

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1008

55th Legislature
1997 Regular Session

Passed by the House April 19, 1997
Yeas 86 Nays 3

**Speaker of the
House of Representatives**

Passed by the Senate April 17, 1997
Yeas 39 Nays 9

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1008** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1008

Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

State of Washington 55th Legislature 1997 Regular Session

By House Committee on Transportation Policy & Budget (originally sponsored by Representatives Robertson, Fisher, Chandler, Hatfield, Johnson, Zellinsky and L. Thomas)

Read first time 02/03/97.

1 AN ACT Relating to license plates; amending RCW 46.16.270,
2 46.16.290, 46.16.301, 46.16.305, 46.16.309, 46.16.313, 46.16.316,
3 46.16.350, and 46.16.650; adding new sections to chapter 46.16 RCW; and
4 creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the proliferation
7 of special license plate series has decreased the ready identification
8 of vehicles by law enforcement, and increased the amount of computer
9 programming conducted by the department of licensing, thereby
10 increasing costs. Furthermore, rarely has the actual demand for
11 special license plates met the requesters' projections. Most
12 importantly, special plates detract from the primary purpose of license
13 plates, that of vehicle identification.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.16 RCW
15 to read as follows:

16 Except for those license plates issued under RCW 46.16.305(1)
17 before January 1, 1987, under RCW 46.16.305(3), and to commercial
18 vehicles with a gross weight in excess of twenty-six thousand pounds,

1 effective with vehicle registrations due or to become due on January 1,
2 2001, all vehicle license plates must be issued on a standard
3 background, as designated by the department. Additionally, to ensure
4 maximum legibility and reflectivity, the department shall periodically
5 provide for the replacement of license plates. Frequency of
6 replacement shall be established in accordance with empirical studies
7 documenting the longevity of the reflective materials used to make
8 license plates.

9 **Sec. 3.** RCW 46.16.270 and 1990 c 250 s 32 are each amended to read
10 as follows:

11 ~~((Replacement plates issued after January 1, 1987, will be~~
12 ~~centennial plates as described in RCW 46.16.650.))~~ The total
13 replacement plate fee ~~((including the one dollar per plate centennial~~
14 ~~plate fee))~~ shall be deposited in the motor vehicle fund.

15 Upon the loss, defacement, or destruction of one or both of the
16 vehicle license number plates issued for any vehicle where more than
17 one plate was originally issued or where one or both have become so
18 illegible or in such a condition as to be difficult to distinguish, or
19 upon the owner's option, the owner of the vehicle shall make
20 application for new vehicle license number plates upon a form furnished
21 by the director. The application shall be filed with the director or
22 the director's authorized agent, accompanied by the certificate of
23 license registration of the vehicle and a fee in the amount of three
24 dollars per plate, whereupon the director, or the director's authorized
25 agent, shall issue new vehicle license number plates to the applicant.
26 It shall be accompanied by a fee of two dollars for a new motorcycle
27 license number plate. In the event the director has issued license
28 period tabs or a windshield emblem instead of vehicle license number
29 plates, and upon the loss, defacement, or destruction of the tabs or
30 windshield emblem, application shall be made on a form provided by the
31 director and in the same manner as above described, and shall be
32 accompanied by a fee of one dollar for each pair of tabs or for each
33 windshield emblem, whereupon the director shall issue to the applicant
34 a duplicate pair of tabs, year tabs, and when necessary month tabs or
35 a windshield emblem to replace those lost, defaced, or destroyed. For
36 vehicles owned, rented, or leased by the state of Washington or by any
37 county, city, town, school district, or other political subdivision of
38 the state of Washington or United States government, or owned or leased

1 by the governing body of an Indian tribe as defined in RCW 46.16.020,
2 a fee shall be charged for replacement of a vehicle license number
3 plate only to the extent required by the provisions of RCW 46.16.020,
4 46.16.061, 46.16.237, and 46.01.140. For vehicles owned, rented, or
5 leased by foreign countries or international bodies to which the United
6 States government is a signatory by treaty, the payment of any fee for
7 the replacement of a vehicle license number plate shall not be
8 required.

