

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 5085

67th Legislature
2022 Regular Session

Passed by the Senate February 25,
2022

Yeas 47 Nays 2

President of the Senate

Passed by the House March 8, 2022

Yeas 94 Nays 3

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 5085** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 5085

Passed Legislature - 2022 Regular Session

State of Washington

67th Legislature

2022 Regular Session

By Senate Transportation (originally sponsored by Senators Rolfe and Lovelett)

READ FIRST TIME 02/15/22.

1 AN ACT Relating to modifying the alternative fuel vehicle fee for
2 electric motorcycles; amending RCW 46.17.323; and providing an
3 effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 46.17.323 and 2015 3rd sp.s. c 44 s 203 are each
6 amended to read as follows:

7 (1) Before accepting an application for an annual vehicle
8 registration renewal for a vehicle that both (a) uses at least one
9 method of propulsion that is capable of being reenergized by an
10 external source of electricity and (b) is capable of traveling at
11 least (~~(thirty)~~) 30 miles using only battery power, except for
12 electric motorcycles, the department, county auditor or other agent,
13 or subagent appointed by the director must require the applicant to
14 pay a (~~(one hundred dollar)~~) \$100 fee in addition to any other fees
15 and taxes required by law. The (~~(one hundred dollar)~~) \$100 fee is due
16 only at the time of annual registration renewal.

17 (2) This section only applies to a vehicle that is designed to
18 have the capability to drive at a speed of more than (~~(thirty-five)~~)
19 35 miles per hour.

20 (3) (a) The fee under this section is imposed to provide funds to
21 mitigate the impact of vehicles on state roads and highways and for

1 the purpose of evaluating the feasibility of transitioning from a
2 revenue collection system based on fuel taxes to a road user
3 assessment system, and is separate and distinct from other vehicle
4 license fees. Proceeds from the fee must be used for highway
5 purposes, and must be deposited in the motor vehicle fund created in
6 RCW 46.68.070, subject to (b) of this subsection.

7 (b) If in any year the amount of proceeds from the fee collected
8 under this section exceeds (~~(one million dollars)~~) \$1,000,000, the
9 excess amount over (~~(one million dollars)~~) \$1,000,000 must be
10 deposited as follows:

11 (i) Seventy percent to the motor vehicle fund created in RCW
12 46.68.070;

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

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

17 (4) (a) In addition to the fee established in subsection (1) of
18 this section, before accepting an application for an annual vehicle
19 registration renewal for a vehicle that both (i) uses at least one
20 method of propulsion that is capable of being reenergized by an
21 external source of electricity and (ii) is capable of traveling at
22 least (~~(thirty)~~) 30 miles using only battery power, except for
23 electric motorcycles, the department, county auditor or other agent,
24 or subagent appointed by the director must require the applicant to
25 pay a (~~(fifty dollar)~~) \$50 fee.

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

28 (i) The first (~~(one million dollars)~~) \$1,000,000 raised by the
29 fee must be deposited into the multimodal transportation account
30 created in RCW 47.66.070; and

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

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

1 (6) The fees collected pursuant to subsection (5) of this section
2 shall be deposited into the motor vehicle fund created in RCW
3 46.68.070.

4 (7) This section applies to annual vehicle registration renewals
5 until the effective date of enacted legislation that imposes a
6 vehicle miles traveled fee or tax.

7 NEW SECTION. Sec. 2. This act takes effect November 1, 2022.

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