S-0760.1

SENATE BILL 5338

State of Washington 64th Legislature 2015 Regular Session

By Senators Dansel and Warnick

Read first time 01/19/15. Referred to Committee on Transportation.

AN ACT Relating to the creation of intermittent-use trailer license plates; amending RCW 46.18.277 and 46.19.060; reenacting and amending RCW 46.17.220 and 46.16A.200; adding a new section to chapter 46.18 RCW; adding a new section to chapter 46.04 RCW; and prescribing penalties.

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

NEW SECTION. **Sec. 1.** A new section is added to chapter 46.18 RCW to read as follows:

(1) A registered owner may apply to the department, county auditor or other agent, or subagent appointed by the director for an intermittent-use trailer license plate for an intermittent-use trailer. The applicant for the intermittent-use trailer license plate must:

(a) Purchase a registration for the intermittent-use trailer as required under chapters 46.16A and 46.17 RCW; and

(b) Pay the special license plate fee established under RCW 46.17.220(1)(l).

(2) A person applying for an intermittent-use trailer license plate may:

(a) Receive an intermittent-use trailer license plate assigned by the department; or

(b) Provide an actual Washington state issued license plate designated for general use in the year of the intermittent-use trailer's manufacture.

(3) Intermittent-use trailer license plates:

(a) Are valid for the life of the intermittent-use trailer;

(b) Are not required to be renewed; and

(c) Must be displayed on the rear of the intermittent-use trailer.

(4) If the owner of an intermittent-use trailer obtains an intermittent-use trailer license plate and then sells, transfers, or otherwise conveys the intermittent-use trailer to another individual or entity, the intermittent-use trailer license plate must be removed prior to the sale, transfer, or conveyance and the new owner of the intermittent-use trailer must obtain a new registration and appropriate license plate.

(5) Any person who knowingly provides a false or facsimile license plate under subsection (2)(b) of this section is subject to a traffic infraction and fine in an amount equal to the monetary penalty for a violation of RCW 46.16A.200(7)(b). Additionally, the person must pay for the cost of an intermittent-use trailer license plate as listed under RCW 46.17.220(1)(l), unless already paid.

(6) A person that is determined to be in violation of this section is subject to a traffic infraction of a maximum fine of one hundred fifty dollars including all other applicable assessments and fees.

NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04 RCW to read as follows:

"Intermittent-use trailer" means a trailer in good working order that is used only for participation in club activities, exhibitions, tours, and parades, and for occasional pleasure use. For purposes of this section, "occasional pleasure use" means use of an intermittent trailer that is not general or daily, but seasonal or sporadic and not more than once per week on average.

Sec. 3. RCW 46.17.220 and 2014 c 77 s 2 and 2014 c 6 s 2 are each reenacted and amended to read as follows:

(1) In addition to all fees and taxes required to be paid upon application for a vehicle registration in chapter 46.16A RCW, the

holder of a special license plate shall pay the appropriate special license plate fee as listed in this section.

PLATE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
(a) 4-H	$ 40.00	$ 30.00	RCW 46.68.420
(b) Amateur radio license	$ 5.00	N/A	RCW 46.68.070
(c) Armed forces	$ 40.00	$ 30.00	RCW 46.68.425
(d) Baseball stadium	$ 40.00	$ 30.00	Subsection (2) of this section
(e) Breast cancer awareness	$ 40.00	$ 30.00	RCW 46.68.425
(f) Collector vehicle	$ 35.00	N/A	RCW 46.68.030
(g) Collegiate	$ 40.00	$ 30.00	RCW 46.68.430
(h) Endangered wildlife	$ 40.00	$ 30.00	RCW 46.68.425
(i) Gonzaga University alumni association	$ 40.00	$ 30.00	RCW 46.68.420
(j) Helping kids speak	$ 40.00	$ 30.00	RCW 46.68.420
(k) Horseless carriage	$ 35.00	N/A	RCW 46.68.030
(l) Intermittent-use trailer	$ 187.50	N/A	RCW 46.68.030
(m) Keep kids safe	$ 45.00	$ 30.00	RCW 46.68.425
((~~(m)~~)) (n) Law enforcement memorial	$ 40.00	$ 30.00	RCW 46.68.420
((~~(n)~~)) (o) Military affiliate radio system	$ 5.00	N/A	RCW 46.68.070
((~~(o)~~)) (p) Music matters	$ 40.00	$ 30.00	RCW 46.68.420
((~~(p)~~)) (q) Professional firefighters and paramedics	$ 40.00	$ 30.00	RCW 46.68.420
((~~(q)~~)) (r) Ride share	$ 25.00	N/A	RCW 46.68.030
((~~(r)~~)) (s) Seattle Seahawks	$ 40.00	$ 30.00	RCW 46.68.420
((~~(s)~~)) (t) Seattle Sounders FC	$ 40.00	$ 30.00	RCW 46.68.420
((~~(t)~~)) (u) Seattle University	$ 40.00	$ 30.00	RCW 46.68.420
((~~(u)~~)) (v) Share the road	$ 40.00	$ 30.00	RCW 46.68.420

