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HOUSE BILL 1540

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State of Washington

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By Representatives Buys, Armstrong, Haler, Johnson, Walsh, Pearson, Orcutt, Angel, Condotta, Warnick, McCune, and Hasegawa

Read first time 01/25/11. Referred to Committee on Transportation.

1 AN ACT Relating to modifying the requirement to periodically  
2 replace license plates; amending RCW 46.16A.200 and 46.17.200; and  
3 providing an effective date.

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

5 **Sec. 1.** RCW 46.16A.200 and 2010 c 161 s 422 are each amended to  
6 read as follows:

7 (1) **Design.** All license plates may be obtained by the director  
8 from the metal working plant of a state correctional facility or from  
9 any source in accordance with existing state of Washington purchasing  
10 procedures. License plates:

11 (a) May vary in background, color, and design;

12 (b) Must be legible and clearly identifiable as a Washington state  
13 license plate;

14 (c) Must designate the name of the state of Washington without  
15 abbreviation;

16 (d) Must be treated with fully reflectorized materials designed to  
17 increase visibility and legibility at night;

18 (e) Must be of a size and color and show the registration period as  
19 determined by the director; and

1 (f) May display a symbol or artwork approved by the special license  
2 plate review board and the legislature.

3 (2) **Exceptions to reflectorized materials.** License plates issued  
4 before January 1, 1968, are not required to be treated with  
5 reflectorized materials.

6 (3) **Dealer license plates.** License plates issued to a dealer must  
7 contain an indication that the license plates have been issued to a  
8 vehicle dealer.

9 (4)(a) **Furnished.** The director shall furnish to all persons making  
10 satisfactory application for a vehicle registration:

11 (i) Two identical license plates each containing the license plate  
12 number; or

13 (ii) One license plate if the vehicle is a trailer, semitrailer,  
14 camper, moped, collector vehicle, horseless carriage, or motorcycle.

15 (b) The director may adopt types of license plates to be used as  
16 long as the license plates are legible.

17 (5)(a) **Display.** License plates must be:

18 (i) Attached conspicuously at the front and rear of each vehicle if  
19 two license plates have been issued;

20 (ii) Attached to the rear of the vehicle if one license plate has  
21 been issued;

22 (iii) Kept clean and be able to be plainly seen and read at all  
23 times; and

24 (iv) Attached in a horizontal position at a distance of not more  
25 than four feet from the ground.

26 (b) The Washington state patrol may grant exceptions to this  
27 subsection if the body construction of the vehicle makes compliance  
28 with this section impossible.

29 (6) **Change of license classification.** A person who has altered a  
30 vehicle that makes the current license plate or plates invalid for the  
31 vehicle's use shall:

32 (a) Surrender the current license plate or plates to the  
33 department, county auditor or other agent, or subagent appointed by the  
34 director;

35 (b) Apply for a new license plate or plates; and

36 (c) Pay a change of classification fee required under RCW  
37 46.17.310.

38 (7) **Unlawful acts.** It is unlawful to:

1 (a) Display a license plate or plates on the front or rear of any  
2 vehicle that were not issued by the director for the vehicle;

3 (b) Display a license plate or plates on any vehicle that have been  
4 changed, altered, or disfigured, or have become illegible;

5 (c) Use holders, frames, or other materials that change, alter, or  
6 make a license plate or plates illegible. License plate frames may be  
7 used on license plates only if the frames do not obscure license tabs  
8 or identifying letters or numbers on the plates and the license plates  
9 can be plainly seen and read at all times;

10 (d) Operate a vehicle unless a valid license plate or plates are  
11 attached as required under this section;

12 (e) Transfer a license plate or plates issued under this chapter  
13 between two or more vehicles without first making application to  
14 transfer the license plates. A violation of this subsection (7)(e) is  
15 a traffic infraction subject to a fine not to exceed five hundred  
16 dollars. Any law enforcement agency that determines that a license  
17 plate or plates have been transferred between two or more vehicles  
18 shall confiscate the license plate or plates and return them to the  
19 department for nullification along with full details of the reasons for  
20 confiscation. Each vehicle identified in the transfer will be issued  
21 a new license plate or plates upon application by the owner or owners  
22 and the payment of full fees and taxes; or

23 (f) Fail, neglect, or refuse to endorse the registration  
24 certificate and deliver the license plate or plates to the purchaser or  
25 transferee of the vehicle, except as authorized under this section.

26 (8) **Transfer.** (a) Standard issue license plates follow the vehicle  
27 when ownership of the vehicle changes unless the registered owner  
28 wishes to retain the license plates and transfer them to a replacement  
29 vehicle of the same use. A registered owner wishing to keep standard  
30 issue license plates shall pay the license plate transfer fee required  
31 under RCW 46.17.200(1)(~~(e)~~) (b) when applying for license plate  
32 transfer.

33 (b) Special license plates may be treated in the same manner as  
34 described in (a) of this subsection unless otherwise limited by law.

35 (c) License plates issued to the state or any county, city, town,  
36 school district, or other political subdivision entitled to exemption  
37 as provided by law may be treated in the same manner as described in  
38 (a) of this subsection.

