

ESB 5423 - H COMM AMD
By Committee on Transportation

ADOPTED 04/12/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 46.16 RCW
4 to read as follows:

5 (1) The following special license plate series created by the
6 legislature may be personalized: (a) RCW 46.16.301 as currently law;
7 (b) RCW 46.16.301(1) (a), (b), or (c), as it existed before amendment
8 by section 5, chapter 291, Laws of 1997; (c) RCW 46.16.305, except
9 those plates issued under RCW 46.16.305 (1) and (2); (d) RCW 46.16.324;
10 (e) RCW 46.16.385; or (f) RCW 46.16.745.

11 (2) Personalized special plates issued under this section may be
12 personalized only by using numbers or letters, or any combination
13 thereof not exceeding seven positions, and not less than one position,
14 to the extent that there are no conflicts with existing license plate
15 series. A personalized special license plate is subject to the same
16 requirements as personalized license plates listed in RCW 46.16.575,
17 46.16.580, 46.16.590, 46.16.595, and 46.16.600.

18 (3) In addition to any other fees and taxes due at the time of
19 registration, applicants for a personalized special license plate must
20 pay both the fees to purchase and renew a special plate as set out in
21 the statute creating the special plate and the personalized plate as
22 required in RCW 46.16.585 and 46.16.606. The special plate fee must be
23 distributed in accordance with the requirements set out in the statute
24 creating the special plate. The personalized plate fee must be
25 distributed under RCW 46.16.605 and 46.16.606. The transfer of
26 personalized special plates is to be administered under RCW 46.16.316.

27 **Sec. 2.** RCW 46.16.316 and 2004 c 223 s 4, 2004 c 221 s 5, 2004 c
28 48 s 5, and 2004 c 35 s 5 are each reenacted and amended to read as
29 follows:

1 Except as provided in RCW 46.16.305:

2 (1) When a person who has been issued a special license plate or
3 plates: (a) Under RCW 46.16.30901, 46.16.30903, 46.16.30905, or
4 46.16.301 as it existed before amendment by section 5, chapter 291,
5 Laws of 1997, or under RCW 46.16.305(2) or 46.16.324; (~~(b)~~) (b)
6 approved by the special license plate review board under RCW 46.16.715
7 through 46.16.775; or (c) under section 1 of this act sells, trades, or
8 otherwise transfers or releases ownership of the vehicle upon which the
9 special license plate or plates have been displayed, he or she shall
10 immediately report the transfer of such plate or plates to an acquired
11 vehicle or vehicle eligible for such plates pursuant to departmental
12 rule, or he or she shall surrender such plates to the department
13 immediately if such surrender is required by departmental rule. If a
14 person applies for a transfer of the plate or plates to another
15 eligible vehicle, a transfer fee of ten dollars shall be charged in
16 addition to all other applicable fees. Such transfer fees shall be
17 deposited in the motor vehicle fund. Failure to surrender the plates
18 when required is a traffic infraction.

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

23 **Sec. 3.** RCW 46.16.385 and 2004 c 222 s 1 are each amended to read
24 as follows:

25 (1) The department shall design and issue disabled parking emblem
26 versions of special license plates issued under (a) RCW 46.16.301; (b)
27 RCW 46.16.305, except those plates issued under RCW 46.16.305 (1) and
28 (2); (c) RCW 46.16.324; (d) RCW 46.16.745; (e) RCW 73.04.110; (f) RCW
29 73.04.115; (~~(g)~~) (g) RCW 46.16.301(1) (a), (b), or (c), as it existed
30 before amendment by section 5, chapter 291, Laws of 1997; (h) RCW
31 46.16.565; or (i) plates issued under section 1 of this act. The
32 disabled parking emblem version of the special plate must display the
33 universal symbol of access that may be used in lieu of the parking
34 placard issued to persons who qualify for special parking privileges
35 under RCW 46.16.381. The department may not charge an additional fee
36 for the issuance of the special disabled parking emblem license plate,
37 except the regular motor vehicle registration fee, the fee associated

1 with the particular special plate, and any other fees and taxes
2 required to be paid upon registration of a motor vehicle. The emblem
3 must be incorporated into the design of the special license plate in a
4 manner to be determined by the department, and under existing vehicular
5 licensing procedures and existing laws.

