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HOUSE BILL 2471

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State of Washington

58th Legislature

2004 Regular Session

By Representatives Lovick, Delvin, O'Brien, Edwards, Chase, Ahern, Simpson, D., Kessler, Kirby, Pettigrew, Lantz, Rockefeller, McCoy, Murray, Eickmeyer, Sullivan, Miloscia, Haigh, Dickerson, Hunt, Grant, McDermott, Romero, Ormsby, Darneille, McDonald, Morrell, Wallace, Skinner, Kenney, Moeller, Dunshee, Hudgins, Hankins, Hinkle, Pearson, Santos, Wood, McMahan, Clibborn, Simpson, G., Fromhold, Hunter, Talcott, Kristiansen, Hatfield, Condotta and Conway

Read first time 01/14/2004. Referred to Committee on Transportation.

1 AN ACT Relating to special license plates to honor law enforcement  
2 officers in Washington killed in the line of duty; amending RCW  
3 46.16.313 and 46.16.316; and adding new sections to chapter 46.16 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.16 RCW  
6 to read as follows:

7 The department shall issue a special license plate displaying a  
8 symbol, approved by the special license plate review board, honoring  
9 law enforcement officers in Washington killed in the line of duty. The  
10 special license plate may be used in lieu of regular or personalized  
11 license plates for motor vehicles required to display two motor vehicle  
12 license plates or for motorcycles, excluding vehicles registered under  
13 chapter 46.87 RCW, upon the terms and conditions established by the  
14 department.

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

17 "Law enforcement memorial license plates" means license plates

1 issued under section 1 of this act that display a symbol honoring law  
2 enforcement officers in Washington killed in the line of duty.

3 **Sec. 3.** RCW 46.16.313 and 1997 c 291 s 8 are each amended to read  
4 as follows:

5 (1) The department may establish a fee for each type of special  
6 license plates issued under RCW 46.16.301(1) (a), (b), or (c), as  
7 existing before amendment by section 5, chapter 291, Laws of 1997, in  
8 an amount calculated to offset the cost of production of the special  
9 license plates and the administration of this program. Until December  
10 31, 1997, the fee shall not exceed thirty-five dollars, but effective  
11 with vehicle registrations due or to become due on January 1, 1998, the  
12 department may adjust the fee to no more than forty dollars. This fee  
13 is in addition to all other fees required to register and license the  
14 vehicle for which the plates have been requested. All such additional  
15 special license plate fees collected by the department shall be  
16 deposited in the state treasury and credited to the motor vehicle fund.

17 (2) Until December 31, 1997, in addition to all fees and taxes  
18 required to be paid upon application, registration, and renewal  
19 registration of a motor vehicle, the holder of a collegiate license  
20 plate shall pay a fee of thirty dollars. The department shall deduct  
21 an amount not to exceed two dollars of each fee collected under this  
22 subsection for administration and collection expenses incurred by it.  
23 The remaining proceeds, minus the cost of plate production, shall be  
24 remitted to the custody of the state treasurer with a proper  
25 identifying detailed report. The state treasurer shall credit the  
26 funds to the appropriate collegiate license plate fund as provided in  
27 RCW 28B.10.890.

28 (3) Effective with vehicle registrations due or to become due on  
29 January 1, 1998, in addition to all fees and taxes required to be paid  
30 upon application and registration of a motor vehicle, the holder of a  
31 collegiate license plate shall pay an initial fee of forty dollars.  
32 The department shall deduct an amount not to exceed twelve dollars of  
33 each fee collected under this subsection for administration and  
34 collection expenses incurred by it. The remaining proceeds shall be  
35 remitted to the custody of the state treasurer with a proper  
36 identifying detailed report. The state treasurer shall credit the

1 funds to the appropriate collegiate license plate fund as provided in  
2 RCW 28B.10.890.

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

13 (5) In addition to all fees and taxes required to be paid upon  
14 application and registration of a motor vehicle, the holder of a  
15 special baseball stadium license plate shall pay an initial fee of  
16 forty dollars. The department shall deduct an amount not to exceed  
17 twelve dollars of each fee collected under this subsection for  
18 administration and collection expenses incurred by it. The remaining  
19 proceeds, minus the cost of plate production, shall be distributed to  
20 a county for the purpose of paying the principal and interest payments  
21 on bonds issued by the county to construct a baseball stadium, as  
22 defined in RCW 82.14.0485, including reasonably necessary  
23 preconstruction costs, while the taxes are being collected under RCW  
24 82.14.360. After this date, the state treasurer shall credit the funds  
25 to the state general fund.

26 (6) Effective with annual renewals due or to become due on January  
27 1, 1999, in addition to all fees and taxes required to be paid upon  
28 renewal of a motor vehicle registration, the holder of a special  
29 baseball stadium license plate shall pay a fee of thirty dollars. The  
30 department shall deduct an amount not to exceed two dollars of each fee  
31 collected under this subsection for administration and collection  
32 expenses incurred by it. The remaining proceeds shall be distributed  
33 to a county for the purpose of paying the principal and interest  
34 payments on bonds issued by the county to construct a baseball stadium,  
35 as defined in RCW 82.14.0485, including reasonably necessary  
36 preconstruction costs, while the taxes are being collected under RCW  
37 82.14.360. After this date, the state treasurer shall credit the funds  
38 to the state general fund.

