

Bring Back Our \$30 Car Tabs

AN ACT Relating to limiting government-imposed charges relating to motor vehicles; amending RCW 46.17.350, 46.17.355, 82.80.140, 46.16.005, 46.17.015, 46.17.025, 46.17.375, 82.44.065, and 81.104.160; adding a new section to chapter 46.17 RCW; adding a new section to chapter 82.44 RCW; adding a new section to chapter 81.112 RCW; repealing RCW 46.17.365, 46.68.415, and 82.44.035; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

POLICIES AND PURPOSES

NEW SECTION. **Sec. 1.** Voters have repeatedly approved \$30 tabs, yet politicians are ignoring the voters' repeated, unambiguous mandate by imposing higher and higher vehicle taxes and fees, by calculating vehicle taxes and fees dishonestly and inaccurately to extract artificially high amounts of revenue from taxpayers, and by ignoring the provisions of voter-approved initiatives. It's not fair and it must stop. As long as taxpayers must pay a huge general sales tax to buy a vehicle (meaning state and local governments receive huge windfalls of sales tax revenue from these transactions) and pay a huge gas tax to use a vehicle, the people find that the government is not entitled to a "third bite of the apple," taxes and fees above a reasonable annual amount to simply own a vehicle. Without this follow-up measure, "tab creep" will continue until vehicle charges are once again obscenely expensive, as they were prior to Initiative 695. This measure and each of its provisions limit government-imposed charges relating to motor vehicles. This measure would cap motor vehicle registration fees at \$30 per year, repeal taxes and fees exceeding the \$30 limit, calculate vehicle taxes and fees based on purchase price, not the dishonest, inaccurate, and artificially inflated manufacturer's suggested retail price (MRSP), and eliminate voter-repealed vehicle taxes by

requiring retirement of certain bonds. Politicians promised "\$30 license tabs are here to stay." Politicians should keep their promises. Voters have twice approved \$30 tabs. Politicians must learn to listen to the people.

**LIMITING GOVERNMENT-IMPOSED CHARGES RELATING TO MOTOR VEHICLES
BY CAPPING MOTOR VEHICLE REGISTRATION FEES AT \$30 PER YEAR**

NEW SECTION. **Sec. 2.** A new section is added to chapter 46.17 RCW to read as follows:

(1) Motor vehicle registration fees may not exceed \$30 per year for motor vehicles, regardless of year, value, make, or model. No vehicle owner is legally obligated to pay more than \$30 per year for the sum of state and local taxes and fees that make up the combined motor vehicle registration fee paid at the time of licensing or renewal.

(a) For the purposes of this section, "motor vehicle registration fees" are defined as the general license tab fees paid annually for licensing motor vehicles, including but not limited to cars, sport utility vehicles, light trucks under RCW 46.17.355, motorcycles, and motor homes, and do not include voter-approved charges or voluntary fees. This annual fee shall be paid and collected annually and is due at the time of initial and renewal vehicle registration.

(2) In any jurisdiction, state or local, which imposes nonvoter-approved vehicle charges, the state portion of the motor vehicle registration fee in RCW 46.17.350 and 46.17.355 must be reduced by the amount of any nonvoter-approved vehicle charges in order to provide that the motor vehicle registration fee not exceed the limits under subsection (1) of this section.

Sec. 3. RCW 46.17.350 and 2011 c 171 s 61 are each amended to read as follows:

(1) Before accepting an application for a vehicle registration, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically

exempt, to pay the following vehicle license fee by vehicle type:

