

CERTIFICATION OF ENROLLMENT

SECOND ENGROSSED SUBSTITUTE SENATE BILL 5785

Chapter 80, Laws of 2014

63rd Legislature
2014 Regular Session

LICENSE PLATES--DISPLAY--REPLACEMENT

EFFECTIVE DATE: 06/12/14

Passed by the Senate March 11, 2014
YEAS 45 NAYS 1

BRAD OWEN

President of the Senate

Passed by the House March 5, 2014
YEAS 95 NAYS 3

FRANK CHOPP

Speaker of the House of Representatives

Approved March 27, 2014, 10:22 a.m.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND ENGROSSED SUBSTITUTE SENATE BILL 5785** as passed by the Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

March 27, 2014

**Secretary of State
State of Washington**

SECOND ENGROSSED SUBSTITUTE SENATE BILL 5785

AS AMENDED BY THE HOUSE

Passed Legislature - 2014 Regular Session

State of Washington 63rd Legislature 2014 Regular Session

By Senate Transportation (originally sponsored by Senators Ericksen, Rolfes, King, Ranker, and Eide)

READ FIRST TIME 02/28/13.

1 AN ACT Relating to the display and replacement of license plates;
2 amending RCW 46.16A.200, 46.16A.020, 46.17.200, and 46.18.130;
3 reenacting and amending RCW 46.16A.110 and 46.18.140; and creating a
4 new section.

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

6 **Sec. 1.** RCW 46.16A.200 and 2011 c 171 s 46 are each amended to
7 read as follows:

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

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

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

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

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

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

3 (f) Before July 1, 2010, may display a symbol or artwork approved
4 by the former special license plate review board and the legislature.
5 Beginning July 1, 2010, special license plate series approved by the
6 department and enacted into law by the legislature may display a symbol
7 or artwork approved by the department.

8 (2) **Exceptions to reflectorized materials.** License plates issued
9 before January 1, 1968, are not required to be treated with
10 reflectorized materials.

11 (3) **Dealer license plates.** License plates issued to a dealer must
12 contain an indication that the license plates have been issued to a
13 vehicle dealer.

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

16 (i) Two identical license plates each containing the license plate
17 number; or

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

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

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

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

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

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

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

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

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

37 (a) Surrender the current license plate or plates to the

1 department, county auditor or other agent, or subagent appointed by the
2 director;

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

4 (c) Pay a change of classification fee required under RCW
5 46.17.310.

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

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

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

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

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

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

29 (f) Fail, neglect, or refuse to endorse the registration
30 certificate (~~and deliver the license plate or plates to the purchaser~~
31 ~~or transferee of the vehicle~~), except as authorized under this
32 section.

33 (8) **Transfer.** (a) Standard issue license plates (~~follow the~~
34 ~~vehicle~~) must be replaced when ownership of the vehicle changes
35 (~~unless~~), pursuant to subsection (9)(a)(i) of this section, but the
36 registered owner (~~wishes to~~) may retain the license plates and
37 transfer them to a replacement vehicle of the same use. In addition to
38 all other taxes and fees due upon change in ownership, a registered

1 owner wishing to keep standard issue license plates shall pay the
2 license plate transfer fee required under RCW 46.17.200(1)(c) when
3 applying for license plate transfer.

4 (b) Special license plates and personalized license plates may be
5 treated in the same manner as described in (a) of this subsection
6 unless otherwise limited by law.

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

11 (d) License plate replacement is not required when a change in
12 vehicle ownership is the result of one or more of the following
13 circumstances:

14 (i) When adding a lien holder to the certificate of title or
15 removing a lien holder from the certificate of title;

16 (ii) When a vehicle is transferred from one spouse or registered
17 domestic partner to another;

18 (iii) When removing a deceased spouse or registered domestic
19 partner from the certificate of title;

20 (iv) When a vehicle is transferred by gift or inheritance to one or
21 more members of the registered owner's immediate family;

22 (v) When a vehicle is transferred into or out of a trust in which
23 the registered owner or one or more immediate family members of the
24 registered owner is the beneficiary;

25 (vi) When a leaseholder buys out the leased vehicle; or

26 (vii) When a person changes his or her name.

