

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1328

Chapter 332, Laws of 2011

62nd Legislature
2011 Regular Session

MOTORCYCLES--OPERATION--LICENSE PLATES

EFFECTIVE DATE: 07/22/11

Passed by the House April 14, 2011
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 9, 2011
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Approved May 12, 2011, 2:12 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1328** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 13, 2011

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1328

AS AMENDED BY THE SENATE

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By House Transportation (originally sponsored by Representatives Van De Wege, DeBolt, Blake, Klippert, Hinkle, Ross, Hasegawa, Kirby, Billig, Lias, Takko, Stanford, Finn, Alexander, Short, Angel, Dammeier, Zeiger, Upthegrove, Tharinger, Green, Kelley, Hurst, McCune, Kenney, and Maxwell)

READ FIRST TIME 02/01/11.

1 AN ACT Relating to the operation of motorcycles; and amending RCW
2 46.61.613, 46.04.437, 46.18.215, 46.18.225, 46.18.230, 46.18.235,
3 46.18.270, 46.18.280, and 46.18.290.

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

5 **Sec. 1.** RCW 46.61.613 and 2010 c 8 s 9073 are each amended to read
6 as follows:

7 The provisions of RCW 46.37.530 and 46.61.610 through 46.61.612
8 ~~((may be))~~ are temporarily suspended ~~((by the chief of the Washington~~
9 ~~state patrol, or his or her designee,))~~ with respect to the operation
10 of motorcycles ~~((within their respective jurisdictions in connection~~
11 ~~with a parade or public demonstration))~~ on a closed road during a
12 parade or public demonstration that has been permitted by a local
13 jurisdiction.

14 **Sec. 2.** RCW 46.04.437 and 2010 c 161 s 133 are each amended to
15 read as follows:

16 "Purple heart license plates" means special license plates that may
17 be assigned to a motor vehicle required to display one or two license

1 plates, excluding vehicles registered under chapter 46.87 RCW, upon
2 terms and conditions established by the department, to recipients of
3 the Purple Heart medal or to another qualified person.

4 **Sec. 3.** RCW 46.18.215 and 2010 c 161 s 614 are each amended to
5 read as follows:

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

16 **Sec. 4.** RCW 46.18.225 and 2010 c 161 s 615 are each amended to
17 read as follows:

18 A state university, regional university, or state college as
19 defined in RCW 28B.10.016 may apply to the department, in a form
20 approved by the department and request the department to issue a series
21 of collegiate license plates, for display on motor vehicles required to
22 display one or two license plates, excluding vehicles registered under
23 chapter 46.87 RCW, upon terms and conditions established by the
24 department, depicting the name and mascot or symbol of the college or
25 university, as submitted and approved for use by the requesting
26 institution.

27 **Sec. 5.** RCW 46.18.230 and 2010 c 161 s 618 are each amended to
28 read as follows:

29 (1) A registered owner who has been awarded the Congressional Medal
30 of Honor may apply to the department for special license plates for use
31 on a ((~~passenger~~)) motor vehicle required to display one or two license
32 plates, excluding vehicles registered under chapter 46.87 RCW, upon
33 terms and conditions established by the department. The Congressional
34 Medal of Honor recipient must:

1 (a) Provide proof from the Washington state department of veterans
2 affairs showing receipt of the medal; and

3 (b) Be recorded as the registered owner of the motor vehicle on
4 which the Congressional Medal of Honor license plate or plates will be
5 displayed.

6 (2) Congressional Medal of Honor license plates must be issued:

7 (a) Only for a personal (~~passenger~~) motor vehicle owned by
8 persons who have received the Congressional Medal of Honor; and

9 (b) Without payment of vehicle license fees, license plate fees,
10 and motor vehicle excise taxes.

11 (3) Congressional Medal of Honor license plates must be replaced,
12 free of charge, if the license plates become lost, stolen, damaged,
13 defaced, or destroyed.