9 **Sec. 4.** RCW 46.16.290 and 1986 c 18 s 18 are each amended to read
10 as follows:

11 In any case of a valid sale or transfer of the ownership of any
12 vehicle, the right to the certificates properly transferable therewith,
13 except as provided in RCW 46.16.280, and to the vehicle license plates
14 passes to the purchaser or transferee. It is unlawful for the holder
15 of such certificates, except as provided in RCW 46.16.280, or vehicle
16 license plates to fail, neglect, or refuse to endorse the certificates
17 and deliver the vehicle license plates to the purchaser or transferee.
18 If the sale or transfer is of a vehicle licensed by the state or any
19 county, city, town, school district, or other political subdivision
20 entitled to exemption as provided by law, or, if the vehicle is
21 licensed with personalized plates, amateur radio operator plates, medal
22 of honor plates, disabled person plates, disabled veteran plates,
23 ~~((or))~~ prisoner of war plates, or other special license plates issued
24 under RCW 46.16.301 as it existed before amendment by section 5 of this
25 act, the vehicle license plates therefor shall be retained and may be
26 displayed upon a vehicle obtained in replacement of the vehicle so sold
27 or transferred.

28 **Sec. 5.** RCW 46.16.301 and 1995 3rd sp.s. c 1 s 102 are each
29 amended to read as follows:

30 ~~((1) The department may create, design, and issue special license~~
31 ~~plates that may be used in lieu of regular or personalized license~~
32 ~~plates for motor vehicles required to display two motor vehicle license~~
33 ~~plates, excluding vehicles registered under chapter 46.87 RCW, upon~~
34 ~~terms and conditions established by the department. The special plates~~
35 ~~may:~~

36 ~~(a) Denote the age or type of vehicle; or~~

37 ~~(b) Denote special activities or interests; or~~

1 ~~(c) Denote the status, or contribution or sacrifice for the United~~
2 ~~States, the state of Washington, or the citizens of the state of~~
3 ~~Washington, of a registered owner of that vehicle; or~~

4 ~~(d) Display a depiction of the name and mascot or symbol of a state~~
5 ~~university, regional university, or state college as defined in RCW~~
6 ~~28B.10.016.~~

7 ~~(2))~~ The department shall create, design, and issue a special
8 baseball stadium license plate that may be used in lieu of regular or
9 personalized license plates for motor vehicles required to display two
10 motor vehicle license plates, excluding vehicles registered under
11 chapter 46.87 RCW, upon terms and conditions established by the
12 department. The special plates shall commemorate the construction of
13 a baseball stadium, as defined in RCW 82.14.0485. The department shall
14 also issue to each recipient of a special baseball stadium license
15 plate a certificate of participation in the construction of the
16 baseball stadium.

17 ~~((3) The department has the sole discretion to determine whether~~
18 ~~or not to create, design, or issue any series of special license~~
19 ~~plates, other than the special baseball stadium license plate under~~
20 ~~subsection (2) of this section, and whether any interest or status~~
21 ~~merits the issuance of a series of special license plates. In making~~
22 ~~this determination, the department shall consider whether or not an~~
23 ~~interest or status contributes or has contributed significantly to the~~
24 ~~public health, safety, or welfare of the citizens of the United States~~
25 ~~or of this state or to their significant benefit, or whether the~~
26 ~~interest or status is recognized by the United States, this state, or~~
27 ~~other states, in other settings or contexts. The department may also~~
28 ~~consider the potential number of persons who may be eligible for the~~
29 ~~plates and the cost and efficiency of producing limited numbers of the~~
30 ~~plates. The design of a special license plate shall conform to all~~
31 ~~requirements for plates for the type of vehicle for which it is issued,~~
32 ~~as provided elsewhere in this chapter.))~~