VEHICLE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
(a) Auto stage, six seats or less	\$ 30.00	\$ 30.00	RCW 46.68.030
(b) Camper	\$ 4.90	\$ 3.50	RCW 46.68.030
(c) Commercial trailer	\$ ((34.00) <u>30.00</u>)	\$ 30.00	RCW 46.68.035
(d) For hire vehicle, six seats or less	\$ 30.00	\$ 30.00	RCW 46.68.030
(e) Mobile home (if registered)	\$ 30.00	\$ 30.00	RCW 46.68.030
(f) Moped	\$ 30.00	\$ 30.00	RCW 46.68.030
(g) Motor home	\$ 30.00	\$ 30.00	RCW 46.68.030
(h) Motorcycle	\$ 30.00	\$ 30.00	RCW 46.68.030
(i) Off-road vehicle	\$ 18.00	\$ 18.00	RCW 46.68.045
(j) Passenger car	\$ 30.00	\$ 30.00	RCW 46.68.030
(k) Private use single-axle trailer	\$ 15.00	\$ 15.00	RCW 46.68.035
(l) Snowmobile	\$ ((50.00) <u>30.00</u>)	\$ ((50.00) <u>30.00</u>)	RCW 46.68.350
(m) Snowmobile, vintage	\$ 12.00	\$ 12.00	RCW 46.68.350
(n) Sport utility vehicle	\$ 30.00	\$ 30.00	RCW 46.68.030
(o) Tow truck	\$ 30.00	\$ 30.00	RCW 46.68.030
(p) Trailer, over 2000 pounds	\$ 30.00	\$ 30.00	RCW 46.68.030
(q) Travel trailer	\$ 30.00	\$ 30.00	RCW 46.68.030
(r) Wheeled all-terrain vehicle, on-road use	\$ 12.00	\$ 12.00	RCW 46.09.540
(s) Wheeled all-terrain vehicle, off-road use	\$ 18.00	\$ 18.00	RCW 46.09.510

(2) The vehicle license fee required in subsection (1) of this section may not exceed \$30 (~~is in addition to the filing fee required under RCW 46.17.005, and any other fee or tax required by law~~)).

Sec. 4. RCW 46.17.355 and 2011 c 171 s 61 are each amended to read as follows:

(1) In lieu of the vehicle license fee required under RCW 46.17.350 and before accepting an application for a vehicle registration for motor vehicles described in RCW 46.16A.455, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following license fee by gross weight:

WEIGHT	SCHEDULE A	SCHEDULE B
4,000 pounds	\$ ((38.00) <u>30.00</u>)	\$ ((38.00) <u>30.00</u>)
6,000 pounds	\$ ((48.00) <u>30.00</u>)	\$ ((48.00) <u>30.00</u>)
8,000 pounds	\$ ((58.00) <u>30.00</u>)	\$ ((58.00) <u>30.00</u>)
10,000 pounds	\$ ((60.00) <u>30.00</u>)	\$ ((60.00) <u>30.00</u>)
12,000 pounds	\$ 77.00	\$ 77.00

14,000 pounds	\$ 88.00	\$ 88.00
16,000 pounds	\$ 100.00	\$ 100.00
18,000 pounds	\$ 152.00	\$ 152.00
20,000 pounds	\$ 169.00	\$ 169.00
22,000 pounds	\$ 183.00	\$ 183.00
24,000 pounds	\$ 198.00	\$ 198.00
26,000 pounds	\$ 209.00	\$ 209.00
28,000 pounds	\$ 247.00	\$ 247.00
30,000 pounds	\$ 285.00	\$ 285.00
32,000 pounds	\$ 344.00	\$ 344.00
34,000 pounds	\$ 366.00	\$ 366.00
36,000 pounds	\$ 397.00	\$ 397.00
38,000 pounds	\$ 436.00	\$ 436.00
40,000 pounds	\$ 499.00	\$ 499.00
42,000 pounds	\$ 519.00	\$ 609.00
44,000 pounds	\$ 530.00	\$ 620.00
46,000 pounds	\$ 570.00	\$ 660.00
48,000 pounds	\$ 594.00	\$ 684.00
50,000 pounds	\$ 645.00	\$ 735.00
52,000 pounds	\$ 678.00	\$ 768.00
54,000 pounds	\$ 732.00	\$ 822.00
56,000 pounds	\$ 773.00	\$ 863.00
58,000 pounds	\$ 804.00	\$ 894.00
60,000 pounds	\$ 857.00	\$ 947.00
62,000 pounds	\$ 919.00	\$ 1,009.00
64,000 pounds	\$ 939.00	\$ 1,029.00
66,000 pounds	\$ 1,046.00	\$ 1,136.00
68,000 pounds	\$ 1,091.00	\$ 1,181.00
70,000 pounds	\$ 1,175.00	\$ 1,265.00
72,000 pounds	\$ 1,257.00	\$ 1,347.00
74,000 pounds	\$ 1,366.00	\$ 1,456.00
76,000 pounds	\$ 1,476.00	\$ 1,566.00
78,000 pounds	\$ 1,612.00	\$ 1,702.00
80,000 pounds	\$ 1,740.00	\$ 1,830.00
82,000 pounds	\$ 1,861.00	\$ 1,951.00
84,000 pounds	\$ 1,981.00	\$ 2,071.00
86,000 pounds	\$ 2,102.00	\$ 2,192.00
88,000 pounds	\$ 2,223.00	\$ 2,313.00
90,000 pounds	\$ 2,344.00	\$ 2,434.00
92,000 pounds	\$ 2,464.00	\$ 2,554.00
94,000 pounds	\$ 2,585.00	\$ 2,675.00

