

Chapter 46.10 RCW
SNOWMOBILES

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GENERAL PROVISIONS

RCW 46.10.300 Definitions. The following definitions apply throughout this chapter unless the context clearly requires otherwise.

(1) "All-terrain vehicle" means any self-propelled vehicle other than a snowmobile, capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, and other natural terrain, including, but not limited to, four-wheel vehicles, amphibious vehicles, ground effect or air cushion vehicles, and any other means of land transportation deriving motive power from any source other than muscle or wind; except any vehicle designed primarily for travel on, over, or in the water, farm vehicles, or any military or law enforcement vehicles.

(2) "Commission" means the Washington state parks and recreation commission.

(3) "Committee" means the Washington state parks and recreation commission snowmobile advisory committee.

(4) "Dealer" means a person, partnership, association, or corporation engaged in the business of selling snowmobiles or all-terrain vehicles at wholesale or retail in this state.

(5) "Highway" means the entire width of the right-of-way of a primary and secondary state highway, including any portion of the interstate highway system.

(6) "Hunt" means any effort to kill, injure, capture, or disturb a wild animal or wild bird.

(7) "Public roadway" means the entire width of the right-of-way of any road or street designed and ordinarily used for travel or parking of motor vehicles, which is controlled by a public authority other than the Washington state department of transportation, and which is open as a matter of right to the general public for ordinary vehicular traffic.

(8) "Snowmobile" means "snowmobile" as defined in RCW 46.04.546, "snow bike" as defined in RCW 46.04.545, and "tracked all-terrain vehicle" as defined in RCW 46.04.589. [2021 c 86 § 1; 2019 c 262 § 5. Prior: 2010 c 161 § 225; 2005 c 235 § 1; 1979 ex.s. c 182 § 1; 1979 c 158 § 131; 1971 ex.s. c 29 § 1. Formerly RCW 46.10.010.]

Effective date—2019 c 262: See note following RCW 46.16A.460.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Application—2005 c 235: "This act applies to registrations due or to become due on October 1, 2005, and thereafter." [2005 c 235 § 4.]

RCW 46.10.310 Registration prerequisite to operation. (1) Except as provided in this chapter, a person may not operate a snowmobile within this state unless the snowmobile has been registered as required under this chapter.

(2) Snowmobile decals must be assigned, without the payment of a fee, to snowmobiles owned by the state of Washington or its political subdivisions. The snowmobile decals must be displayed upon each snowmobile in accordance with rules adopted by the department. [2010 c 161 § 226; 2008 c 52 § 1; 2005 c 235 § 2; 1982 c 17 § 1; 1979 ex.s. c 182 § 3; 1971 ex.s. c 29 § 2. Formerly RCW 46.10.020.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Application—2005 c 235: See note following RCW 46.10.300.

RCW 46.10.320 Snowmobile advisory committee. (1) There is created in the Washington state parks and recreation commission a snowmobile advisory committee to advise the commission regarding the administration of this chapter.

(2) The purpose of the committee is to assist and advise the commission in the planned development of snowmobile facilities and programs.

(3) The committee shall consist of:

(a) Six interested snowmobilers, appointed by the commission; each such member shall be a resident of one of the six geographical areas throughout this state where snowmobile activity occurs, as defined by the commission;

(b) Three representatives of the nonsnowmobiling public, appointed by the commission; and

(c) One representative of the department of natural resources, one representative of the department of fish and wildlife, and one representative of the Washington state association of counties; each of whom shall be appointed by the director of such department or association.

(4) Terms of the members appointed under subsection (3) (a) and (b) of this section shall commence on October 1st of the year of appointment and shall be for three years or until a successor is appointed, except in the case of appointments to fill vacancies which shall be for the remainder of the unexpired term: PROVIDED, That the first such members shall be appointed for terms as follows: Three members shall be appointed for one year, three members shall be appointed for two years, and three members shall be appointed for three years.

(5) Members of the committee shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. Expenditures under this subsection shall be from the snowmobile account created by RCW 46.68.350.