33 **Sec. 6.** RCW 46.16.305 and 1990 c 250 s 2 are each amended to read
34 as follows:

35 The department shall continue to issue(~~(, under RCW 46.16.301 and~~
36 ~~the department's rules implementing RCW 46.16.301 through 46.16.332,))
37 the categories of special plates issued by the department under the
38 sections repealed under section ~~((13))~~ 12 (1) through (7), chapter 250,~~

1 Laws of 1990. Special license plates issued under those repealed
2 sections before January 1, 1991, are valid to the extent and under the
3 conditions provided in those repealed sections. The following
4 conditions, limitations, or requirements apply to certain special
5 license plates issued after January 1, 1991:

6 (1) A horseless carriage plate and a plate or plates issued for
7 collectors' vehicles more than thirty years old, upon payment of the
8 initial fees required by law and the additional special license plate
9 fee established by the department, are valid for the life of the
10 vehicle for which application is approved by the department. When a
11 single plate is issued, it shall be displayed on the rear of the
12 vehicle.

13 (2) The department may issue special license plates denoting
14 amateur radio operator status only to persons having a valid official
15 radio operator license issued (~~for a term of five years~~) by the
16 federal communications commission.

17 (3) The department shall issue one set of special license plates to
18 each resident of this state who has been awarded the Congressional
19 Medal of Honor for use on a passenger vehicle registered to that
20 person. The department shall issue the plate without the payment of
21 (~~any~~) licensing fees and motor vehicle excise tax.

22 (4) The department may issue for use on only one motor vehicle
23 owned by the qualified applicant special license plates denoting that
24 the recipient of the plate is a survivor of the attack on Pearl Harbor
25 on December 7, 1941, to persons meeting all of the following criteria:

26 (a) Is a resident of this state;

27 (b) Was a member of the United States Armed Forces on December 7,
28 1941;

29 (c) Was on station on December 7, 1941, during the hours of 7:55
30 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or
31 offshore at a distance not to exceed three miles;

32 (d) Received an honorable discharge from the United States Armed
33 Forces; and

34 (e) Is certified by a Washington state chapter of the Pearl Harbor
35 survivors association as satisfying the qualifications in (c) of this
36 subsection.

37 The department may issue such plates to the surviving spouse of any
38 deceased Pearl Harbor survivor who met the requirements of this
39 subsection. If the surviving spouse remarries, he or she shall return

1 the special plates to the department within fifteen days and apply for
2 regular plates. The surviving spouse must be a resident of this state.

3 The department shall issue these plates upon payment by the
4 applicant of all other license fees, but the department may not set or
5 charge an additional fee for these special license plates (~~under RCW~~
6 ~~46.16.313~~)).

7 (5) The department shall replace, free of charge, special license
8 plates issued under subsections (3) and (4) of this section if they are
9 lost, stolen, damaged, defaced, or destroyed. Such plates shall remain
10 with the persons upon transfer or other disposition of the vehicle for
11 which they were initially issued, and may be used on another vehicle
12 registered to the recipient in accordance with the provisions of RCW
13 46.16.316(1).

14 **Sec. 7.** RCW 46.16.309 and 1990 c 250 s 3 are each amended to read
15 as follows:

16 Persons applying to the department for special license plates shall
17 apply on forms obtained from the department and in accordance with RCW
18 46.16.040. The applicant shall provide all information as is required
19 by the department in order to determine the applicant's eligibility for
20 (~~such~~) the special license plates (~~and for administration of RCW~~
21 ~~46.16.301 through 46.16.332~~)).

22 **Sec. 8.** RCW 46.16.313 and 1996 c 165 s 506 are each amended to
23 read as follows:

24 (1) The department may establish a fee for each type of special
25 license plates issued under RCW 46.16.301(1) (a), (b), or (c), as
26 existing before amendment by section 5 of this act, in an amount
27 calculated to offset the cost of production of the special license
28 plates and the administration of this program. Until December 31,
29 1997, the fee shall not exceed thirty-five dollars (~~and~~), but
30 effective with vehicle registrations due or to become due on January 1,
31 1998, the department may adjust the fee to no more than forty dollars.
32 This fee is in addition to all other fees required to register and
33 license the vehicle for which the plates have been requested. All such
34 additional special license plate fees collected by the department shall
35 be deposited in the state treasury and credited to the motor vehicle
36 fund.