14 (4) A Congressional Medal of Honor license plate or plates may be
15 transferred, free of charge, from one motor vehicle to another motor
16 vehicle owned by the Congressional Medal of Honor recipient upon
17 application to the department, county auditor or other agent, or
18 subagent appointed by the director.

19 **Sec. 6.** RCW 46.18.235 and 2010 c 161 s 619 are each amended to
20 read as follows:

21 (1) A registered owner who is a veteran, as defined in RCW
22 41.04.007, may apply to the department for disabled American veteran or
23 former prisoner of war license plates, for use on one personal use
24 motor vehicle required to display one or two license plates, excluding
25 vehicles registered under chapter 46.87 RCW, upon terms and conditions
26 established by the department. The veteran must be recorded as the
27 registered owner of the motor vehicle on which the disabled American
28 veteran or former prisoner of war license plate or plates will be
29 displayed and:

30 (a) Provide certification from the veterans administration or the
31 military service from which the veteran was discharged that the veteran
32 has a service-connected disability rating;

33 (b) Have lost the use of both hands or one foot;

34 (c) Have been captured and incarcerated by an enemy of the United
35 States during a period of war with the United States and have received
36 a prisoner of war medal;

1 (d) Have become blind in both eyes as the result of military
2 service; or

3 (e) Be rated by the veterans administration or the military service
4 from which the veteran was discharged and be receiving service-
5 connected compensation at the one hundred percent rate that is expected
6 to exist for more than one year.

7 (2) The special license plates under this section must:

8 (a) Display distinguishing marks, letters, or numerals indicating
9 that the registered owner is a disabled American veteran or former
10 prisoner of war; and

11 (b) Be issued for one personal use vehicle without the payment of
12 any vehicle license fees, license plate fees, or excise taxes.

13 (3) A registered owner who is a veteran, as defined in RCW
14 41.04.007, may, in lieu of applying for the special license plates
15 under this section, apply for regular issue or any qualifying special
16 license plate and receive the full benefit of the vehicle license fee
17 and excise tax exemption provided in subsection (2)(b) of this section.

18 (4) The department may periodically verify the one hundred percent
19 rate as described in subsection (1)(e) of this section.

20 (5) A veteran who has been issued disabled American veteran or
21 former prisoner of war license plates under this section before July 1,
22 1983, continues to be eligible for the vehicle license fee and excise
23 tax exemption described in subsection (2)(b) of this section.

24 (6) A disabled American veteran and former prisoner of war license
25 plate or plates may be transferred from one motor vehicle to another
26 motor vehicle owned by the veteran upon application to the department,
27 county auditor or other agent, or subagent appointed by the director.

28 (7) For the purposes of this section:

29 (a) "Blind" means the definition of "blind" used by the state of
30 Washington in determining eligibility for financial assistance to the
31 blind under Title 74 RCW; and

32 (b) "Special license plates" does not include any plate from the
33 armed forces license plate collection established in RCW 46.18.200(3).

34 (8) Any unauthorized use of a special license plate under this
35 section is a gross misdemeanor.

36 **Sec. 7.** RCW 46.18.270 and 2010 c 161 s 625 are each amended to
37 read as follows:

1 (1) A registered owner who has survived the attack on Pearl Harbor
2 on December 7, 1941, may apply to the department for special license
3 plates for use on only one motor vehicle required to display one or two
4 license plates, excluding vehicles registered under chapter 46.87 RCW,
5 upon terms and conditions established by the department, and owned by
6 the qualified applicant. The applicant must:

7 (a) Be a resident of this state;

8 (b) Have been a member of the United States armed forces on
9 December 7, 1941;

10 (c) Have been on station on December 7, 1941, between the hours of
11 7:55 a.m. and 9:45 a.m. Hawaii time at Pearl Harbor, the island of
12 Oahu, or offshore at a distance not to exceed three miles;

13 (d) Have received an honorable discharge from the United States
14 armed forces;

15 (e) Provide certification by a Washington state chapter of the
16 Pearl Harbor survivors association showing that qualifications in (c)
17 of this subsection have been met;

18 (f) Be recorded as the registered owner of the motor vehicle on
19 which the Pearl Harbor survivor license plate_or plates will be
20 displayed; and

21 (g) Pay all fees and taxes required by law for registering the
22 motor vehicle.

