alterations to one or more of the major component parts
25 listed in RCW 46.80.010 that change the appearance or performance of
26 the vehicle from the original manufacturer's design or has a body
27 constructed from nonoriginal materials.

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

30 (1) When applying for a certificate of title for a custom vehicle
31 for the first time, the owner of the custom vehicle must:

32 (a) Submit a certification that the custom vehicle:

33 (i) Will be maintained for occasional transportation, exhibitions,
34 club activities, parades, tours, and similar uses; and

35 (ii) Will not be used for general daily transportation; and

1 (b) Provide a certificate of vehicle inspection as required under
2 RCW 46.12.560(4).

3 (2) The model year and the year of manufacture that are listed on
4 the certificate of title of a custom vehicle must be the model year and
5 year of manufacture that the body of the custom vehicle resembles.

6 (3) The presence of modern equipment including, but not limited to,
7 brakes, engines, or seat belts, or the presence of optional equipment
8 referenced in RCW 46.37.518, on a custom vehicle does not invalidate
9 the year of manufacture on the certificate of title.

10 (4) A custom vehicle must be registered under RCW 46.18.220.

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

13 A vehicle registration issued to a street rod or custom vehicle
14 under this chapter need not be an initial vehicle registration for that
15 vehicle.

16 **Sec. 6.** RCW 46.16A.060 and 2010 c 161 s 406 are each amended to
17 read as follows:

18 (1) The department, county auditor or other agent, or subagent
19 appointed by the director may not issue or renew a motor vehicle
20 registration or change the registered owner of a registered vehicle for
21 any motor vehicle required to be inspected under chapter 70.120 RCW,
22 unless the application for issuance or renewal is: (a) Accompanied by
23 a valid certificate of compliance or a valid certificate of acceptance
24 issued as required under chapter 70.120 RCW; or (b) exempt, as
25 described in subsection (2) of this section. The certificates must
26 have a date of validation that is within twelve months of the assigned
27 registration renewal date. Certificates for fleet or owner tested
28 diesel vehicles may have a date of validation that is within twelve
29 months of the assigned registration renewal date.

30 (2) The following motor vehicles are exempt from emission test
31 requirements:

32 (a) Motor vehicles that are less than five years old or more than
33 twenty-five years old;

34 (b) Motor vehicles that are a 2009 model year or newer;

35 (c) Motor vehicles powered exclusively by electricity, propane,
36 compressed natural gas, or liquid petroleum gas;

1 (d) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles
2 as defined in RCW 46.04.332;

3 (e) Farm vehicles as defined in RCW 46.04.181;

4 (f) Street rod vehicles as defined in section 1 of this act and
5 custom vehicles as defined in section 3 of this act;

6 (g) Used vehicles that are offered for sale by a motor vehicle
7 dealer licensed under chapter 46.70 RCW;

8 (~~(g)~~) (h) Classes of motor vehicles exempted by the director of
9 the department of ecology; and

10 (~~(h)~~) (i) Hybrid motor vehicles that obtain a rating by the
11 environmental protection agency of at least fifty miles per gallon of
12 gas during city driving. For purposes of this section, a hybrid motor
13 vehicle is one that uses propulsion units powered by both electricity
14 and gas.

15 (3) The department of ecology shall provide information to motor
16 vehicle owners:

17 (a) Regarding the boundaries of emission contributing areas and
18 restrictions established under this section that apply to vehicles
19 registered in such areas; and

20 (b) On the relationship between motor vehicles and air pollution
21 and steps motor vehicle owners should take to reduce motor vehicle
22 related air pollution.

23 (4) The department of licensing shall:

24 (a) Notify all registered motor vehicle owners affected by the
25 emission testing program that they must have an emission test to renew
26 their registration;

27 (b) Adopt rules implementing and enforcing this section, except for
28 subsection (2)(e) of this section, as specified in chapter 34.05 RCW.

29 (5) A motor vehicle may not be registered, leased, rented, or sold
30 for use in the state, starting with the model year as provided in RCW
31 70.120A.010, unless the vehicle:

32 (a) Has seven thousand five hundred miles or more; or

33 (b)(i) Is consistent with the vehicle emission standards and carbon
34 dioxide equivalent emission standards adopted by the department of
35 ecology; and

36 (ii) Has a California certification label for all emission
37 standards, and carbon dioxide equivalent emission standards necessary
38 to meet fleet average requirements.

1 (6) The department of licensing, in consultation with the
2 department of ecology, may adopt rules necessary to implement this
3 section and may provide for reasonable exemptions to these
4 requirements. The department of ecology may exempt public safety
5 vehicles from meeting the standards where the department finds that
6 vehicles necessary to meet the needs of public safety agencies are not
7 otherwise reasonably available.

8 **Sec. 7.** RCW 46.12.560 and 2010 c 161 s 303 are each amended to
9 read as follows:

10 (1)(a) Before accepting an application for a certificate of title,
11 the department, county auditor or other agent, or subagent appointed by
12 the director shall require an applicant to provide a certificate of
13 vehicle inspection completed by the Washington state patrol or other
14 authorized inspector if the vehicle:

15 (i) Was declared a total loss or salvage vehicle under the laws of
16 this state;

17 (ii) Has been rebuilt after the certificate of title was returned
18 to the department under RCW 46.12.600 and the vehicle was not kept by
19 the registered owner at the time of the vehicle's destruction or
20 declaration as a total loss; or

21 (iii) Is presented with documents from another state showing that
22 the vehicle was a total loss or salvage vehicle and has not been
23 reissued a valid registration certificate from that state after the
24 declaration of total loss or salvage.

