

---

HOUSE BILL 1951

---

State of Washington

64th Legislature

2015 Regular Session

By Representative Pike

Read first time 02/04/15. Referred to Committee on Public Safety.

1 AN ACT Relating to clarifying the authority of local law  
2 enforcement agencies to use unmarked vehicles; and amending RCW  
3 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  
6 read as follows:

7 (1) 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  
12 other motor vehicle in letters of contrasting color not less than one  
13 and one-quarter inches in height in a conspicuous place on the right  
14 and 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. This section shall  
17 not apply to vehicles of a sheriff's office(~~(7)~~) or local police  
18 department(~~(7-07)~~). This section shall also not apply to any vehicles  
19 used by local peace officers under public authority for special  
20 undercover or confidential investigative purposes. This subsection  
21 shall not apply to: (a) Any municipal transit vehicle operated for

1 purposes of providing public mass transportation; (b) any vehicle  
2 governed by the requirements of subsection (4) of this section; nor  
3 to (c) any motor vehicle on loan to a school district for driver  
4 training purposes. It shall be lawful and constitute compliance with  
5 the provisions of this section, however, for the governing body of  
6 the appropriate county, city, town, or public body other than the  
7 state of Washington or its agencies to adopt and use a distinctive  
8 insignia which shall be not less than six inches in diameter across  
9 its smallest dimension and which shall be displayed conspicuously on  
10 the right and left sides of the vehicle. Such insignia shall be in a  
11 color or colors contrasting with the vehicle to which applied for  
12 maximum visibility. The name of the public body owning or operating  
13 the vehicle shall also be included as part of or displayed above such  
14 approved insignia in colors contrasting with the vehicle in letters  
15 not less than one and one-quarter inches in height. Immediately below  
16 the lettering identifying the public entity and agency operating the  
17 vehicle or below an approved insignia shall appear the words "for  
18 official use only" in letters at least one inch high in a color  
19 contrasting with the color of the vehicle. The appropriate governing  
20 body may provide by rule or ordinance for marking of passenger motor  
21 vehicles as prescribed in subsection (2) of this section or for  
22 exceptions to the marking requirements for local governmental  
23 agencies for the same purposes and under the same circumstances as  
24 permitted for state agencies under subsection (3) of this section.

25 (2) Except as provided by subsections (3) and (4) of this  
26 section, passenger motor vehicles owned or controlled by the state of  
27 Washington, and purchased after July 1, 1989, must be plainly and  
28 conspicuously marked on the lower left-hand corner of the rear window  
29 with the name of the operating agency or institution or the words  
30 "state motor pool," as appropriate, the words "state of Washington —  
31 for official use only," and the seal of the state of Washington or  
32 the appropriate agency or institution insignia, approved by the  
33 department of (~~general administration~~) enterprise services.  
34 Markings must be on a transparent adhesive material and conform to  
35 the standards established by the department of (~~general  
36 administration~~) enterprise services. For the purposes of this  
37 section, "passenger motor vehicles" means sedans, station wagons,  
38 vans, light trucks, or other motor vehicles under ten thousand pounds  
39 gross vehicle weight.

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

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

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

--- END ---