

RCW 46.09.442 Wheeled all-terrain vehicles—Metal tags—Off-road, on-road registration, tabs—Exemption. (1) Any wheeled all-terrain vehicle operated within this state must display a metal tag to be affixed to the rear of the wheeled all-terrain vehicle. The initial metal tag must be issued with an original off-road vehicle registration and, except as provided in subsection (7) of this section, upon payment of the initial vehicle license fee under RCW 46.17.350(1)(s). The metal tag must be replaced every seven years at a cost of two dollars. Revenue from replacement metal tags must be deposited into the nonhighway and off-road vehicle activities program account. The department must design the metal tag, which must:

- (a) Be the same size as a motorcycle license plate;
- (b) Have the words "RESTRICTED VEHICLE" listed at the top of the tag;
- (c) Contain designated identification through a combination of letters and numbers;
- (d) Leave space at the bottom left corner of the tag for an off-road tab issued under subsection (2) of this section; and
- (e) Leave space at the bottom right corner of the tag for an on-road tab, when required, issued under subsection (3) of this section.

(2) Except as provided in subsections (6)(b) and (7) of this section, a person who operates a wheeled all-terrain vehicle must have a current and proper off-road vehicle registration, with the appropriate off-road tab, and pay the annual vehicle license fee as provided in RCW 46.17.350(1)(s), which must be deposited into the nonhighway and off-road vehicle activities program account. The off-road tab must be issued annually by the department upon payment of initial and renewal vehicle license fees under RCW 46.17.350(1)(s), except as provided in subsection (7) of this section.

(3) Except as provided in subsections (6)(a) and (7) of this section, a person who operates a wheeled all-terrain vehicle upon a public roadway must have a current and proper on-road vehicle registration, with the appropriate on-road tab, which must be of a bright color that can be seen from a reasonable distance, and pay the annual vehicle license fee as provided in RCW 46.17.350(1)(r). The on-road tab must be issued annually by the department upon payment of initial and renewal vehicle license fees under RCW 46.17.350(1)(r), except as provided in subsection (7) of this section.

(4) Beginning July 1, 2017, for purposes of subsection (3) of this section, a special year tab issued pursuant to chapter 46.19 RCW to a person with a disability may be displayed on a wheeled all-terrain vehicle in lieu of an on-road tab.

(5) A wheeled all-terrain vehicle may not be registered for commercial use.

(6)(a) A wheeled all-terrain vehicle registration and a metal tag are not required under this chapter for a wheeled all-terrain vehicle that meets the definition in RCW 46.09.310(19), is owned by a resident of another state, and has a vehicle registration and metal tag or license plate issued in accordance with the laws of the other state allowing for on-road travel in that state. This exemption applies only to the extent that: (i) A similar exemption or privilege is granted under the laws of that state for wheeled all-terrain vehicles registered in Washington, and (ii) the other state has equipment requirements for on-road use that meet or exceed the requirements listed in RCW 46.09.457. The department may publish on its website a list of states that meet the exemption requirements under this

subsection. The exemption in this subsection does not apply to a wheeled all-terrain vehicle owned by a resident of a state that borders Washington and that does not impose a retail sales and use tax on the sales or use of wheeled all-terrain vehicles.

(b) Off-road operation in Washington state of a wheeled all-terrain vehicle owned by a resident of another state and meeting the definition in RCW 46.09.310(19) is governed in the same manner as for other off-road vehicles under RCW 46.09.420(4).

(7)(a) The license fee provided in RCW 46.17.350 is not required with an application for an original ORV registration or the renewal of an ORV registration, if the vehicle is also properly registered or permitted in another state to a resident of the state, and, at the time of application, the resident presents the following documents issued by the other state: (i) The resident's unexpired driver's license; and (ii) the current registration or permit for the off-road vehicle.

(b) The department must issue a metal tag and either the off-road tab, on-road tab, or both, as appropriate, following the ORV registration under (a) of this subsection. [2022 c 40 s 2; 2021 c 216 s 4; 2016 c 84 s 3; 2013 2nd sp.s. c 23 s 4.]

Effective date—2021 c 216: See note following RCW 46.09.420.

Finding—Intent—2013 2nd sp.s. c 23: "(1) The legislature finds that off-road vehicle users have been overwhelmed with varied confusing rules, regulations, and ordinances from federal, state, county, and city land managers throughout the state to the extent standardization statewide is needed to maintain public safety and good order.

(2) It is the intent of the legislature to: (a) Increase opportunities for safe, legal, and environmentally acceptable motorized recreation; (b) decrease the amount of unlawful or environmentally harmful motorized recreation; (c) generate funds for use in maintenance, signage, education, and enforcement of motorized recreation opportunities; (d) advance a culture of self-policing and abuse intolerance among motorized recreationists; (e) cause no change in the policies of any governmental agency with respect to public land; (f) not change any current ORV usage routes as authorized in chapter 213, Laws of 2005; (g) stimulate rural economies by opening certain roadways to use by motorized recreationists which will in turn stimulate economic activity through expenditures on gasoline, lodging, food and drink, and other entertainment purposes; and (h) require all wheeled all-terrain vehicles to obtain a metal tag." [2013 2nd sp.s. c 23 s 1.]

Effective date—2013 2nd sp.s. c 23: See note following RCW 46.09.310.