

## **RCW 46.16A.060**

### **Registration — Emission control inspections required — Exemptions — Educational information — Rules.**

(1) The department, county auditor or other agent, or subagent appointed by the director may not issue or renew a motor vehicle registration or change the registered owner of a registered vehicle for any motor vehicle required to be inspected under chapter 70.120 RCW, unless the application for issuance or renewal is: (a) Accompanied by a valid certificate of compliance or a valid certificate of acceptance issued as required under chapter 70.120 RCW; or (b) exempt, as described in subsection (2) of this section. The certificates must have a date of validation that is within twelve months of the assigned registration renewal date. Certificates for fleet or owner tested diesel vehicles may have a date of validation that is within twelve months of the assigned registration renewal date.

(2) The following motor vehicles are exempt from emission test requirements:

- (a) Motor vehicles that are less than five years old or more than twenty-five years old;
- (b) Motor vehicles that are a 2009 model year or newer;
- (c) Motor vehicles powered exclusively by electricity, propane, compressed natural gas, or liquid petroleum gas;
- (d) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles as defined in RCW 46.04.332;
- (e) Farm vehicles as defined in RCW 46.04.181;
- (f) Street rod vehicles as defined in RCW 46.04.572 and custom vehicles as defined in RCW 46.04.161;
- (g) Used vehicles that are offered for sale by a motor vehicle dealer licensed under chapter 46.70 RCW;
- (h) Classes of motor vehicles exempted by the director of the department of ecology; and
- (i) Hybrid motor vehicles that obtain a rating by the environmental protection agency of at least fifty miles per gallon of gas during city driving. For purposes of this section, a hybrid motor vehicle is one that uses propulsion units powered by both electricity and gas.

(3) The department of ecology shall provide information to motor vehicle owners:

- (a) Regarding the boundaries of emission contributing areas and restrictions established under this section that apply to vehicles registered in such areas; and
- (b) On the relationship between motor vehicles and air pollution and steps motor vehicle owners should take to reduce motor vehicle related air pollution.

(4) The department of licensing shall:

- (a) Notify all registered motor vehicle owners affected by the emission testing program that they must have an emission test to renew their registration;
- (b) Adopt rules implementing and enforcing this section, except for subsection (2)(e) of this section, as specified in chapter 34.05 RCW.

(5) A motor vehicle may not be registered, leased, rented, or sold for use in the state, starting with the model year as provided in RCW 70.120A.010, unless the vehicle:

(a) Has seven thousand five hundred miles or more; or

(b)(i) Is consistent with the vehicle emission standards and carbon dioxide equivalent emission standards adopted by the department of ecology; and

(ii) Has a California certification label for all emission standards, and carbon dioxide equivalent emission standards necessary to meet fleet average requirements.

(6) The department of licensing, in consultation with the department of ecology, may adopt rules necessary to implement this section and may provide for reasonable exemptions to these requirements. The department of ecology may exempt public safety vehicles from meeting the standards where the department finds that vehicles necessary to meet the needs of public safety agencies are not otherwise reasonably available.

[2011 c 114 § 6; 2010 c 161 § 406; 2002 c 24 § 1; 1998 c 342 § 6; 1991 c 199 § 209; 1990 c 42 § 318; 1989 c 240 § 1; 1985 c 7 § 111. Prior: 1983 c 238 § 1; 1983 c 237 § 3; 1980 c 176 § 1; 1979 ex.s. c 163 § 11. Formerly RCW 46.16.015.]

Notes:

Effective date -- 2011 c 114: See note following RCW 46.04.572.

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.

Finding -- 1991 c 199: See note following RCW 70.94.011.

Effective dates -- Severability -- Captions not law -- 1991 c 199: See RCW 70.94.904 through 70.94.906.

Purpose -- Headings -- Severability -- Effective dates -- Application -- Implementation -- 1990 c 42: See notes following RCW 82.36.025.

Effective date -- 1989 c 240: See RCW 70.120.902.

Severability -- 1983 c 238: "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." [1983 c 238 § 3.]

Legislative finding -- 1983 c 237: See note following RCW 46.37.467.

Effective date -- 1979 ex.s. c 163 § 11: "Section 11 of this act shall take effect on January 1, 1982. The director of the department of licensing and the director of the department of ecology are authorized to take immediately such steps as are necessary to ensure that section 11 of this act is implemented on its effective date." [1979 ex.s. c 163 § 16.]

Severability -- 1979 ex.s. c 163: See note following RCW 70.120.010.