27 (9) **Replacement.** (a) Except as provided in subsection (8)(a) of
28 this section, an owner or the owner's authorized representative
29 ((shall)) must apply for a replacement license plate or plates: (i)
30 When taking ownership of the vehicle; (ii) if the current license plate
31 or plates assigned to the vehicle have been lost, defaced, or
32 destroyed((τ)); or (iii) if one or both plates have become so illegible
33 or are in such a condition as to be difficult to distinguish. An owner
34 or the owner's authorized representative may apply for a replacement
35 license plate or plates at any time the owner chooses. The department
36 shall offer to owners the option of retaining the current license plate
37 number when obtaining replacement license plates for the fee required
38 in RCW 46.17.200(1)(b).

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

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

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

4 (c) When a vehicle is sold to a vehicle dealer for resale, the
5 application for a replacement plate or plates need not be made until
6 the vehicle is sold by the vehicle dealer.

7 (d) The department shall not require the payment of any fee to
8 replace a license plate or plates for vehicles owned, rented, or leased
9 by foreign countries or international bodies to which the United States
10 government is a signatory by treaty.

11 (10) (~~Periodic replacement. License plates must be replaced~~
12 ~~periodically to ensure maximum legibility and reflectivity. The~~
13 ~~department shall:~~

14 (a) ~~Use empirical studies documenting the longevity of the~~
15 ~~reflective materials used to make license plates;~~

16 (b) ~~Determine how frequently license plates must be replaced; and~~

17 (c) ~~Offer to owners the option of retaining the current license~~
18 ~~plate number when obtaining replacement license plates for the fee~~
19 ~~required in RCW 46.17.200(1)(b).~~

20 ~~(11) Periodic~~) **Replacement--Exceptions.** The following license
21 plates are not required to be (~~periodically~~) replaced as required in
22 subsection (~~(10)~~) (9) of this section:

23 (a) Horseless carriage license plates issued under RCW 46.18.255
24 before January 1, 1987;

25 (b) Congressional Medal of Honor license plates issued under RCW
26 46.18.230;

27 (c) License plates for commercial motor vehicles with a gross
28 weight greater than twenty-six thousand pounds.

29 (~~(12)~~) (11)Rules. The department may adopt rules to implement
30 this section.

31 (~~(13)~~) (12)Tabs or emblems. The director may issue tabs or
32 emblems to be attached to license plates or elsewhere on the vehicle to
33 signify initial registration and renewals. Renewals become effective
34 when tabs or emblems have been issued and properly displayed (~~on~~
35 ~~license plates~~)).

36 **Sec. 2.** RCW 46.16A.020 and 2010 c 161 s 402 are each amended to
37 read as follows:

1 (1) The department, county auditor or other agent, or subagent
2 appointed by the director shall assign a new registration year to a
3 vehicle if:

4 (a) ~~The ((Washington state vehicle registration has expired and))~~
5 registered ownership ~~((to))~~ of the vehicle is being transferred, except
6 as provided in subsection (4) of this section. The renewed ~~((license))~~
7 vehicle registration is valid for a full twelve-month period unless:
8 (i) The vehicle changes ownership during the twelve-month period, in
9 which case the registration expires; or (ii) a specific expiration date
10 is required by law, rule, or program; or

11 (b) The Washington vehicle registration has expired and the
12 registered owner:

13 (i) Is a member of the United States armed forces;

14 (ii) Was stationed outside of Washington under military orders
15 during the prior vehicle registration year; and

16 (iii) Provides the department a copy of the military orders.

17 (2) Each registration year may be divided into twelve registration
18 months. Each registration month begins at 12:01 a.m. on a day of the
19 month assigned by the department and ends at 12:00 a.m. on the same day
20 the following month.

21 (3) A registration period extends through the end of the next
22 business day when the final day of a registration year or month falls
23 on a Saturday, Sunday, or legal holiday.

24 (4) A vehicle registration does not expire when a change in vehicle
25 ownership is the result of one or more of the following circumstances:

26 (a) When adding a lien holder to the certificate of title or
27 removing a lien holder from the certificate of title;

28 (b) When a vehicle is transferred from one spouse or registered
29 domestic partner to another;

30 (c) When removing a deceased spouse or registered domestic partner
31 from the certificate of title;

32 (d) When a vehicle is transferred by gift or inheritance to one or
33 more members of the registered owner's immediate family;

34 (e) When a vehicle is transferred into or out of a trust in which
35 the registered owner or one or more immediate family members of the
36 registered owner is the beneficiary;

37 (f) When a leaseholder buys out the leased vehicle; or

38 (g) When a person changes his or her name.