6 (2) Persons who qualify for special parking privileges under RCW
7 46.16.381, and who have applied and paid the appropriate fee for any of
8 the special license plates listed in subsection (1) of this section,
9 are entitled to receive from the department a special disabled parking
10 emblem license plate. The special disabled parking emblem license
11 plate may be used for one vehicle registered in the disabled person's
12 name. Persons who have been issued the parking privileges or who are
13 using a vehicle displaying the special disabled parking emblem license
14 plate may park in places reserved for mobility disabled persons.

15 (3) The special disabled parking emblem license plate must be
16 administered in the same manner as the plates issued under RCW
17 46.16.381.

18 (4) The department shall adopt rules to implement this section.

19 **Sec. 4.** RCW 46.16.570 and 1986 c 108 s 1 are each amended to read
20 as follows:

21 Except for personalized plates issued under section 1 of this act,
22 the personalized license plates shall be the same design as regular
23 license plates, and shall consist of numbers or letters, or any
24 combination thereof not exceeding seven positions unless proposed by
25 the department and approved by the Washington state patrol and not less
26 than one position, to the extent that there are no conflicts with
27 existing passenger, commercial, trailer, motorcycle, or special license
28 plates series or with the provisions of RCW 46.16.230 or 46.16.235:
29 PROVIDED, That the maximum number of positions on personalized license
30 plates for motorcycles shall be designated by the department.

31 **Sec. 5.** RCW 46.16.600 and 1979 c 158 s 143 are each amended to
32 read as follows:

33 (1) The director of licensing may establish such rules and
34 regulations as may be necessary to carry out the purposes of RCW
35 46.16.560 through 46.16.595.

1 (2) Upon direction by the board, the department shall adopt a rule
2 limiting the ability of organizations and governmental entities to
3 apply for more than one license plate series.

4 **Sec. 6.** RCW 46.16.690 and 2003 c 361 s 502 are each amended to
5 read as follows:

6 The department shall offer license plate design services to
7 organizations that are sponsoring a new special license plate series or
8 are seeking to redesign the appearance of an existing special license
9 plate series that they sponsored. In providing this service, the
10 department must work with the requesting organization in determining
11 the specific qualities of the new plate design and must provide full
12 design services to the organization. The department shall collect from
13 the requesting organization a fee of (~~one thousand five~~) two hundred
14 dollars for providing license plate design services. This fee includes
15 one original license plate design and up to five additional renditions
16 of the original design. If the organization requests the department to
17 provide further renditions, in addition to the five renditions provided
18 for under the original fee, the department shall collect an additional
19 fee of (~~five~~) one hundred dollars per rendition. All revenue
20 collected under this section must be deposited into the multimodal
21 transportation account.

22 **Sec. 7.** RCW 46.16.725 and 2003 c 196 s 103 are each amended to
23 read as follows:

24 (1) The creation of the board does not in any way preclude the
25 authority of the legislature to independently propose and enact special
26 license plate legislation.

27 (2) The board must review and either approve or reject special
28 license plate applications submitted by sponsoring organizations.

29 (3) Duties of the board include but are not limited to the
30 following:

31 (a) Review and approve the annual financial reports submitted by
32 sponsoring organizations with active special license plate series and
33 present those annual financial reports to the legislative
34 transportation committee;

35 (b) Report annually to the legislative transportation committee on

1 the special license plate applications that were considered by the
2 board;

3 (c) Issue approval and rejection notification letters to sponsoring
4 organizations, the department, the chairs of the senate and house of
5 representatives transportation committees, and the legislative sponsors
6 identified in each application. The letters must be issued within
7 seven days of making a determination on the status of an application;

8 (d) Review annually the number of plates sold for each special
9 license plate series created after January 1, 2003. The board may
10 submit a recommendation to discontinue a special plate series to the
11 chairs of the senate and house of representatives transportation
12 committees;

13 (e) Provide policy guidance and directions to the department
14 concerning the adoption of rules necessary to limit the number of
15 special license plates that an organization or a governmental entity
16 may apply for.