1 (2) Until December 31, 1997, in addition to all fees and taxes
2 required to be paid upon application, registration, and renewal
3 registration of a motor vehicle, the holder of a collegiate license
4 plate shall pay a fee of thirty dollars. The department shall deduct
5 an amount not to exceed two dollars of each fee collected under this
6 subsection for administration and collection expenses incurred by it.
7 The remaining proceeds, minus the cost of plate production, shall be
8 remitted to the custody of the state treasurer with a proper
9 identifying detailed report. The state treasurer shall credit the
10 funds to the appropriate collegiate license plate fund as provided in
11 RCW 28B.10.890.

12 (3) ~~((Except as set forth under subsection (4) of this section,))~~
13 Effective with vehicle registrations due or to become due on January 1,
14 1998, in addition to all fees and taxes required to be paid upon
15 application and registration of a motor vehicle, the holder of a
16 collegiate license plate shall pay an initial fee of forty dollars.
17 The department shall deduct an amount not to exceed twelve dollars of
18 each fee collected under this subsection for administration and
19 collection expenses incurred by it. The remaining proceeds shall be
20 remitted to the custody of the state treasurer with a proper
21 identifying detailed report. The state treasurer shall credit the
22 funds to the appropriate collegiate license plate fund as provided in
23 RCW 28B.10.890.

24 (4) Effective with annual renewals due or to become due on January
25 1, 1999, in addition to all fees and taxes required to be paid upon
26 renewal of a motor vehicle registration, the holder of a collegiate
27 license plate shall pay a fee of thirty dollars. The department shall
28 deduct an amount not to exceed two dollars of each fee collected under
29 this subsection for administration and collection expenses incurred by
30 it. The remaining proceeds shall be remitted to the custody of the
31 state treasurer with a proper identifying detailed report. The state
32 treasurer shall credit the funds to the appropriate collegiate license
33 plate fund as provided in RCW 28B.10.890.

34 (5) In addition to all fees and taxes required to be paid upon
35 application((,)) and registration((, and renewal registration)) of a
36 motor vehicle, the holder of a special baseball stadium license plate
37 shall pay ((a)) an initial fee of ((~~thirty~~) forty dollars. The
38 department shall deduct an amount not to exceed ((~~two~~) twelve dollars
39 of each fee collected under this subsection for administration and

1 collection expenses incurred by it. The remaining proceeds, minus the
2 cost of plate production, shall be distributed to a county for the
3 purpose of paying the principal and interest payments on bonds issued
4 by the county to construct a baseball stadium, as defined in RCW
5 82.14.0485, including reasonably necessary preconstruction costs, while
6 the taxes are being collected under RCW 82.14.360. After this date,
7 the state treasurer shall credit the funds to the state general fund.

8 ~~((4) Until June 30, 1997))~~ (6) Effective with annual renewals due
9 or to become due on January 1, 1999, in addition to all fees and taxes
10 required to be paid upon ~~((application, registration, and))~~ renewal
11 ~~((registration))~~ of a motor vehicle registration, the holder of a
12 special baseball stadium license plate shall pay a fee of ~~((forty))~~
13 thirty dollars. The department shall deduct an amount not to exceed
14 ~~((twelve))~~ two dollars of each fee collected under this subsection for
15 ~~((license plate))~~ administration and collection expenses incurred by
16 it. The remaining proceeds shall be distributed to a county for the
17 purpose of paying the principal and interest payments on bonds issued
18 by the county to construct a baseball stadium, as defined in RCW
19 82.14.0485, including reasonably necessary preconstruction costs, while
20 the taxes are being collected under RCW 82.14.360. After this date,
21 the state treasurer shall credit the funds to the state general fund.

