

RCW 46.17.323 Electric vehicle registration renewal fees.

(Effective until November 1, 2022.) (1) Before accepting an application for an annual vehicle registration renewal for a vehicle that both (a) uses at least one method of propulsion that is capable of being reenergized by an external source of electricity and (b) is capable of traveling at least thirty miles using only battery power, the department, county auditor or other agent, or subagent appointed by the director must require the applicant to pay a one hundred dollar fee in addition to any other fees and taxes required by law. The one hundred dollar fee is due only at the time of annual registration renewal.

(2) This section only applies to a vehicle that is designed to have the capability to drive at a speed of more than thirty-five miles per hour.

(3) (a) The fee under this section is imposed to provide funds to mitigate the impact of vehicles on state roads and highways and for the purpose of evaluating the feasibility of transitioning from a revenue collection system based on fuel taxes to a road user assessment system, and is separate and distinct from other vehicle license fees. Proceeds from the fee must be used for highway purposes, and must be deposited in the motor vehicle fund created in RCW 46.68.070, subject to (b) of this subsection.

(b) If in any year the amount of proceeds from the fee collected under this section exceeds one million dollars, the excess amount over one million dollars must be deposited as follows:

(i) Seventy percent to the motor vehicle fund created in RCW 46.68.070;

(ii) Fifteen percent to the transportation improvement account created in RCW 47.26.084; and

(iii) Fifteen percent to the rural arterial trust account created in RCW 36.79.020.

(4) (a) In addition to the fee established in subsection (1) of this section, before accepting an application for an annual vehicle registration renewal for a vehicle that both (i) uses at least one method of propulsion that is capable of being reenergized by an external source of electricity and (ii) is capable of traveling at least thirty miles using only battery power, the department, county auditor or other agent, or subagent appointed by the director must require the applicant to pay a fifty dollar fee.

(b) The fee required under (a) of this subsection must be distributed as follows:

(i) The first one million dollars raised by the fee must be deposited into the multimodal transportation account created in RCW 47.66.070; and

(ii) Any remaining amounts must be deposited into the motor vehicle fund created in RCW 46.68.070.

(5) This section applies to annual vehicle registration renewals until the effective date of enacted legislation that imposes a vehicle miles traveled fee or tax. [2015 3rd sp.s. c 44 § 203; (2020 c 1 § 5 (Initiative Measure No. 976, approved November 5, 2019)); 2012 c 74 § 10.]

Reviser's note: This section was previously amended by Initiative Measure No. 976 (chapter 1, Laws of 2020). The Washington state supreme court ruled in *Garfield Cty. Transp. Auth. v. State*, No. 98320-8, 2020 Wash. LEXIS 592 (Oct. 15, 2020) that Initiative Measure No. 976 is in violation of Article II, section 19 of the state

Constitution and is therefore void in its entirety. This section is published without the amendment contained in Initiative Measure No. 976.

Application—2015 3rd sp.s. c 44 § 203: "Section 203 of this act applies to vehicle registrations that are due or become due on or after July 1, 2016." [2015 3rd sp.s. c 44 § 204.]

Effective date—2015 3rd sp.s. c 44: See note following RCW 46.68.395.

Notice of expiration date—2012 c 74 § 10: "The department of licensing must provide written notice of the expiration date of section 10 of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department." [2012 c 74 § 12.]

Effective date—2012 c 74 §§ 1-12: See note following RCW 46.17.100.

RCW 46.17.323 Electric vehicle registration renewal fees—Electric motorcycles. (Effective November 1, 2022.) (1) Before accepting an application for an annual vehicle registration renewal for a vehicle that both (a) uses at least one method of propulsion that is capable of being reenergized by an external source of electricity and (b) is capable of traveling at least 30 miles using only battery power, except for electric motorcycles, the department, county auditor or other agent, or subagent appointed by the director must require the applicant to pay a \$100 fee in addition to any other fees and taxes required by law. The \$100 fee is due only at the time of annual registration renewal.

(2) This section only applies to a vehicle that is designed to have the capability to drive at a speed of more than 35 miles per hour.

(3) (a) The fee under this section is imposed to provide funds to mitigate the impact of vehicles on state roads and highways and for the purpose of evaluating the feasibility of transitioning from a revenue collection system based on fuel taxes to a road user assessment system, and is separate and distinct from other vehicle license fees. Proceeds from the fee must be used for highway purposes, and must be deposited in the motor vehicle fund created in RCW 46.68.070, subject to (b) of this subsection.

(b) If in any year the amount of proceeds from the fee collected under this section exceeds \$1,000,000, the excess amount over \$1,000,000 must be deposited as follows:

(i) Seventy percent to the motor vehicle fund created in RCW 46.68.070;

(ii) Fifteen percent to the transportation improvement account created in RCW 47.26.084; and

(iii) Fifteen percent to the rural arterial trust account created in RCW 36.79.020.

(4) (a) In addition to the fee established in subsection (1) of this section, before accepting an application for an annual vehicle registration renewal for a vehicle that both (i) uses at least one

method of propulsion that is capable of being reenergized by an external source of electricity and (ii) is capable of traveling at least 30 miles using only battery power, except for electric motorcycles, the department, county auditor or other agent, or subagent appointed by the director must require the applicant to pay a \$50 fee.

(b) The fee required under (a) of this subsection must be distributed as follows:

(i) The first \$1,000,000 raised by the fee must be deposited into the multimodal transportation account created in RCW 47.66.070; and

(ii) Any remaining amounts must be deposited into the motor vehicle fund created in RCW 46.68.070.

(5) Beginning November 1, 2022, before accepting an application for an annual vehicle registration renewal for an electric motorcycle that uses propulsion units powered solely by electricity, the department, county auditor or other agent, or subagent appointed by the director must require the applicant to pay a \$30 fee in addition to any other fees and taxes required by law. The \$30 fee is due only at the time of annual registration renewal.

(6) The fees collected pursuant to subsection (5) of this section shall be deposited into the motor vehicle fund created in RCW 46.68.070.

(7) This section applies to annual vehicle registration renewals until the effective date of enacted legislation that imposes a vehicle miles traveled fee or tax. [2022 c 149 § 1; 2015 3rd sp.s. c 44 § 203; (2020 c 1 § 5 (Initiative Measure No. 976, approved November 5, 2019)); 2012 c 74 § 10.]

Reviser's note: This section was previously amended by Initiative Measure No. 976 (chapter 1, Laws of 2020). The Washington state supreme court ruled in *Garfield Cty. Transp. Auth. v. State*, No. 98320-8, 2020 Wash. LEXIS 592 (Oct. 15, 2020) that Initiative Measure No. 976 is in violation of Article II, section 19 of the state Constitution and is therefore void in its entirety. This section is published without the amendment contained in Initiative Measure No. 976.

Effective date—2022 c 149: "This act takes effect November 1, 2022." [2022 c 149 § 2.]

Application—2015 3rd sp.s. c 44 § 203: "Section 203 of this act applies to vehicle registrations that are due or become due on or after July 1, 2016." [2015 3rd sp.s. c 44 § 204.]

Effective date—2015 3rd sp.s. c 44: See note following RCW 46.68.395.

Notice of expiration date—2012 c 74 § 10: "The department of licensing must provide written notice of the expiration date of section 10 of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department." [2012 c 74 § 12.]

Effective date—2012 c 74 §§ 1-12: See note following RCW 46.17.100.