17 (4) In order to assess the effects and impact of the proliferation
18 of special license plates, the legislature declares a temporary
19 moratorium on the issuance of any additional plates until June 1, 2007.
20 During this period of time, the special license plate review board
21 created in RCW 46.16.705 and the department of licensing are prohibited
22 from accepting, reviewing, processing, or approving any applications.
23 Additionally, no special license plate may be enacted by the
24 legislature during the moratorium, unless the proposed license plate
25 has been approved by the board before February 15, 2005.

26 **Sec. 8.** RCW 46.16.745 and 2003 c 196 s 301 are each amended to
27 read as follows:

28 (1) A sponsoring organization meeting the requirements of RCW
29 46.16.735, applying for the creation of a special license plate to the
30 special license plate review board must, on an application supplied by
31 the department, provide the minimum application requirements in
32 subsection (2) of this section. ~~((If the sponsoring organization~~
33 ~~cannot meet the payment requirements of subsection (2) of this section,~~
34 ~~then the organization must meet the requirements of subsection (3) of~~
35 ~~this section.))~~

36 (2) The sponsoring organization shall:

1 (a) Submit prepayment of all start-up costs associated with the
2 creation and implementation of the special license plate in an amount
3 determined by the department. The department shall place this money
4 into the special license plate applicant trust account created under
5 RCW 46.16.755(~~(+3)~~) (4);

6 (b) Provide a proposed license plate design;

7 (c) Provide a marketing strategy outlining short and long-term
8 marketing plans for (~~the~~) each special license plate and a financial
9 analysis outlining the anticipated revenue and the planned expenditures
10 of the revenues derived from the sale of the special license plate;

11 (d) Provide a signature of a legislative sponsor and proposed
12 legislation creating the special license plate; (~~and~~)

13 (e) Provide proof of organizational qualifications as determined by
14 the department as provided for in RCW 46.16.735;

15 (f) Provide signature sheets that include signatures from
16 individuals who intend to purchase the special license plate and the
17 number of plates each individual intends to purchase. The sheets must
18 reflect a minimum of three thousand five hundred intended purchases of
19 the special license plate.

20 ~~(3) ((If the sponsoring organization is not able to meet the~~
21 ~~payment requirements of subsection (2)(a) of this section and can~~
22 ~~demonstrate this fact to the satisfaction of the department, the~~
23 ~~sponsoring organization shall:~~

24 ~~(a) Submit an application and nonrefundable fee of two thousand~~
25 ~~dollars, for deposit in the motor vehicle account, to the department;~~

26 ~~(b) Provide signature sheets that include signatures from~~
27 ~~individuals who intend to purchase the special license plate and the~~
28 ~~number of plates each individual intends to purchase. The sheets must~~
29 ~~reflect a minimum of two thousand intended purchases of the special~~
30 ~~license plate;~~

31 ~~(c) Provide a proposed license plate design;~~

32 ~~(d) Provide a marketing strategy outlining short and long term~~
33 ~~marketing plans for the special license plate and a financial analysis~~
34 ~~outlining the anticipated revenue and the planned expenditures of the~~
35 ~~revenues derived from the sale of the special license plate;~~

36 ~~(e) Provide a signature of a legislative sponsor and proposed~~
37 ~~legislation creating the special license plate; and~~

1 ~~(f) Provide proof of organizational qualifications as determined by~~
2 ~~the department as provided in RCW 46.16.735.~~

3 (4)) After an application is approved by the special license plate
4 review board, the application need not be reviewed again by the board
5 for a period of three years.

6 NEW SECTION. **Sec. 9.** Section 1 of this act takes effect March 1,
7 2007."

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8 On page 1, line 1 of the title, after "plates;" strike the
9 remainder of the title and insert "amending RCW 46.16.385, 46.16.570,
10 46.16.600, 46.16.690, 46.16.725, and 46.16.745; reenacting and amending
11 RCW 46.16.316; adding a new section to chapter 46.16 RCW; and providing
12 an effective date."

EFFECT: Removes the creation of the Pedestrian and Bicycle Grant
Program account. Removes requirement that ten dollars of the fee for
a personalized special license plate be distributed to the Pedestrian
and Bicycle Grant Program account.

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