22 NEW SECTION. Sec. 9. A new section is added to chapter 46.16 RCW
23 to read as follows:

24 After a period of three years from the initial issuance of a
25 special license plate series, the department has the sole discretion,
26 based upon the number of sales to date, to determine whether or not to
27 continue issuing the special series.

28 Sec. 10. RCW 46.16.316 and 1990 c 250 s 5 are each amended to read
29 as follows:

30 Except as provided in RCW 46.16.305:

31 (1) When a person who has been issued a special license plate or
32 plates under RCW 46.16.301 as it existed before amendment by section 5
33 of this act, sells, trades, or otherwise transfers or releases
34 ownership of the vehicle upon which the special license plate or plates
35 have been displayed, he or she shall immediately report the transfer of
36 such plate or plates to an acquired vehicle or vehicle eligible for
37 such plates pursuant to departmental rule, or he or she shall surrender

1 such plates to the department immediately if such surrender is required
2 by departmental rule. If a person applies for a transfer of the plate
3 or plates to another eligible vehicle, a transfer fee of five dollars
4 shall be charged in addition to all other applicable fees. Such
5 transfer fees shall be deposited in the motor vehicle fund. Failure to
6 surrender the plates when required is a traffic infraction.

7 (2) If the special license plate or plates issued by the department
8 become lost, defaced, damaged, or destroyed, application for a
9 replacement special license plate or plates shall be made and fees paid
10 as provided by law for the replacement of regular license plates.

11 **Sec. 11.** RCW 46.16.350 and 1990 c 250 s 11 are each amended to
12 read as follows:

13 Any radio amateur operator who holds a special call letter license
14 plate as issued under RCW (~~46.16.301 through 46.16.316~~) 46.16.305,
15 and who has allowed his or her federal communications commission
16 license to expire, or has had it revoked, must notify the director in
17 writing within thirty days and surrender his or her call letter license
18 plate. Failure to do so is a traffic infraction.

19 **Sec. 12.** RCW 46.16.650 and 1987 c 178 s 1 are each amended to read
20 as follows:

21 (~~In order to help publicize and commemorate the state's 1989~~
22 ~~anniversary celebration of its admission to the Union, a new centennial~~
23 ~~design shall be developed by the department for vehicle license plates~~
24 ~~that uses reflectorized materials necessary to provide adequate~~
25 ~~visibility and legibility at night.~~

26 ~~The centennial plates shall be developed in cooperation with the~~
27 ~~design selection committee appointed by the director. The committee~~
28 ~~shall include representation from the Washington centennial commission.~~

29 ~~Registration numbers and letters for the centennial plate shall be~~
30 ~~assigned by the department in accordance with established procedures.~~
31 ~~Distribution of the centennial license plates shall commence January 1,~~
32 ~~1987, to all new vehicle registrations and license plate replacements.~~
33 ~~In addition, the centennial plate shall be available for purchase by~~
34 ~~all other vehicle owners at the owner's option.~~

35 ~~Revenues generated from the centennial plate shall go in part to~~
36 ~~support local and state centennial activities as provided in RCW~~
37 ~~27.60.080.)~~ In addition to the basic fees for new vehicle

1 registrations provided in RCW 46.16.060, 46.16.065, 46.16.505, and
2 46.16.630 and the license fees for new vehicle registrations provided
3 in RCW 46.16.070 and 46.16.085, persons purchasing (~~centennial~~)
4 license plates shall pay an additional fee of one dollar per plate, to
5 be (~~distributed as follows: From January 1, 1987, through June 30,~~
6 ~~1989, one half of the fee shall be deposited in the centennial~~
7 ~~commission account, and the remainder shall be deposited in the motor~~
8 ~~vehicle fund. Commencing July 1, 1989, the total one dollar per plate~~
9 ~~fee shall be~~) deposited in the motor vehicle fund.

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