25 (b) A vehicle presented for inspection must have all damaged major
26 component parts replaced or repaired to meet all requirements in law
27 and rule before the Washington state patrol will inspect the vehicle.
28 The inspection must verify that the vehicle identification number is
29 genuine and agrees with the number shown on the certificate of title
30 and registration certificate.

31 (c) A Washington state patrol vehicle identification number
32 specialist must ensure that all major component parts used for the
33 reconstruction of a salvage or rebuilt vehicle were obtained legally,
34 and must securely attach a marking at the driver's door latch pillar
35 indicating the vehicle was previously destroyed or declared a total
36 loss. It is a class C felony for a person to remove the marking

1 indicating that the vehicle was previously destroyed or declared a
2 total loss.

3 (2) A person presenting a vehicle for inspection under subsection
4 (1) of this section must provide original invoices for new and used
5 parts from:

6 (a) A vendor that is registered with the department of revenue or
7 a comparable agency in the jurisdiction where the major component parts
8 were purchased for the collection of retail sales or use taxes. The
9 invoices must include:

10 (i) The name and address of the business;

11 (ii) A description of the part or parts sold;

12 (iii) The date of sale; and

13 (iv) The amount of sale to include all taxes paid unless exempted
14 by the department of revenue or a comparable agency in the jurisdiction
15 where the major component parts were purchased;

16 (b) A vehicle wrecker licensed under chapter 46.80 RCW or a
17 comparable business in the jurisdiction outside Washington state where
18 the major component part was purchased; and

19 (c) Private individuals. The private individual must have the
20 certificate of title to the vehicle where the parts were taken from
21 unless the parts were obtained from a parts car(~~(, as defined in RCW~~
22 ~~46.04.3815,)~~) owned by a collector. Bills of sale for parts must be
23 notarized and include:

24 (i) The names and addresses of the sellers and purchasers;

25 (ii) A description of the vehicle and the part or parts being sold,
26 including the make, model, year, and identification or serial number;

27 (iii) The date of sale; and

28 (iv) The purchase price of the vehicle part or parts.

29 (3) A person presenting a vehicle for inspection under this section
30 who is unable to provide an acceptable release of interest or proof of
31 ownership for a vehicle or major component part as described in this
32 section shall apply for an ownership in doubt application described in
33 RCW 46.12.680.

34 (4)(a) Before accepting an application for a certificate of title,
35 the department, county auditor or other agent, or subagent appointed by
36 the director shall require an applicant to provide a certificate of
37 vehicle inspection completed by the Washington state patrol or other

1 authorized inspector when the application is for a vehicle being titled
2 for the first time as:

- 3 (i) Assembled;
- 4 (ii) Glider kit;
- 5 (iii) Homemade;
- 6 (iv) Kit vehicle;
- 7 (v) Street rod vehicle; (~~(or)~~)
- 8 (vi) Custom vehicle; or
- 9 (vii) Subject to ownership in doubt under RCW 46.12.680.

10 (b) The inspection must verify that the vehicle identification
11 number is genuine and agrees with the number shown on the certificate
12 of title and registration certificate.

13 (5)(a) Before accepting an application for a certificate of title,
14 the department, county auditor or other agent, or subagent appointed by
15 the director shall require an applicant to provide a certificate of
16 vehicle inspection completed by the Washington state patrol when the
17 application is for a vehicle with a vehicle identification number that
18 has been:

- 19 (i) Altered;
- 20 (ii) Defaced;
- 21 (iii) Obliterated;
- 22 (iv) Omitted;
- 23 (v) Removed; or
- 24 (vi) Otherwise absent.

25 (b) The application must include payment of the fee required in RCW
26 46.17.135.

27 (c) The Washington state patrol shall assign a new vehicle
28 identification number to the vehicle and place or stamp the new number
29 in a conspicuous position on the vehicle.

30 (d) The department shall use the new vehicle identification number
31 assigned by the Washington state patrol as the official vehicle
32 identification number assigned to the vehicle.

33 (6) The department may adopt rules as necessary to implement this
34 section.

35 NEW SECTION. **Sec. 8.** A new section is added to chapter 46.37 RCW
36 to read as follows:

37 A street rod or custom vehicle may use blue dot taillights for stop

1 lamps, rear turning indicator lamps, rear hazard lamps, and rear
2 reflectors. For the purposes of this section, "blue dot taillight"
3 means a red lamp installed in the rear of a motor vehicle containing a
4 blue or purple insert that is not more than one inch in diameter.

5 **Sec. 9.** RCW 46.37.518 and 1996 c 225 s 12 are each amended to read
6 as follows:

7 Notwithstanding the requirements of this chapter, hoods and bumpers
8 are optional equipment on street rod(~~s~~) vehicles, custom vehicles,
9 and kit vehicles. Street rod(~~s~~) vehicles, custom vehicles, and kit
10 vehicles must comply with fender requirements under RCW 46.37.500(2)
11 and the windshield requirement of RCW 46.37.410(1).

12 NEW SECTION. **Sec. 10.** The following acts or parts of acts are
13 each repealed:

14 (1) RCW 46.04.3815 (Parts car) and 2010 c 161 s 130 & 1996 c 225 s
15 3;

16 (2) RCW 46.04.571 (Street rod vehicle) and 1999 c 58 s 1 & 1996 c
17 225 s 4;

18 (3) RCW 46.12.705 (Parts cars) and 1996 c 225 s 7; and

19 (4) RCW 46.12.710 (Street rod vehicles) and 2010 c 161 s 323 & 1996
20 c 225 s 6.

21 NEW SECTION. **Sec. 11.** This act takes effect October 1, 2011.

--- END ---