CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1008

Chapter 291, Laws of 1997

55th Legislature
1997 Regular Session

LICENSE PLATES

EFFECTIVE DATE: 7/27/97

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

CLYDE BALLARD
Speaker of the
House of Representatives

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

BRAD OWEN
President of the Senate

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.

TIMOTHY A. MARTIN
Chief Clerk

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

BRAD OWEN
President of the Senate

Approved May 9, 1997

GARY LOCKE
Governor of the State of Washington

Secretary of State
State of Washington

FILED

May 9, 1997 - 1:38 p.m.
AN ACT Relating to license plates; amending RCW 46.16.270, 46.16.290, 46.16.301, 46.16.305, 46.16.309, 46.16.313, 46.16.316, 46.16.350, and 46.16.650; adding new sections to chapter 46.16 RCW; and creating a new section.

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

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

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

Except for those license plates issued under RCW 46.16.305(1) before January 1, 1987, under RCW 46.16.305(3), and to commercial vehicles with a gross weight in excess of twenty-six thousand pounds,
effective with vehicle registrations due or to become due on January 1, 2001, all vehicle license plates must be issued on a standard background, as designated by the department. Additionally, to ensure maximum legibility and reflectivity, the department shall periodically provide for the replacement of license plates. Frequency of replacement shall be established in accordance with empirical studies documenting the longevity of the reflective materials used to make license plates.

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

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

Upon the loss, defacement, or destruction of one or both of the vehicle license number plates issued for any vehicle where more than one plate was originally issued or where one or both have become so illegible or in such a condition as to be difficult to distinguish, or upon the owner’s option, the owner of the vehicle shall make application for new vehicle license number plates upon a form furnished by the director. The application shall be filed with the director or the director’s authorized agent, accompanied by the certificate of license registration of the vehicle and a fee in the amount of three dollars per plate, whereupon the director, or the director’s authorized agent, shall issue new vehicle license number plates to the applicant. It shall be accompanied by a fee of two dollars for a new motorcycle license number plate. In the event the director has issued license period tabs or a windshield emblem instead of vehicle license number plates, and upon the loss, defacement, or destruction of the tabs or windshield emblem, application shall be made on a form provided by the director and in the same manner as above described, and shall be accompanied by a fee of one dollar for each pair of tabs or for each windshield emblem, whereupon the director shall issue to the applicant a duplicate pair of tabs, year tabs, and when necessary month tabs or a windshield emblem to replace those lost, defaced, or destroyed. For vehicles owned, rented, or leased by the state of Washington or by any county, city, town, school district, or other political subdivision of the state of Washington or United States government, or owned or leased
by the governing body of an Indian tribe as defined in RCW 46.16.020, a fee shall be charged for replacement of a vehicle license number plate only to the extent required by the provisions of RCW 46.16.020, 46.16.061, 46.16.237, and 46.01.140. For vehicles owned, rented, or leased by foreign countries or international bodies to which the United States government is a signatory by treaty, the payment of any fee for the replacement of a vehicle license number plate shall not be required.

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

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

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

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

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

(b) Denote special activities or interests; or

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(e) Denote the status, or contribution or sacrifice for the United
States, the state of Washington, or the citizens of the state of
Washington, of a registered owner of that vehicle, or
(d) Display a depiction of the name and mascot or symbol of a state
university, regional university, or state college as defined in RCW
28B.10.016.
(2) The department shall create, design, and issue a special
baseball stadium license plate that may be used in lieu of regular or
personalized license plates for motor vehicles required to display two
motor vehicle license plates, excluding vehicles registered under
chapter 46.87 RCW, upon terms and conditions established by the
department. The special plates shall commemorate the construction of
a baseball stadium, as defined in RCW 82.14.0485. The department shall
also issue to each recipient of a special baseball stadium license
plate a certificate of participation in the construction of the
baseball stadium.
((3) The department has the sole discretion to determine whether
or not to create, design, or issue any series of special license
plates, other than the special baseball stadium license plate under
subsection (2) of this section, and whether any interest or status
merits the issuance of a series of special license plates. In making
this determination, the department shall consider whether or not an
interest or status contributes or has contributed significantly to the
public health, safety, or welfare of the citizens of the United States
or of this state or to their significant benefit, or whether the
interest or status is recognized by the United States, this state, or
other states, in other settings or contexts. The department may also
consider the potential number of persons who may be eligible for the
plates and the cost and efficiency of producing limited numbers of the
plates. The design of a special license plate shall conform to all
requirements for plates for the type of vehicle for which it is issued,
as provided elsewhere in this chapter.))