(6) The committee may meet at times and places fixed by the committee. The committee shall meet not less than twice each year and additionally as required by the committee chair or by majority vote of the committee. One of the meetings shall be coincident with a meeting of the commission at which the committee shall provide a report to the commission. The chair of the committee shall be chosen under procedures adopted by the committee from those members appointed under subsection (3) (a) and (b) of this section.

(7) The Washington state parks and recreation commission shall serve as recording secretary to the committee. A representative of the department of licensing shall serve as an ex officio member of the committee and shall be notified of all meetings of the committee. The recording secretary and the ex officio member shall be nonvoting members.

(8) The committee shall adopt procedures to govern its proceedings. [2010 c 161 § 235; 2010 c 8 § 9004; 1994 c 264 § 38; 1989 c 175 § 110; 1988 c 36 § 26; 1987 c 330 § 1201. Prior: 1986 c 270

§ 9; 1986 c 16 § 3; 1983 c 139 § 1; 1979 ex.s. c 182 § 2. Formerly RCW 46.10.220.]

Reviser's note: This section was amended by 2010 c 161 § 235 and by 2010 c 8 § 9004, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Effective date—1989 c 175: See note following RCW 34.05.010.

Construction—Application of rules—Severability—1987 c 330: See notes following RCW 28B.12.050.

RCW 46.10.330 Accident reports. The operator of any snowmobile involved in any accident resulting in injury to or death of any person, or property damage to an apparent extent equal to or greater than the minimum amount established by rule adopted by the Washington state patrol in accordance with chapter 46.52 RCW, or a person acting for the operator, or the owner of the snowmobile having knowledge of the accident, if the operator of the snowmobile is unknown, shall submit such reports as are required under chapter 46.52 RCW, and the provisions of chapter 46.52 RCW applies to the reports when submitted. [1990 c 250 § 27; 1971 ex.s. c 29 § 14. Formerly RCW 46.10.140.]

RCW 46.10.340 Regulation by political subdivisions or state agencies. Notwithstanding any of the provisions of this chapter, any city, county, or other political subdivision of this state, or any state agency, may regulate the operation of snowmobiles on public lands, waters, and other properties under its jurisdiction, and on streets or highways within its boundaries by adopting regulations or ordinances of its governing body, provided such regulations are not inconsistent with the provisions of this chapter; and provided further that no such city, county, or other political subdivision of this state, nor any state agency, may adopt a regulation or ordinance which imposes a special fee for the use of public lands or waters by snowmobiles, or for the use of any access thereto which is owned by or under the jurisdiction of either the United States, this state, or any such city, county, or other political subdivision. [1971 ex.s. c 29 § 18. Formerly RCW 46.10.180.]

RCW 46.10.350 Local authorities—Safety and convenience. Notwithstanding any other provisions of this chapter, the local governing body may provide for the safety and convenience of snowmobiles and snowmobile operators. Such provisions may include, but shall not necessarily be limited to, the clearing of areas for parking automobiles, the construction and maintenance of rest areas, and the designation and development of given areas for snowmobile use. [1972 ex.s. c 153 § 25. Formerly RCW 46.10.185.]

Purpose—1972 ex.s. c 153: See RCW 79A.35.070.

RCW 46.10.360 Enforcement. The provisions of this chapter shall be enforced by all persons having the authority to enforce any of the laws of this state, including, without limitation, officers of the state patrol, county sheriffs and their deputies, all municipal law enforcement officers within their respective jurisdictions, fish and wildlife officers, state park rangers, and those employees of the department of natural resources designated by the commissioner of public lands under *RCW 43.30.310, as having police powers to enforce the laws of this state. [2001 c 253 § 4; 1980 c 78 § 131; 1971 ex.s. c 29 § 20. Formerly RCW 46.10.200.]

***Reviser's note:** RCW 43.30.310 was recodified as RCW 43.12.065 pursuant to 2003 c 334 § 127.

Effective date—Intent, construction—Savings—Severability—1980 c 78: See notes following RCW 77.04.010.

RCW 46.10.370 Administration. With the exception of the registration and licensing provisions, this chapter shall be administered by the Washington state parks and recreation commission. The department shall consult with the commission prior to adopting rules to carry out its duties under this chapter. After consultation with the committee, the commission shall adopt such rules as may be necessary to carry out its duties under this chapter. Nothing in this chapter is intended to discourage experimental or pilot programs which could enhance snowmobile safety or recreational snowmobiling. [1979 ex.s. c 182 § 15; 1973 1st ex.s. c 128 § 5. Formerly RCW 46.10.210.]