1       (7) Effective with vehicle registrations due or to become due on  
2 January 1, 2005, in addition to all fees and taxes required to be paid  
3 upon application and registration of a motor vehicle, the holder of a  
4 "law enforcement memorial" license plate shall pay an initial fee of  
5 forty dollars. The department shall deduct an amount not to exceed  
6 twelve dollars of each fee collected under this subsection for  
7 administration and collection expenses incurred by it. The remaining  
8 proceeds shall be remitted to the custody of the state treasurer with  
9 a proper identifying detailed report. Pursuant to RCW 46.16.755, the  
10 state treasurer shall credit the proceeds to the motor vehicle account  
11 until the department determines that the state has been reimbursed for  
12 the cost of implementing the law enforcement memorial special license  
13 plate. Upon the determination by the department that the state has  
14 been reimbursed, the treasurer shall credit the proceeds to the law  
15 enforcement memorial account established under section 4 of this act.

16       (8) Effective with annual renewals due or to become due on January  
17 1, 2006, in addition to all fees and taxes required to be paid upon  
18 renewal of a motor vehicle registration, the holder of a "law  
19 enforcement memorial" license plate shall, upon application, pay a fee  
20 of thirty dollars. The department shall deduct an amount not to exceed  
21 two dollars of each fee collected under this subsection for  
22 administration and collection expenses incurred by it. The remaining  
23 proceeds shall be remitted to the custody of the state treasurer with  
24 a proper identifying detailed report. Pursuant to RCW 46.16.755, the  
25 state treasurer shall credit the proceeds to the motor vehicle account  
26 until the department determines that the state has been reimbursed for  
27 the cost of implementing the law enforcement memorial special license  
28 plate. Upon the determination by the department that the state has  
29 been reimbursed, the treasurer shall credit the proceeds to the law  
30 enforcement memorial account established under section 4 of this act.

31       NEW SECTION. Sec. 4. A new section is added to chapter 46.16 RCW  
32 to read as follows:

33       (1) The law enforcement memorial account is created in the custody  
34 of the state treasurer. Upon the department's determination that the  
35 state has been reimbursed for the cost of implementing the law  
36 enforcement memorial special license plate, all receipts, except as  
37 provided in RCW 46.16.313 (7) and (8), from law enforcement memorial

1 license plates must be deposited into the account. Only the director  
2 of the department of licensing or the director's designee may authorize  
3 expenditures from the account. The account is subject to allotment  
4 procedures under chapter 43.88 RCW, but an appropriation is not  
5 required for expenditures.

6 (2) Funds in the account must be disbursed subject to the following  
7 conditions and limitations:

8 (a) Pursuant to the requirements set out in RCW 46.16.765 the  
9 department must contract with a qualified nonprofit organization to  
10 provide support and assistance to survivors and families of law  
11 enforcement officers in Washington killed in the line of duty and to  
12 organize, finance, fund, construct, utilize, and maintain a memorial on  
13 the state capitol grounds to honor those fallen officers.

14 (b) For the purposes of this section, a "qualified nonprofit  
15 organization" means a not-for-profit corporation incorporated and  
16 operating exclusively in Washington that has received a determination  
17 of tax exempt status under section 501(c)(3) of the federal internal  
18 revenue code. The organization must have been established for the  
19 express purposes of providing support and assistance to the survivors  
20 and families of law enforcement officers in Washington killed in the  
21 line of duty and to organize, finance, fund, construct, utilize, and  
22 maintain a memorial on the state capitol grounds to honor those fallen  
23 officers.

24 (c) The qualified nonprofit must meet all requirements set out in  
25 RCW 46.16.765.

26 **Sec. 5.** RCW 46.16.316 and 1997 c 291 s 10 are each amended to read  
27 as follows:

28 Except as provided in RCW 46.16.305:

29 (1) When a person who has been issued a special license plate or  
30 plates under section 1 of this act or RCW 46.16.301 as it existed  
31 before amendment by section 5, chapter 291, Laws of 1997, sells,  
32 trades, or otherwise transfers or releases ownership of the vehicle  
33 upon which the special license plate or plates have been displayed, he  
34 or she shall immediately report the transfer of such plate or plates to  
35 an acquired vehicle or vehicle eligible for such plates pursuant to  
36 departmental rule, or he or she shall surrender such plates to the  
37 department immediately if such surrender is required by departmental

1 rule. If a person applies for a transfer of the plate or plates to  
2 another eligible vehicle, a transfer fee of five dollars shall be  
3 charged in addition to all other applicable fees. Such transfer fees  
4 shall be deposited in the motor vehicle fund. Failure to surrender the  
5 plates when required is a traffic infraction.

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

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