
HOUSE BILL 2113

State of Washington 62nd Legislature 2011 1st Special Session
By Representatives Shea and Crouse

1 AN ACT Relating to restricting the use on private property of
2 unmarked vehicles belonging to local law enforcement for completing
3 certain administrative functions; and amending RCW 46.08.065.

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

5 **Sec. 1.** RCW 46.08.065 and 1998 c 111 s 4 are each amended to read
6 as follows:

7 (1)(a) It is unlawful for any public officer having charge of any
8 vehicle owned or controlled by any county, city, town, or public body
9 in this state other than the state of Washington and used in public
10 business to operate the same upon the public highways of this state
11 unless and until there shall be displayed upon such automobile or other
12 motor vehicle in letters of contrasting color not less than one and
13 one-quarter inches in height in a conspicuous place on the right and
14 left sides thereof, the name of such county, city, town, or other
15 public body, together with the name of the department or office upon
16 the business of which the said vehicle is used.

17 (b) This section shall not apply to vehicles of a sheriff's office,
18 local police department, or any vehicles used by local peace officers
19 under public authority for special undercover or confidential

1 investigative purposes. A vehicle owned or controlled by a sheriff's
2 office or local police department that is not marked in compliance with
3 this section and that is being used by a local peace officer for other
4 than special undercover or confidential investigative purposes shall
5 not remain on private property while the officer is filling out reports
6 or executing other administrative activities.

7 (c) This subsection (1) shall not apply to: ~~((a))~~ (i) Any
8 municipal transit vehicle operated for purposes of providing public
9 mass transportation; ~~((b))~~ (ii) any vehicle governed by the
10 requirements of subsection (4) of this section; nor to ~~((c))~~ (iii)
11 any motor vehicle on loan to a school district for driver training
12 purposes.

13 (d) It shall be lawful and constitute compliance with the
14 provisions of this section, however, for the governing body of the
15 appropriate county, city, town, or public body other than the state of
16 Washington or its agencies to adopt and use a distinctive insignia
17 which shall be not less than six inches in diameter across its smallest
18 dimension and which shall be displayed conspicuously on the right and
19 left sides of the vehicle. Such insignia shall be in a color or colors
20 contrasting with the vehicle to which applied for maximum visibility.
21 The name of the public body owning or operating the vehicle shall also
22 be included as part of or displayed above such approved insignia in
23 colors contrasting with the vehicle in letters not less than one and
24 one-quarter inches in height. Immediately below the lettering
25 identifying the public entity and agency operating the vehicle or below
26 an approved insignia shall appear the words "for official use only" in
27 letters at least one inch high in a color contrasting with the color of
28 the vehicle.

29 (e) The appropriate governing body may provide by rule or ordinance
30 for marking of passenger motor vehicles as prescribed in subsection (2)
31 of this section or for exceptions to the marking requirements for local
32 governmental agencies for the same purposes and under the same
33 circumstances as permitted for state agencies under subsection (3) of
34 this section.

35 (2) Except as provided by subsections (3) and (4) of this section,
36 passenger motor vehicles owned or controlled by the state of
37 Washington, and purchased after July 1, 1989, must be plainly and
38 conspicuously marked on the lower left-hand corner of the rear window

1 with the name of the operating agency or institution or the words
2 "state motor pool," as appropriate, the words "state of Washington --
3 for official use only," and the seal of the state of Washington or the
4 appropriate agency or institution insignia, approved by the department
5 of general administration. Markings must be on a transparent adhesive
6 material and conform to the standards established by the department of
7 general administration. For the purposes of this section, "passenger
8 motor vehicles" means sedans, station wagons, vans, light trucks, or
9 other motor vehicles under ten thousand pounds gross vehicle weight.

10 (3) Subsection (2) of this section shall not apply to vehicles used
11 by the Washington state patrol for general undercover or confidential
12 investigative purposes. Traffic control vehicles of the Washington
13 state patrol may be exempted from the requirements of subsection (2) of
14 this section at the discretion of the chief of the Washington state
15 patrol. The department of general administration shall adopt general
16 rules permitting other exceptions to the requirements of subsection (2)
17 of this section for other vehicles used for law enforcement,
18 confidential public health work, and public assistance fraud or support
19 investigative purposes, for vehicles leased or rented by the state on
20 a casual basis for a period of less than ninety days, and those
21 provided for in RCW 46.08.066(3). The exceptions in this subsection,
22 subsection (4) of this section, and those provided for in RCW
23 46.08.066(3) shall be the only exceptions permitted to the requirements
24 of subsection (2) of this section.

25 (4) Any motorcycle, vehicle over 10,000 pounds gross vehicle
26 weight, or other vehicle that for structural reasons cannot be marked
27 as required by subsection (1) or (2) of this section that is owned or
28 controlled by the state of Washington or by any county, city, town, or
29 other public body in this state and used for public purposes on the
30 public highways of this state shall be conspicuously marked in letters
31 of a contrasting color with the words "State of Washington" or the name
32 of such county, city, town, or other public body, together with the
33 name of the department or office that owns or controls the vehicle.

34 (5) All motor vehicle markings required under the terms of this
35 chapter shall be maintained in a legible condition at all times.

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