96,000 pounds	\$ 2,706.00	\$ 2,796.00
98,000 pounds	\$ 2,827.00	\$ 2,917.00
100,000 pounds	\$ 2,947.00	\$ 3,037.00
102,000 pounds	\$ 3,068.00	\$ 3,158.00
104,000 pounds	\$ 3,189.00	\$ 3,279.00
105,500 pounds	\$ 3,310.00	\$ 3,400.00

(2) Schedule A applies to vehicles either used exclusively for hauling logs or that do not tow trailers. Schedule B applies to vehicles that tow trailers and are not covered under Schedule A.

(3) If the resultant gross weight is not listed in the table provided in subsection (1) of this section, it must be increased to the next higher weight.

(4) The license fees provided in subsection (1) of this section (~~(are in addition to the filing fee required under RCW 46.17.005 and any other fee or tax required by law)~~) for light trucks weighing 10,000 pounds or less may not exceed \$30.

(5) The license fee based on declared gross weight as provided in subsection (1) of this section must be distributed under RCW 46.68.035.

NEW SECTION. **Sec. 5.** The following acts or parts of acts are each repealed:

(1) RCW 46.17.365 (Motor vehicle weight fee – Motor home vehicle weight fee) and 2010 c 161 s 533;

(2) RCW 46.68.415 (Motor vehicle weight fee, motor home vehicle weight fee – Disposition) and 2010 c 161 s 813; and

(3) RCW 82.44.035 (Valuation of vehicles) and 2010 c 161 s 910.

Sec. 6. RCW 82.80.140 and 2010 c 161 s 917 are each amended to read as follows:

(1) Subject to the provisions of RCW 36.73.065, a transportation benefit district under chapter 36.73 RCW may fix and impose an annual vehicle fee, not to exceed one hundred dollars per vehicle registered in the district, for each vehicle subject to vehicle license fees under RCW 46.17.350(1) (a), (c), (d), (e), (g),

(h), (j), or (n) through (q) and for each vehicle subject to gross weight license fees under RCW 46.17.355 with a scale weight of six thousand pounds or less.

(2)(a) A district that includes all the territory within the boundaries of the jurisdiction, or jurisdictions, establishing the district may impose by a majority vote of the governing board of the district up to twenty dollars of the vehicle fee authorized in subsection (1) of this section as long as the fee increase is approved by voters at the next available election. In any jurisdiction that legislatively voted prior to January 1, 2016 to impose this fee, the fee shall continue to be imposed and collected but since it was not approved by voters at an election, the fee is subject to the requirements of section 2 of this act. If the district is countywide, the revenues of the fee shall be distributed to each city within the county by interlocal agreement. The interlocal agreement is effective when approved by the county and sixty percent of the cities representing seventy-five percent of the population of the cities within the county in which the countywide fee is collected.

(b) A district may not impose a fee under this subsection (2):

(i) For a passenger-only ferry transportation improvement unless the vehicle fee is first approved by a majority of the voters within the jurisdiction of the district; or

(ii) That, if combined with the fees previously imposed by another district within its boundaries under RCW 36.73.065(4)(a)(i), exceeds twenty dollars.

If a district imposes or increases a fee under this subsection (2) that, if combined with the fees previously imposed by another district within its boundaries, exceeds twenty dollars, the district shall provide a credit for the previously imposed fees so that the combined vehicle fee does not exceed twenty dollars.

(3) The department of licensing shall administer and collect the fee. The department shall deduct a percentage amount, as provided by contract, not to exceed one percent of the fees collected, for administration and collection expenses incurred by

it. The department shall remit remaining proceeds to the custody of the state treasurer. The state treasurer shall distribute the proceeds to the district on a monthly basis.