REGISTRATION AND PERMITS

RCW 46.10.400 Registration—Application—Renewal—Requirements—Decals. (1) The application for an original snowmobile registration has the same requirements as described for original vehicle registrations in RCW 46.16A.040 and must be accompanied by the annual snowmobile registration fee required under RCW 46.17.350, in addition to any other fees and taxes due at the time of application.

(2) The application for renewal of a snowmobile registration has the same requirements as described for the renewal of vehicle registrations in RCW 46.16A.110 and must be accompanied by the annual snowmobile registration fee required under RCW 46.17.350, in addition to any other fees or taxes due at the time of application.

(3) The snowmobile registration is valid for one year and must be renewed each year thereafter as determined by the department.

(4) A person who acquires a snowmobile that has a valid snowmobile registration must:

(a) Apply to the department, county auditor or other agent, or subagent appointed by the director for a transfer of the snowmobile registration within ten days of taking possession of the snowmobile; and

(b) Pay the snowmobile registration transfer fee required under RCW 46.17.420, in addition to any other fees or taxes due at the time of application.

(5) The department shall issue a snowmobile registration and snowmobile decals upon receipt of:

(a) A properly completed application for an original snowmobile registration; and

(b) The payment of all fees and taxes due at the time of application.

(6) The snowmobile registration must be carried on the vehicle for which it was issued at all times during its operation in this state.

(7) Snowmobile decals must be affixed to the snowmobile as provided in RCW 46.10.440.

(8) Snowmobile registration fees provided in this section and in RCW 46.17.350 are in lieu of any personal property or excise tax imposed on snowmobiles by this state or any political subdivision. A state agency, city, county, or other municipality may not impose other registration fees on a snowmobile in this state. [2010 c 161 § 228; 2008 c 52 § 2; 2005 c 235 § 3; 2002 c 352 § 2; 2001 2nd sp.s. c 7 § 918; 1997 c 241 § 2; 1996 c 164 § 1; 1986 c 16 § 2; 1982 c 17 § 2; 1979 ex.s. c 182 § 5; 1973 1st ex.s. c 128 § 1; 1972 ex.s. c 153 § 20; 1971 ex.s. c 29 § 4. Formerly RCW 46.10.040.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Application—2005 c 235: See note following RCW 46.10.300.

Effective dates—2002 c 352: See note following RCW 46.09.410.

Severability—Effective date—2001 2nd sp.s. c 7: See notes following RCW 43.320.110.

Purpose—Policy statement as to certain state lands—1972 ex.s. c 153: See RCW 79A.35.070.

RCW 46.10.410 Registration—Exemptions. Registration is not required under this chapter for the following snowmobiles:

(1) Snowmobiles owned and operated by the United States, another state, or a political subdivision thereof.

(2) A snowmobile owned by a resident of another state or Canadian province if that snowmobile is registered under the laws of the state or province in which its owner resides. This exemption applies only to the extent that a similar exemption or privilege is granted under the laws of that state or province. Any snowmobile that is validly registered in another state or province and that is physically located in this state for a period of more than fifteen consecutive days is subject to registration under this chapter. [2010 c 161 § 227; 1986 c 16 § 1; 1979 ex.s. c 182 § 4; 1975 1st ex.s. c 181 § 1; 1971 ex.s. c 29 § 3. Formerly RCW 46.10.030.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.10.415 Registration—Motorcycle owners may apply. The owner of a motorcycle may apply for a snowmobile registration as

provided in RCW 46.16A.460 and under the terms of this chapter to use the motorcycle, when properly converted, as a snow bike for the purposes of this chapter. [2019 c 262 § 2.]

Effective date—2019 c 262: See note following RCW 46.16A.460.

RCW 46.10.418 Registration—Owners of certain wheeled all-terrain vehicles converted as tracked all-terrain vehicles may apply. The owner of a wheeled all-terrain vehicle weighing less than two thousand pounds in stock configuration, when properly converted, as a tracked all-terrain vehicle, may apply for a snowmobile registration as provided in RCW 46.09.390 and under the terms and for the purposes of this chapter. [2021 c 86 § 3.]