1 **Sec. 3.** RCW 46.16A.110 and 2010 c 161 s 428 and 2010 c 8 s 9012
2 are each reenacted and amended to read as follows:

3 (1) A registered owner or the registered owner's authorized
4 representative must apply for a renewal vehicle registration to the
5 department, county auditor or other agent, or subagent appointed by the
6 director on a form approved by the director. The application for a
7 renewal vehicle registration must be accompanied by a draft, money
8 order, certified bank check, or cash for all fees and taxes required by
9 law for the application for a renewal vehicle registration.

10 (2)(a) When a vehicle changes ownership, the person taking
11 ownership or his or her authorized representative must apply for a
12 renewal vehicle registration as provided in subsection (1) of this
13 section and, except as provided in (b) of this subsection, pay all the
14 taxes and fees that are due at the time of registration renewal. For
15 the purposes of this section, when a vehicle is sold to a vehicle
16 dealer for resale, the application for a renewal registration need not
17 be made until the vehicle is sold by the vehicle dealer.

18 (b) The person taking ownership or his or her authorized
19 representative must be given credit for the portion of a motor vehicle
20 excise tax, including the motor vehicle excise tax collected under RCW
21 81.104.160, that reflects the remaining period for which the tax was
22 initially paid by the previous owner.

23 (3) An application and the fees and taxes for a renewal vehicle
24 registration must be handled in the same manner as an original vehicle
25 registration application. The registration does not need to show the
26 name of the lien holder when the application for renewal vehicle
27 registration becomes the renewal registration upon validation.

28 (~~(3)~~) (4) A person expecting to be out of state during the normal
29 renewal period of a vehicle registration may renew a vehicle
30 registration and have license plates or tabs preissued by applying for
31 a renewal as described in subsection (1) of this section. A vehicle
32 registration may be renewed for the subsequent registration year up to
33 eighteen months before the current expiration date and must be
34 displayed from the date of issue or from the day of the expiration of
35 the current registration year, whichever date is later.

36 (~~(4)~~) (5) An application for a renewal vehicle registration is
37 not required for those vehicles owned, rented, or leased by:

1 (a) The state of Washington, or by any county, city, town, school
2 district, or other political subdivision of the state of Washington; or

3 (b) A governing body of an Indian tribe located within this state
4 and recognized as a governmental entity by the United States department
5 of the interior.

6 **Sec. 4.** RCW 46.17.200 and 2012 c 74 s 3 are each amended to read
7 as follows:

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

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

FEE TYPE	FEE	DISTRIBUTION
Original issue	\$ 10.00	RCW 46.68.070
Reflectivity	\$ 2.00	RCW 46.68.070
Replacement	\$ 10.00	RCW 46.68.070
Original issue, motorcycle	\$ 4.00	RCW 46.68.070
Replacement, motorcycle	\$ 4.00	RCW 46.68.070
Original issue, moped	\$1.50	RCW 46.68.070

22 (b) A license plate retention fee, as required under RCW
23 46.16A.200(~~((10)(e))~~) (9)(a), of twenty dollars if the owner wishes to
24 retain the current license plate number upon license plate replacement,
25 unless the owner or type of vehicle is exempt from payment. The twenty
26 dollar fee must be deposited in the multimodal transportation account
27 created in RCW 47.66.070.

28 (c) A ten dollar license plate transfer fee, as required under RCW
29 46.16A.200(8)(a), when transferring standard issue license plates from
30 one vehicle to another, unless the owner or type of vehicle is exempt
31 from payment. The ten dollar license plate transfer fee must be
32 deposited in the motor vehicle fund created in RCW 46.68.070.

33 (d) Former prisoner of war license plates, as described in RCW

1 46.18.235, may be transferred to a replacement vehicle upon payment of
2 a five dollar license plate fee, in addition to any other fee required
3 by law.

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

13 **Sec. 5.** RCW 46.18.130 and 2011 c 171 s 68 are each amended to read
14 as follows:

15 (1) Revenues generated from the sale of special license plates for
16 those sponsoring organizations who used the application process in RCW
17 46.18.110 must be deposited into the motor vehicle fund created in RCW
18 46.68.070 until the department determines that the state's
19 implementation costs have been fully reimbursed.