(4) No fee under this section may be collected until six months after approval under RCW 36.73.065.

(5) The vehicle fee under this section applies only when renewing a vehicle registration, and is effective upon the registration renewal date as provided by the department of licensing.

(6) The following vehicles are exempt from the fee under this section:

- (a) Campers, as defined in RCW 46.04.085;
- (b) Farm tractors or farm vehicles, as defined in RCW 46.04.180 and 46.04.181;
- (c) Mopeds, as defined in RCW 46.04.304;
- (d) Off-road and nonhighway vehicles, as defined in RCW 46.04.365;
- (e) Private use single-axle trailer, as defined in RCW 46.04.422;
- (f) Snowmobiles, as defined in RCW 46.04.546; and
- (g) Vehicles registered under chapter 46.87 RCW and the international registration plan.

Sec. 7. RCW 46.17.005 and 2010 c 161 s 501 are each amended to read as follows:

(1) A person who applies for a vehicle registration or for any other right to operate a vehicle on the highways of this state shall pay a three dollar filing fee (~~(in addition to any other fees and taxes required by law)~~) subject to the requirements of section 2 of this act.

(2) A person who applies for a certificate of title shall pay a four dollar filing fee in addition to any other fees and taxes required by law.

(3) The filing fees established in this section must be distributed under RCW 46.68.400.

Sec. 8. RCW 46.17.015 and 2010 c 161 s 502 are each amended to read as follows:

(1) A person who applies for a vehicle registration or for any other right to operate a vehicle on the highways of this state shall pay a twenty-five cent license plate technology fee (~~((in addition to any other fees and taxes required by law))~~) subject to the requirements of section 2 of this act. The license plate technology fee must be distributed under RCW 46.68.370.

(2) A vehicle registered under RCW 46.16A.455 or 46.17.330 is not subject to the license plate technology fee.

Sec. 9. RCW 46.17.025 and 2010 c 161 s 503 are each amended to read as follows:

(1) A person who applies for a vehicle registration or for any other right to operate a vehicle on the highways of this state shall pay a fifty cent license service fee (~~((in addition to any other fees and taxes required by law))~~) subject to the requirements of section 2 of this act. The license service fee must be distributed under RCW 46.68.220.

(2) A vehicle registered under RCW 46.16A.455 or 46.17.330 is not subject to the license service fee.

Sec. 10. RCW 46.17.375 and 2010 c 161 s 534 are each amended to read as follows:

(1) Before accepting an application for registration for a recreational vehicle, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to pay a three dollar fee (~~((in addition to any other fees and taxes required by law))~~) subject to the requirements of section 2 of this act. The recreational vehicle sanitary disposal fee must be deposited in the RV account created in RCW 46.68.170.

(2) For the purposes of this section, "recreational vehicle" means a camper, motor home, or travel trailer.

LIMITING GOVERNMENT-IMPOSED CHARGES RELATING TO MOTOR VEHICLES

**BY USING THE VEHICLE'S PURCHASE PRICE, NOT THE DISHONEST,
INACCURATE, AND ARTIFICIALLY INFLATED MANUFACTURER'S SUGGESTED
RETAIL PRICE (MSRP), TO CALCULATE VEHICLE TAXES**

NEW SECTION. **Sec. 11.** A new section to chapter 82.44 RCW is added and reads as follows:

(1) A motor vehicle excise tax or surcharge must be calculated in an honest and accurate way so the burden on vehicle owners is not artificially inflated. For the purpose of determining any motor vehicle excise tax or surcharge otherwise authorized by law, any taxing district imposing a motor vehicle excise tax or surcharge must set a vehicle's taxable value by using the depreciation schedule set forth in this section. The taxable value equals the product of a percentage based on a vehicle's year of service, as provided in subsection (2) of this section, and the market value of the vehicle. This ensures an honest and accurate calculation and, combined with the appeal process in RCW 82.44.065, ensures that vehicle owners are taxed on the market value of their vehicle.