RCW 46.10.420 Snowmobile dealer licenses—Fee—License plates—Violation—License application upon sale. (1) Each dealer of snowmobiles in this state shall obtain a snowmobile dealer license from the department in a manner prescribed by the department. Upon receipt of an application for a snowmobile dealer's license and the fee provided in subsection (2) of this section, the dealer is licensed and a snowmobile dealer license number must be assigned.

(2) The annual license fee for a snowmobile dealer is twenty-five dollars, which covers all of the snowmobiles offered by a dealer for sale and not rented on a regular, commercial basis. Snowmobiles rented on a regular commercial basis by a snowmobile dealer must be registered separately under RCW 46.10.310, 46.10.400, 46.10.430, and 46.10.440.

(3) Upon the issuance of a snowmobile dealer license, a snowmobile dealer may purchase, at a cost to be determined by the department, snowmobile dealer license plates of a size and color to be determined by the department. The snowmobile dealer license plates must contain the snowmobile license number assigned to the dealer. Each snowmobile operated by a dealer, dealer representative, or prospective customer for the purposes of demonstration or testing shall display snowmobile dealer license plates in a clearly visible manner.

(4) Only a dealer, dealer representative, or prospective customer may display a snowmobile dealer plate, and only a dealer, dealer representative, or prospective customer may use a snowmobile dealer's license plate for the purposes described in subsection (3) of this section.

(5) Snowmobile dealer licenses are nontransferable.

(6) It is unlawful for any snowmobile dealer to sell a snowmobile at wholesale or retail, or to test or demonstrate any snowmobile, within the state, unless the dealer has a snowmobile dealer license as required under this section.

(7) When a snowmobile is sold by a snowmobile dealer, the dealer:

(a) Shall apply for licensing in the purchaser's name as provided by rules adopted by the department; and

(b) May issue a temporary license as provided by rules adopted by the department. [2012 c 74 § 13; 2010 c 161 § 231; 1990 c 250 § 26; 1982 c 17 § 5; 1971 ex.s. c 29 § 5. Formerly RCW 46.10.050.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session —2010 c 161: See notes following RCW 46.04.013.

RCW 46.10.430 Decals—Registration certificates—License tabs.

(1) Snowmobile decals assigned to a snowmobile in this state at the time of its original registration must remain with that snowmobile until the snowmobile is destroyed, abandoned, or permanently removed from this state, or until changed or terminated by the department.

(2) The department shall issue and deliver to the snowmobile owner upon proper application:

(a) A registration certificate, in a form as prescribed by the department. The registration certificate is not valid unless it is signed by the person who signed the application for registration; and

(b) License tabs showing the current expiration of the snowmobile registration. The license tabs must be affixed to the snowmobile as prescribed by the department.

(3) A snowmobile is not properly registered unless license tabs and a current registration certificate have been issued. [2010 c 161 § 233; 1971 ex.s. c 29 § 6. Formerly RCW 46.10.060.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session —2010 c 161: See notes following RCW 46.04.013.

RCW 46.10.440 Decals—Affixing and displaying dealer license plates.

(1) Snowmobile decals assigned to each snowmobile must be:

(a) Permanently affixed to and displayed upon each snowmobile as provided by rules adopted by the department; and

(b) Maintained in a legible condition.

(2) Dealer license plates as provided for in RCW 46.10.420 may be temporarily affixed.

(3) The department shall make available a pair of identical snowmobile decals consistent with subsection (1) of this section. The decals serve the same function as license plates for vehicles registered under chapter 46.16A RCW. The department shall charge each applicant for an original registration the actual cost of the snowmobile decal. The department shall make available replacement snowmobile decals for a fee equivalent to the actual cost of the snowmobile decals. [2011 c 171 § 30; 2010 c 161 § 234; 1973 1st ex.s. c 128 § 2; 1972 ex.s. c 153 § 21; 1971 ex.s. c 29 § 7. Formerly RCW 46.10.070.]

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session —2010 c 161: See notes following RCW 46.04.013.

Purpose—1972 ex.s. c 153: See RCW 79A.35.070.