23 (2) Pearl Harbor survivor license plates must be issued without the
24 payment of any license plate fee.

25 (3) Pearl Harbor survivor license plates must be replaced, free of
26 charge, if the license plates have become lost, stolen, damaged,
27 defaced, or destroyed.

28 (4) Pearl Harbor survivor license plates may be issued to the
29 surviving spouse or domestic partner of a Pearl Harbor survivor who met
30 the requirements in subsection (1) of this section. The surviving
31 spouse or domestic partner must be a resident of this state. If the
32 surviving spouse remarries or the surviving domestic partner marries or
33 enters into a new domestic partnership, he or she must return the
34 special license plates to the department within fifteen days and apply
35 for regular license plates or another type of special license plate.

36 (5) A Pearl Harbor survivor license plate_or plates may be
37 transferred from one motor vehicle to another motor vehicle owned by
38 the Pearl Harbor survivor or the surviving spouse or domestic partner

1 as described in subsection (4) of this section upon application to the
2 department, county auditor or other agent, or subagent appointed by the
3 director.

4 **Sec. 8.** RCW 46.18.280 and 2010 c 161 s 628 are each amended to
5 read as follows:

6 (1) A registered owner who has been awarded a Purple Heart medal by
7 any branch of the United States armed forces, including the merchant
8 marines and the women's air forces service pilots may apply to the
9 department for special license plates for use on only one motor vehicle
10 required to display one or two license plates, excluding vehicles
11 registered under chapter 46.87 RCW, upon terms and conditions
12 established by the department, and owned by the qualified applicant.

13 The applicant must:

14 (a) Be a resident of this state;

15 (b) Have been wounded during one of this nation's wars or conflicts
16 identified in RCW 41.04.005;

17 (c) Have received an honorable discharge from the United States
18 armed forces;

19 (d) Provide a copy of the armed forces document showing the
20 recipient was awarded the Purple Heart medal;

21 (e) Be recorded as the registered owner of the motor vehicle on
22 which the Purple Heart survivor license plate or plates will be
23 displayed; and

24 (f) Pay all fees and taxes required by law for registering the
25 motor vehicle.

26 (2) Purple Heart license plates must be issued without the payment
27 of any special license plate fee.

28 (3) Purple Heart license plates may be issued to the surviving
29 spouse or domestic partner of a Purple Heart recipient who met the
30 requirements in subsection (1) of this section. The surviving spouse
31 or domestic partner must be a resident of this state. If the surviving
32 spouse remarries or the surviving domestic partner marries or enters
33 into a new domestic partnership, he or she must return the special
34 license plates to the department within fifteen days and apply for
35 regular license plates or another type of special license plate.

36 (4) A Purple Heart license plate or plates may be transferred from
37 one motor vehicle to another motor vehicle owned by the Purple Heart

1 recipient or the surviving spouse or domestic partner as described in
2 subsection (3) of this section upon application to the department,
3 county auditor or other agent, or subagent appointed by the director.

4 **Sec. 9.** RCW 46.18.290 and 2010 c 161 s 630 are each amended to
5 read as follows:

6 A registered owner may apply to the department, county auditor or
7 other agent, or subagent appointed by the director for a square dancer
8 license plate. The registered owner shall pay the special license
9 plate fee required under RCW 46.17.220(1)(q), in addition to any other
10 fee or tax required by law. The square dancer license plate may be
11 issued in lieu of standard issue or personalized license plates for
12 motor vehicles required to display one or two license plates, but may
13 not be issued for vehicles registered under chapter 46.87 RCW.

Passed by the House April 14, 2011.

Passed by the Senate April 9, 2011.

Approved by the Governor May 12, 2011.

Filed in Office of Secretary of State May 13, 2011.