Sec. 6. RCW 46.16.305 and 1990 c 250 s 2 are each amended to read
as follows:
The department shall continue to issue((, under RCW 46.16.301 and
the department’s rules implementing RCW 46.16.301 through 46.16.332,))
the categories of special plates issued by the department under the
sections repealed under section ((13)) 12 (1) through (7), chapter 250,
Laws of 1990. Special license plates issued under those repealed sections before January 1, 1991, are valid to the extent and under the conditions provided in those repealed sections. The following conditions, limitations, or requirements apply to certain special license plates issued after January 1, 1991:

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

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

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

4. The department may issue for use on only one motor vehicle owned by the qualified applicant special license plates denoting that the recipient of the plate is a survivor of the attack on Pearl Harbor on December 7, 1941, to persons meeting all of the following criteria:
   (a) Is a resident of this state;
   (b) Was a member of the United States Armed Forces on December 7, 1941;
   (c) Was on station on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or offshore at a distance not to exceed three miles;
   (d) Received an honorable discharge from the United States Armed Forces; and
   (e) Is certified by a Washington state chapter of the Pearl Harbor survivors association as satisfying the qualifications in (c) of this subsection.

The department may issue such plates to the surviving spouse of any deceased Pearl Harbor survivor who met the requirements of this subsection. If the surviving spouse remarries, he or she shall return
the special plates to the department within fifteen days and apply for regular plates. The surviving spouse must be a resident of this state. The department shall issue these plates upon payment by the applicant of all other license fees, but the department may not set or charge an additional fee for these special license plates ((under RCW 46.16.313)).

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

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

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

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

(1) The department may establish a fee for each type of special license plates issued under RCW 46.16.301(1) (a), (b), or (c), as existing before amendment by section 5 of this act, in an amount calculated to offset the cost of production of the special license plates and the administration of this program. Until December 31, 1997, the fee shall not exceed thirty-five dollars ((and)), but effective with vehicle registrations due or to become due on January 1, 1998, the department may adjust the fee to no more than forty dollars. This fee is in addition to all other fees required to register and license the vehicle for which the plates have been requested. All such additional special license plate fees collected by the department shall be deposited in the state treasury and credited to the motor vehicle fund.
(2) Until December 31, 1997, in addition to all fees and taxes required to be paid upon application, registration, and renewal registration of a motor vehicle, the holder of a collegiate license plate shall pay a fee of thirty dollars. The department shall deduct an amount not to exceed two dollars of each fee collected under this subsection for administration and collection expenses incurred by it. The remaining proceeds, minus the cost of plate production, shall be remitted to the custody of the state treasurer with a proper identifying detailed report. The state treasurer shall credit the funds to the appropriate collegiate license plate fund as provided in RCW 28B.10.890.

(3) (Except as set forth under subsection (4) of this section,)

Effective with vehicle registrations due or to become due on January 1, 1998, in addition to all fees and taxes required to be paid upon application and registration of a motor vehicle, the holder of a collegiate license plate shall pay an initial fee of forty dollars. The department shall deduct an amount not to exceed twelve dollars of each fee collected under this subsection for administration and collection expenses incurred by it. The remaining proceeds shall be remitted to the custody of the state treasurer with a proper identifying detailed report. The state treasurer shall credit the funds to the appropriate collegiate license plate fund as provided in RCW 28B.10.890.

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

(5) In addition to all fees and taxes required to be paid upon application and registration of a motor vehicle, the holder of a special baseball stadium license plate shall pay an initial fee of thirty dollars. The department shall deduct an amount not to exceed twelve dollars of each fee collected under this subsection for administration and collection expenses incurred by it. The remaining proceeds shall be remitted to the custody of the state treasurer with a proper identifying detailed report. The state treasurer shall credit the funds to the appropriate collegiate license plate fund as provided in RCW 28B.10.890.
collection expenses incurred by it. The remaining proceeds, minus the
cost of plate production, shall be distributed to a county for the
purpose of paying the principal and interest payments on bonds issued
by the county to construct a baseball stadium, as defined in RCW 82.14.0485, including reasonably necessary preconstruction costs, while
the taxes are being collected under RCW 82.14.360. After this date,
the state treasurer shall credit the funds to the state general fund.

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

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

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

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

Except as provided in RCW 46.16.305:

(1) When a person who has been issued a special license plate or
plates under RCW 46.16.301 as it existed before amendment by section 5
of this act, sells, trades, or otherwise transfers or releases
ownership of the vehicle upon which the special license plate or plates
have been displayed, he or she shall immediately report the transfer of
such plate or plates to an acquired vehicle or vehicle eligible for
such plates pursuant to departmental rule, or he or she shall surrender
such plates to the department immediately if such surrender is required by departmental rule. If a person applies for a transfer of the plate or plates to another eligible vehicle, a transfer fee of five dollars shall be charged in addition to all other applicable fees. Such transfer fees shall be deposited in the motor vehicle fund. Failure to surrender the plates when required is a traffic infraction.

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

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

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

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

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

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

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

Revenues generated from the centennial plate shall go in part to support local and state centennial activities as provided in RCW 27.60.080.)) In addition to the basic fees for new vehicle
registrations provided in RCW 46.16.060, 46.16.065, 46.16.505, and 46.16.630 and the license fees for new vehicle registrations provided in RCW 46.16.070 and 46.16.085, persons purchasing ((centennial)) license plates shall pay an additional fee of one dollar per plate, to be ((distributed as follows: From January 1, 1987, through June 30, 1989, one half of the fee shall be deposited in the centennial commission account, and the remainder shall be deposited in the motor vehicle fund. Commencing July 1, 1989, the total one dollar per plate fee shall be)) deposited in the motor vehicle fund.

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