RCW 46.10.450 Nonresident permits. (1) The application for a nonresident temporary snowmobile permit must be made by the snowmobile owner or the owner's authorized representative to the department, county auditor or other agent, or subagent appointed by the director on a form furnished or approved by the department. The application must contain:

- (a) The name and address of each owner of the snowmobile; and
- (b) Other information the department may require.

(2) The snowmobile owner or the owner's authorized representative shall sign the application for a nonresident temporary snowmobile permit.

(3) The application for a nonresident temporary snowmobile permit must be accompanied by the nonresident temporary snowmobile permit fee required under RCW 46.17.400, in addition to any other fees or taxes due at the time of application.

(4) Nonresident temporary snowmobile permits:

- (a) Are available for snowmobiles owned by residents of another state or Canadian province where registration is not required by law;
- (b) Are valid for not more than sixty days; and
- (c) Must be carried on the snowmobile at all times during its operation in this state. [2010 c 161 § 229.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

USES AND VIOLATIONS

RCW 46.10.460 Crossing public roadways and highways lawful, when. It shall be lawful to drive or operate a snowmobile across public roadways and highways other than limited access highways when: The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing; and

The snowmobile is brought to a complete stop before entering the public roadway or highway; and

The operator of the snowmobile yields the right-of-way to motor vehicles using the public roadway or highway; and

The crossing is made at a place which is greater than one hundred feet from any public roadway or highway intersection. [1971 ex.s. c 29 § 10. Formerly RCW 46.10.100.]

RCW 46.10.470 Operating upon public road or highway lawful, when. Notwithstanding the provisions of RCW 46.10.460, it shall be lawful to operate a snowmobile upon a public roadway or highway:

Where such roadway or highway is completely covered with snow or ice and has been closed by the responsible governing body to motor vehicle traffic during the winter months; or

When the responsible governing body gives notice that such roadway or highway is open to snowmobiles or all-terrain vehicle use; or

In an emergency during the period of time when and at locations where snow upon the roadway or highway renders such impassible to travel by automobile; or

When traveling along a designated snowmobile trail. [2011 c 171 § 31; 1972 ex.s. c 153 § 23; 1971 ex.s. c 29 § 11. Formerly RCW 46.10.110.]

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Purpose—1972 ex.s. c 153: See RCW 79A.35.070.

RCW 46.10.480 Restrictions on age of operators—Qualifications.

No person under twelve years of age shall operate a snowmobile on or across a public roadway or highway in this state, and no person between the ages of twelve and sixteen years of age shall operate a snowmobile on or across a public road or highway in this state unless he or she has taken a snowmobile safety education course and been certified as qualified to operate a snowmobile by an instructor designated by the commission as qualified to conduct such a course and issue such a certificate, and he or she has on his or her person at the time he or she is operating a snowmobile evidence of such certification: PROVIDED, That persons under sixteen years of age who have not been certified as qualified snowmobile operators may operate a snowmobile under the direct supervision of a qualified snowmobile operator. [2010 c 8 § 9003; 1972 ex.s. c 153 § 24; 1971 ex.s. c 29 § 12. Formerly RCW 46.10.120.]

Purpose—1972 ex.s. c 153: See RCW 79A.35.070.

RCW 46.10.485 Denial, suspension, or revocation of dealer license or assessment of monetary civil penalty. The director may by order deny, suspend, or revoke the license of any snowmobile dealer or, in lieu thereof or in addition thereto, may by order assess monetary civil penalties not to exceed five hundred dollars per violation, if the director finds that the order is in the public interest and that the applicant or licensee, or any partner, officer, director, or owner of ten percent of the assets of the firm, or any employee or agent:

(1) Has failed to comply with the applicable provisions of this chapter or any rules adopted under this chapter; or

(2) Has failed to pay any monetary civil penalty assessed by the director under this section within ten days after the assessment becomes final. [2010 c 161 § 232; 1982 c 17 § 4. Formerly RCW 46.10.055.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.10.490 Operating violations. (1) It is a traffic infraction for any person to operate any snowmobile:

(a) At a rate of speed greater than reasonable and prudent under the existing conditions.

(b) In a manner so as to endanger the property of another.