(2) For the purpose of determining the tax or surcharge under this chapter, the value of a truck-type power or trailing unit, or motor vehicle, including a passenger vehicle, motorcycle, motor home, sport-utility vehicle, or light-duty truck shall be the market value of the vehicle, excluding applicable federal excise taxes, state and local sales or use taxes, transportation or shipping costs, or preparatory or delivery costs, multiplied by the following percentage based on year of service of the vehicle since its most recent sale. The year in which a purchase occurs shall be considered a first year of service.

Year of Service	Percentage
1	100%
2	75%
3	60%
4	50%
5	40%

6	30%
7	20%
8	10%
9 and over	5%

(3) The reissuance of title and registration for a truck-type power or trailing unit or motor vehicle, including a passenger vehicle, motorcycle, motor home, sport-utility vehicle, or light-duty truck because of the installation of body or special equipment shall be treated as a sale, and the latest purchase price of the truck-type power or trailing unit or motor vehicle, including a passenger vehicle, motorcycle, motor home, sport-utility vehicle, or light-duty truck at that time, as determined by the department from such information as may be available, shall be considered its base value.

(4) If the purchase price is unavailable or otherwise unascertainable or the reissuance of title and registration is the result of a gift or inheritance, the department shall determine a value equivalent to the latest purchase price by using any information that may be available, including any guidebook, report, or compendium of recognized standing in the automotive industry or the selling price and year of sale of the vehicle. The department may use an appraisal by the county assessor. In valuing a vehicle for which the current value or selling price is not indicative of the value of similar vehicles of the same year and model, the department shall establish a value that more closely represents the average value of similar vehicles of the same year and model.

(5) For purposes of this chapter, value shall exclude value attributable to modifications of a motor vehicle and equipment that are designed to facilitate the use or operation of the motor vehicle by a handicapped person.

(6) For purposes of this section, "market value" means the latest purchase price.

Sec. 12. RCW 82.44.065 and 1990 c 42 s 305 each amended to read as follows:

If the department determines a value for a vehicle (~~(equivalent to a manufacturer's base suggested retail price)~~) under section 11 of this act or the value of a truck or trailer under (~~RCW 82.44.035~~) section 11 of this act, any person who pays a locally imposed tax for that vehicle may appeal the valuation to the department under chapter 34.05 RCW. If the taxpayer is successful on appeal, the department shall refund the excess tax in the manner provided in RCW 82.44.120. This ensures an honest and accurate calculation of the tax or surcharge.

**LIMITING GOVERNMENT-IMPOSED CHARGES RELATING TO MOTOR VEHICLES
BY ELIMINATING VOTER-REPEALED VEHICLE TAXES**

NEW SECTION. **Sec. 13.** RCW 81.104.160 and 2010 c 161 s 903 are each amended to read as follows:

(1) An agency may impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the agency's jurisdiction that are taxable by the state under chapters 82.02 and 82.12 RCW. The rate of tax shall not exceed 2.172 percent. The base of the tax shall be the selling price in the case of a sales tax or the rental value of the vehicle used in the case of the use tax.

(2) Any motor vehicle excise tax (~~(previously)~~) imposed under (~~(the provisions of RCW 81.104.160(1) shall be repealed, terminated, and expire on December 5, 2002, except for a motor vehicle excise tax for which revenues have been contractually pledged to repay a bonded debt issued before December 5, 2002, as determined by Pierce County et al. v. State, 159 Wn.2d 16, 148 P.3d 1002 (2006))~~) this section may not be imposed or collected as of the effective date of this act, or after the date on which the bonds have been fully retired or defeased under section 14 of this act, whichever occurs first. In the case of bonds that were previously issued, the motor

vehicle excise tax must comply with chapter 82.44 RCW as it existed on January 1, 1996.

Sec. 14. A new section is added to chapter 81.112 RCW to read as follows:

(1) An authority must fully retire or defease any outstanding bonds issued under this chapter by the effective date of this act, if:

(a) The revenue collected prior to the effective date of this act from the motor vehicle excise tax imposed under RCW 81.104.160 has been pledged to the bonds; and

(b) The bonds, by virtue of the terms of the bond contract, covenants, or similar terms, may be retired or defeased early at the authority's discretion.

MISCELLANEOUS

NEW SECTION. **Sec. 15.** The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

NEW SECTION. **Sec. 16.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 17.** This act is called the "Bring Back Our \$30 Car Tabs Initiative."

--- END ---