1 (9) **Replacement.** (a) An owner or the owner's authorized  
2 representative shall apply for a replacement license plate or plates if  
3 the current license plate or plates assigned to the vehicle have been  
4 lost, defaced, or destroyed, or if one or both plates have become so  
5 illegible or are in such a condition as to be difficult to distinguish.  
6 An owner or the owner's authorized representative may apply for a  
7 replacement license plate or plates at any time the owner chooses.

8 (b) The application for a replacement license plate or plates must:

9 (i) Be on a form furnished or approved by the director; and

10 (ii) Be accompanied by the fee required under RCW 46.17.200(1)(a).

11 (c) The department shall not require the payment of any fee to  
12 replace a license plate or plates for vehicles owned, rented, or leased  
13 by foreign countries or international bodies to which the United States  
14 government is a signatory by treaty.

15 ~~(10)((a) **Periodic replacement.** License plates must be replaced~~  
16 ~~periodically to ensure maximum legibility and reflectivity. The~~  
17 ~~department shall:~~

18 ~~(i) Use empirical studies documenting the longevity of the~~  
19 ~~reflective materials used to make license plates;~~

20 ~~(ii) Determine how frequently license plates must be replaced; and~~

21 ~~(iii) Offer to owners the option of retaining the current license~~  
22 ~~plate number when obtaining replacement license plates for the fee~~  
23 ~~required in RCW 46.17.200(1)(b).~~

24 ~~(b) Commercial motor vehicles with a gross weight in excess of~~  
25 ~~twenty six thousand pounds are exempt from periodic license plate~~  
26 ~~replacement.~~

27 ~~(11) **Periodic replacement--Exceptions.** The following license~~  
28 ~~plates are not required to be periodically replaced as required in~~  
29 ~~subsection (10) of this section:~~

30 ~~(a) Horseless carriage license plates issued under RCW 46.18.255~~  
31 ~~before January 1, 1987;~~

32 ~~(b) Congressional Medal of Honor license plates issued under RCW~~  
33 ~~46.18.230;~~

34 ~~(c) License plates for commercial motor vehicles with a gross~~  
35 ~~weight greater than twenty six thousand pounds.~~

36 ~~(12))~~ **Reissuance.** If a law enforcement officer determines that a  
37 license plate is illegible, the vehicle owner must request from the  
38 department a reissuance of license plates upon forms as prescribed by

1 the department and as issued by the law enforcement officer. For a  
2 reissuance under this subsection, the department must issue a standard  
3 replacement license plate. If the vehicle owner is in possession of a  
4 special license plate, the department must issue a similar replacement  
5 special license plate. The department must reissue license plates  
6 under this subsection free of charge. For the purposes of this  
7 subsection, "illegible" means a license plate that (a) has one or more  
8 letters or numbers that cannot be identified from a distance of fifty  
9 feet and (b) has not been subjected to any conditions other than normal  
10 wear.

11 (11) Rules. The department may adopt rules to implement this  
12 section.

13 ~~((+13))~~ (12) Tabs or emblems. The director may issue tabs or  
14 emblems to be attached to license plates or elsewhere on the vehicle to  
15 signify initial registration and renewals. Renewals become effective  
16 when tabs or emblems have been issued and properly displayed on license  
17 plates.

18 **Sec. 2.** RCW 46.17.200 and 2010 c 161 s 518 are each amended to  
19 read as follows:

20 (1) In addition to all other fees and taxes required by law, the  
21 department, county auditor or other agent, or subagent appointed by the  
22 director shall charge:

23 (a) The following license plate fees for each license plate, unless  
24 the owner or type of vehicle is exempt from payment:

FEE TYPE	FEE	DISTRIBUTION
Reflectivity	\$ 2.00	RCW 46.68.070
Replacement	\$ 10.00	RCW 46.68.070
Replacement, motorcycle	\$ 2.00	RCW 46.68.070

30 (b) ~~((A license plate retention fee, as required under RCW~~  
31 ~~46.16A.200(10)(a)(iii), of twenty dollars if the owner wishes to retain~~  
32 ~~the current license plate number upon license plate replacement, unless~~  
33 ~~the owner or type of vehicle is exempt from payment. The twenty dollar~~

1 ~~fee must be deposited in the multimodal transportation account created~~  
2 ~~in RCW 47.66.070.~~

3 ~~(e))~~) A ten dollar license plate transfer fee, as required under  
4 RCW 46.16A.200(8)(a), when transferring standard issue license plates  
5 from one vehicle to another, unless the owner or type of vehicle is  
6 exempt from payment. The ten dollar license plate transfer fee must be  
7 deposited in the motor vehicle fund created in RCW 46.68.070.

8 ~~((d))~~ (c) Former prisoner of war license plates, as described in  
9 RCW 46.18.235, may be transferred to a replacement vehicle upon payment  
10 of a five dollar license plate fee, in addition to any other fee  
11 required by law.

12 (2) The department may, upon request, provide license plates that  
13 have been used and returned to the department to individuals for  
14 nonvehicular use. The department may charge a fee of up to five  
15 dollars per license plate to cover costs or recovery for postage and  
16 handling. The department may waive the fee for license plates used in  
17 educational projects and may, by rule, provide standards for the fee  
18 waiver and restrictions on the number of license plates provided to any  
19 one person. The fee must be deposited in the motor vehicle fund  
20 created in RCW 46.68.070.

21 NEW SECTION. **Sec. 3.** This act takes effect August 1, 2011.

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