(c) Without a lighted headlight and taillight between the hours of dusk and dawn, or when otherwise required for the safety of others.

(d) Without an adequate braking device which may be operated either by hand or foot.

(e) Without an adequate and operating muffling device which shall effectively blend the exhaust and motor noise in such a manner so as to preclude excessive or unusual noise, and, (i) on snowmobiles manufactured on or before January 4, 1973, which shall effectively limit such noise at a level of eighty-six decibels, or below, on the "A" scale at fifty feet, and (ii) on snowmobiles manufactured after January 4, 1973, which shall effectively limit such noise at a level of eighty-two decibels, or below, on the "A" scale at fifty feet, and (iii) on snowmobiles manufactured after January 1, 1975, which shall effectively limit such noise at a level of seventy-eight decibels, or below, as measured on the "A" scale at a distance of fifty feet, under testing procedures as established by the department of ecology; except snowmobiles used in organized racing events in an area designated for that purpose may use a bypass or cutout device. This section shall not affect the power of the department of ecology to adopt noise performance standards for snowmobiles. Noise performance standards adopted or to be adopted by the department of ecology shall be in addition to the standards contained in this section, but the department's standards shall supersede this section to the extent of any inconsistency.

(f) Upon the paved portion or upon the shoulder or inside bank or slope of any public roadway or highway, or upon the median of any divided highway, except as provided in RCW 46.10.460 and 46.10.470.

(g) In any area or in such a manner so as to expose the underlying soil or vegetation, or to injure, damage, or destroy trees or growing crops.

(h) Without a current registration decal affixed thereon, if not exempted under RCW 46.10.410 as now or hereafter amended.

(2) It is a misdemeanor for any person to operate any snowmobile so as to endanger the person of another or while under the influence of intoxicating liquor or narcotics or habit-forming drugs. [2011 c 171 § 32; 1980 c 148 § 1. Prior: 1979 ex.s. c 182 § 10; 1979 ex.s. c 136 § 43; 1975 1st ex.s. c 181 § 5; 1971 ex.s. c 29 § 9. Formerly RCW 46.10.090.]

Rules of court: *Bail in criminal traffic offense cases—Mandatory appearance—CrRLJ 3.2.*

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—1980 c 148: "Sections 1 through 7 of this 1980 act shall take effect January 1, 1981. Section 8 of this 1980 act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing institutions, and shall take effect immediately." [1980 c 148 § 9.]

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

RCW 46.10.495 Additional violations—Penalty. (1) No person shall operate a snowmobile in such a way as to endanger human life.

(2) No person shall operate a snowmobile in such a way as to run down or harass deer, elk, or any wildlife, or any domestic animal, nor shall any person carry any loaded weapon upon, nor hunt from, any snowmobile except by permit issued by the director of fish and wildlife under RCW 77.32.237.

(3) Any person violating this section is guilty of a gross misdemeanor. [2003 c 53 § 234; 1994 c 264 § 37; 1989 c 297 § 4; 1979 ex.s. c 182 § 11; 1971 ex.s. c 29 § 13. Formerly RCW 46.10.130.]

Rules of court: *Bail in criminal traffic offense cases—Mandatory appearance—CrRLJ 3.2.*

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

RCW 46.10.500 Violations as traffic infractions—Exceptions—Civil liability. (1) Except as provided in RCW 46.10.490(2), 46.10.485, and 46.10.495, any violation of the provisions of this chapter is a traffic infraction: PROVIDED, That the penalty for failing to display a valid registration decal under RCW 46.10.490 as now or hereafter amended shall be a fine of forty dollars and such fine shall be remitted to the general fund of the governmental unit, which personnel issued the citation, for expenditure solely for snowmobile law enforcement.

(2) In addition to the penalties provided in RCW 46.10.490 and subsection (1) of this section, the operator and/or the owner of any snowmobile used with the permission of the owner shall be liable for three times the amount of any damage to trees, shrubs, growing crops, or other property injured as the result of travel by such snowmobile over the property involved. [2011 c 171 § 33; 1982 c 17 § 8; 1980 c 148 § 2. Prior: 1979 ex.s. c 182 § 14; 1979 ex.s. c 136 § 44; 1975 1st ex.s. c 181 § 6; 1971 ex.s. c 29 § 19. Formerly RCW 46.10.190.]