(((~~v~~))) (w) Ski & ride Washington	$ 40.00	$ 30.00	RCW 46.68.420
(((~~w~~))) (x) Square dancer	$ 40.00	N/A	RCW 46.68.070
(((~~x~~))) (y) State flower	$ 40.00	$ 30.00	RCW 46.68.420
(((~~y~~))) (z) Volunteer firefighters	$ 40.00	$ 30.00	RCW 46.68.420
(((~~z~~))) (aa) Washington lighthouses	$ 40.00	$ 30.00	RCW 46.68.420
(((~~aa~~))) (bb) Washington state parks	$ 40.00	$ 30.00	RCW 46.68.425
(((~~bb~~))) (cc) Washington's national parks	$ 40.00	$ 30.00	RCW 46.68.420
(((~~cc~~))) (dd) Washington's wildlife collection	$ 40.00	$ 30.00	RCW 46.68.425
(((~~dd~~))) (ee) We love our pets	$ 40.00	$ 30.00	RCW 46.68.420
(((~~ee~~))) (ff) Wild on Washington	$ 40.00	$ 30.00	RCW 46.68.425

(2) After deducting administration and collection expenses for the sale of baseball stadium license plates, the remaining proceeds must 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.

Sec. 4. RCW 46.16A.200 and 2014 c 181 s 2 and 2014 c 80 s 1 are each reenacted and amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

(ii) One license plate if the vehicle is a trailer, semitrailer, <u>intermittent-use trailer,</u> camper, moped, collector vehicle, horseless carriage, or motorcycle.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) Fail, neglect, or refuse to endorse the registration certificate, except as authorized under this section.

(8) **Transfer.** (a) Standard issue license plates must be replaced when ownership of the vehicle changes, pursuant to subsection (9)(a)(i) of this section, but the registered owner may retain the license plates and transfer them to a replacement vehicle of the same use. In addition to all other taxes and fees due upon change in ownership, a registered owner wishing to keep standard issue license

plates shall pay the license plate transfer fee required under RCW 46.17.200(1)(c) when applying for license plate transfer.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(10) **Replacement——Exceptions.** The following license plates are not required to be replaced as required in subsection (9) of this section:

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

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

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

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

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

Sec. 5. RCW 46.18.277 and 2014 c 181 s 3 are each amended to read as follows:

(1) A registered owner may purchase personalized license plates with a special license plate background for any vehicle required to display one or two vehicle license plates, excluding:

(a) Amateur radio license plates;

(b) Collector vehicle license plates;

(c) Disabled American veteran license plates;

(d) Former prisoner of war license plates;

(e) Horseless carriage license plates;

(f) Intermittent-use trailer license plates;

(g) Medal of Honor license plates;

((~~(g)~~)) (h) Military affiliate radio system license plates;

((~~(h)~~)) (i) Pearl Harbor survivor license plates;

((~~(i)~~)) (j) Restored license plates; and

((~~(j)~~)) (k) Vehicles registered under chapter 46.87 RCW.

(2) Personalized special license plates issued under this section must:

(a) Consist of numbers or letters or any combination of numbers or letters;

(b) Not exceed seven characters; and

(c) Not contain less than one character.

(3) The department may not issue or may refuse to issue personalized special license plates that:

(a) Duplicate or conflict with existing or projected vehicle license plate series or other numbering systems for records kept by the department; or

(b) May carry connotations offensive to good taste and decency or which would be misleading.

(4) Personalized special license plates must be issued only to the registered owner of the vehicle on which they are to be displayed. The registered owner must:

(a) Pay both the personalized license plate fee required under RCW 46.17.210 and the special license plate fee required under the applicable special license plate provision, in addition to any other fee or taxes due. License plate fees must be distributed as provided in chapter 46.68 RCW;

(b) Renew personalized special license plates annually, regardless of whether or not the vehicle on which the personalized special license plates are displayed will be driven on the public highways;

(c) Surrender personalized special license plates that have not been renewed to the department. The failure to surrender expired personalized special license plates is a traffic infraction; and

(d) Immediately report to the department when personalized special license plates have been transferred to another vehicle or another owner.

(5) The department may establish rules as necessary to carry out this section including, but not limited to, identifying the maximum number of positions on personalized special license plates for motorcycles.

Sec. 6. RCW 46.19.060 and 2012 c 71 s 1 are each amended to read as follows:

(1) An additional fee may not be charged for special license plates for persons with disabilities except for any other fees and taxes required to be paid upon registration of a motor vehicle.

(2) A registered owner who qualifies for special parking privileges as described in RCW 46.19.010 may apply to the department for special license plates for persons with disabilities or special license plates with a special year tab for persons with disabilities. Special license plates with a special year tab for persons with disabilities are available on any special license plate created under chapter 46.18 RCW, except ((~~the~~)) collector vehicle license plates, horseless carriage license plates, intermittent-use trailer license plates, and ride share ((~~special~~)) license plates.

(3) A registered owner who chooses to purchase special license plates as described in subsection (2) of this section shall pay the applicable special license plate fee, in addition to any other fees or taxes required for registering a motor vehicle.

(4) Special license plates for persons with disabilities or special license plates with a special year tab for persons with disabilities must be renewed in the same manner and at the time required for the renewal of standard motor vehicle license plates under chapter 46.16A RCW.

(5) Special license plates for persons with disabilities or special license plates with a special year tab for persons with disabilities may be transferred from one motor vehicle to another motor vehicle owned by the person with the parking privilege upon application to the department, county auditor or other agent, or subagent appointed by the director.

(6) Special license plates for persons with disabilities or special license plates with a special year tab for persons with disabilities must be removed from the motor vehicle when the person with disabilities transfers or assigns his or her interest in the motor vehicle.

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