20 (2) When it is determined that the state has been fully reimbursed
21 the department must notify the house of representatives and senate
22 transportation committees, the sponsoring organization, and the state
23 treasurer, and begin distributing the revenue as otherwise provided by
24 law.

25 (3) If reimbursement does not occur within two years from the date
26 the special license plate is first offered for sale to the public, the
27 special license plate series must be placed in probationary status for
28 a period of one year from that date. If the state is still not fully
29 reimbursed for its implementation costs after the one-year probation,
30 the special license plate series must be discontinued immediately.
31 Special license plates issued before discontinuation are valid until
32 replaced (~~under RCW 46.16A.200(10)~~).

33 (4) The department shall:

34 (a) Provide the special license plate applicant with a written
35 receipt for the payment; and

36 (b) Maintain a record of each special license plate applicant trust

1 account deposit including, but not limited to, the name and address of
2 each special license plate applicant whose funds are being deposited,
3 the amount paid, and the date of the deposit.

4 (5) After the department receives written notice that the special
5 license plate applicant's application has been approved by the
6 legislature, the director shall request that the money be transferred
7 to the motor vehicle fund created in RCW 46.68.070.

8 (6) After the department receives written notice that the special
9 license plate applicant's application has been denied by the department
10 or the legislature, the director shall provide a refund to the
11 applicant within thirty days.

12 (7) After the department receives written notice that the special
13 license plate applicant's application has been withdrawn by the special
14 license plate applicant, the director shall provide a refund to the
15 applicant within thirty days.

16 **Sec. 6.** RCW 46.18.140 and 2010 1st sp.s. c 7 s 97 and 2010 c 161
17 s 609 are each reenacted and amended to read as follows:

18 (1) A special license plate series created by the legislature after
19 January 1, 2011, that has not been reviewed and approved by the
20 department is subject to the following requirements:

21 (a) The organization sponsoring the license plate series shall,
22 within thirty days of enactment of the legislation creating the special
23 license plate series, submit prepayment of all start-up costs
24 associated with the creation and implementation of the special license
25 plate in an amount determined by the department. The prepayment will
26 be credited to the motor vehicle fund created in RCW 46.68.070. The
27 creation and implementation of the special license plate series may not
28 begin until payment is received by the department.

29 (b) If the sponsoring organization is not able to meet the
30 prepayment requirements in (a) of this subsection and can demonstrate
31 this fact to the satisfaction of the department, the revenues generated
32 from the sale of the special license plates must be deposited in the
33 motor vehicle fund created in RCW 46.68.070 until the department
34 determines that the state's portion of the implementation costs have
35 been fully reimbursed. When it has determined that the state has been
36 fully reimbursed, the department must notify the treasurer to commence
37 distribution of the revenue according to statutory provisions.

1 (c) The sponsoring organization must provide a proposed special
2 license plate design to the department within thirty days of enactment
3 of the legislation creating the special license plate series.

4 (2) The state must be reimbursed for its portion of the
5 implementation costs within two years from the date the new special
6 license plate series goes on sale to the public. If the reimbursement
7 does not occur within the two-year time frame, the special license
8 plate series must be placed in probationary status for a period of one
9 year from that date. If the state is still not fully reimbursed for
10 its implementation costs after the one-year probation, the special
11 license plate series must be discontinued immediately. Those special
12 license plates issued before discontinuation are valid until replaced
13 (~~(under RCW 46.16A.200(10))~~).

14 (3) If the sponsoring organization ceases to exist or the purpose
15 of the special license plate series ceases to exist, revenues generated
16 from the sale of the special license plates must be deposited into the
17 motor vehicle fund created in RCW 46.68.070.

18 (4) A sponsoring organization may not seek to redesign its special
19 license plate series until the entire existing inventory is sold or
20 purchased by the organization itself. All costs for the redesign of a
21 special license plate series must be paid by the sponsoring
22 organization.

23 NEW SECTION. **Sec. 7.** This act applies to vehicle registrations
24 that are due or become due on or after January 1, 2015.

Passed by the Senate March 11, 2014.

Passed by the House March 5, 2014.

Approved by the Governor March 27, 2014.

Filed in Office of Secretary of State March 27, 2014.