Rules of court: *Monetary penalty schedule—IRLJ 6.2.*

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—1980 c 148: See note following RCW 46.10.490.

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

RCW 46.10.505 Failure to register a snowmobile—Penalty, circumstances when. (1) It is a gross misdemeanor, punishable as provided under chapter 9A.20 RCW, for a resident, as identified in RCW 46.16A.140, to:

(a) Knowingly fail to register a snowmobile within fifteen days of receiving or refusing a notice issued by the department under RCW 46.93.210; or

(b) Register a snowmobile in another state to avoid retail sales and use taxes under chapters 82.08 and 82.12 RCW.

(2) For a second or subsequent offense, the person convicted is also subject to a fine equal to four times the amount of avoided taxes and fees, which may not be suspended, except as provided in RCW 10.05.180.

(3) Excise taxes owed and fines assessed must be deposited in the manner provided under RCW 46.16A.030(6). [2021 c 216 § 7; 2017 c 218 § 3.]

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

Finding—Intent—Effective date—2017 c 218: See notes following RCW 46.09.495.

REVENUE

RCW 46.10.510 Refund of snowmobile fuel tax to snowmobile account. From time to time, but at least once each biennium, the director shall request the state treasurer to refund from the motor vehicle fund amounts which have been determined to be a tax on snowmobile fuel, and the treasurer shall refund such amounts determined under RCW 46.10.530, and place them in the snowmobile account in the general fund. [2011 c 171 § 34; 1994 c 262 § 3; 1979 ex.s. c 182 § 12; 1975 1st ex.s. c 181 § 3; 1973 1st ex.s. c 128 § 4; 1971 ex.s. c 29 § 15. Formerly RCW 46.10.150.]

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

RCW 46.10.520 Snowmobile fuel excise tax nonrefundable. Motor vehicle fuel used and purchased for providing the motive power for snowmobiles shall be considered a nonhighway use of fuel, but persons so purchasing and using motor vehicle fuel shall not be entitled to a refund of the motor vehicle fuel excise tax paid in accordance with the provisions of *RCW 82.36.280 as it now exists or is hereafter amended. [1971 ex.s. c 29 § 16. Formerly RCW 46.10.160.]

***Reviser's note:** Chapter 82.36 RCW was repealed in its entirety by 2013 c 225 § 501, effective July 1, 2016.

RCW 46.10.530 Amount of snowmobile fuel tax paid as motor vehicle fuel tax. From time to time, but at least once each four years, the department shall determine the amount of moneys paid to it as motor vehicle fuel tax that is tax on snowmobile fuel. Such determination shall use one hundred thirty-five gallons as the average yearly fuel usage per snowmobile, the number of registered snowmobiles during the calendar year under determination, and: (1) A fuel tax rate of: (a) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (c) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; (e) twenty-three cents per gallon of motor vehicle fuel from July 1, 2011, through July 31, 2015; (f)

thirty cents per gallon of motor vehicle fuel from August 1, 2015, through June 30, 2016; and (g) thirty-four and nine-tenths cents per gallon of motor vehicle fuel from July 1, 2016, through June 30, 2031; and (2) beginning July 1, 2031, and thereafter, the state's motor vehicle fuel tax rate in existence at the time of the fuel purchase. [2015 3rd sp.s. c 44 § 112; (2015 2nd sp.s. c 9 § 3 repealed by 2015 3rd sp.s. c 44 § 111); 2003 c 361 § 408; 1994 c 262 § 4; 1993 c 54 § 7; 1990 c 42 § 117; 1979 ex.s. c 182 § 13; 1971 ex.s. c 29 § 17. Formerly RCW 46.10.170.]

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

Findings—Intent—2015 2nd sp.s. c 9: See note following RCW 46.09.520.

Findings—2003 c 361: See note following RCW 82.38.030.

Effective dates—2003 c 361: See note following RCW 82.08.020.

Purpose—Effective dates—Application—Implementation—1990 c 42: See notes following RCW 46.68.090.

RCW 46.10.910 Short title. This chapter may be known and cited as the "Snowmobile act". [1971 ex.s. c 29 § 22.]