
SENATE BILL 5785

State of Washington 63rd Legislature 2013 Regular Session

By Senators Ericksen, Rolfes, King, Ranker, and Eide

Read first time 02/14/13. Referred to Committee on Transportation.

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 conspicuously at the rear of the vehicle only, if two
26 license plates have been issued but the design of the vehicle is not
27 conducive for the placement of a license plate at the front of the
28 vehicle;

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

31 ~~((+iii))~~ (iv) Kept clean and be able to be plainly seen and read
32 at all times; and

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

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

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

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

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

8 (c) Pay a change of classification fee required under RCW
9 46.17.310.

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

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

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

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

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

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

33 (f) Fail, neglect, or refuse to endorse the registration
34 certificate (~~and deliver the license plate or plates to the purchaser~~
35 ~~or transferee of the vehicle)), except as authorized under this~~
36 section.

37 (8) **Transfer.** (a) Standard issue license plates (~~follow the~~
38 ~~vehicle)) must be replaced when ownership of the vehicle changes~~

1 (~~unless~~), pursuant to subsection (9)(a)(i) of this section, but the
2 registered owner (~~wishes to~~) may retain the license plates and
3 transfer them to a replacement vehicle of the same use. In addition to
4 all other taxes and fees due upon change in ownership, a registered
5 owner wishing to keep standard issue license plates shall pay the
6 license plate transfer fee required under RCW 46.17.200(1)(c) when
7 applying for license plate transfer.

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

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

15 (9) **Replacement.** (a) Except as proved in subsection (8)(a) of this
16 section, an owner or the owner's authorized representative (~~shall~~)
17 must apply for a replacement license plate or plates: (i) When taking
18 ownership of the vehicle; (ii) if the current license plate or plates
19 assigned to the vehicle have been lost, defaced, or destroyed(~~(7)~~);
20 (iii) if one or both plates have become so illegible or are in such a
21 condition as to be difficult to distinguish. An owner or the owner's
22 authorized representative may apply for a replacement license plate or
23 plates at any time the owner chooses. The department shall offer to
24 owners the option of retaining the current license plate number when
25 obtaining replacement license plates for the fee required in RCW
26 46.17.200(1)(b).

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

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

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

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

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

37 (10) (~~Periodic replacement. License plates must be replaced~~

1 ~~periodically to ensure maximum legibility and reflectivity. The~~
2 ~~department shall:~~

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

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

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

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

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

14 (b) Congressional Medal of Honor license plates issued under RCW
15 46.18.230;

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

18 ~~((12))~~ (11) **Rules.** The department may adopt rules to implement
19 this section.

20 ~~((13))~~ (12) **Tabs or emblems.** The director may issue tabs or
21 emblems to be attached to license plates or elsewhere on the vehicle to
22 signify initial registration and renewals. Renewals become effective
23 when tabs or emblems have been issued and properly displayed ~~((on~~
24 ~~license plates))~~.

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

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

30 (a) The ~~((Washington state vehicle registration has expired and))~~
31 registered ownership ~~((to))~~ of the vehicle is being transferred. The
32 renewed ~~((license))~~ vehicle registration is valid for a full twelve-
33 month period unless: (i) The vehicle changes ownership during the
34 twelve-month period, in which case the registration expires; or (ii) a
35 specific expiration date is required by law, rule, or program; or

36 (b) The Washington vehicle registration has expired and the
37 registered owner:

1 (i) Is a member of the United States armed forces;
2 (ii) Was stationed outside of Washington under military orders
3 during the prior vehicle registration year; and
4 (iii) Provides the department a copy of the military orders.

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

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

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

14 (1) A registered owner or the registered owner's authorized
15 representative must apply for a renewal vehicle registration to the
16 department, county auditor or other agent, or subagent appointed by the
17 director on a form approved by the director. The application for a
18 renewal vehicle registration must be accompanied by a draft, money
19 order, certified bank check, or cash for all fees and taxes required by
20 law for the application for a renewal vehicle registration.

21 (2) When a vehicle changes ownership, the person taking ownership
22 or their authorized representative must apply for a renewal vehicle
23 registration as provided in subsection (1) of this section. For the
24 purposes of this section, when a vehicle is sold to a vehicle dealer
25 for resale, the application for a renewal registration need not be made
26 until the vehicle is sold by the vehicle dealer.

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

32 ((+3)) (4) A person expecting to be out of state during the normal
33 renewal period of a vehicle registration may renew a vehicle
34 registration and have license plates or tabs preissued by applying for
35 a renewal as described in subsection (1) of this section. A vehicle
36 registration may be renewed for the subsequent registration year up to

1 eight months before the current expiration date and must be
2 displayed from the date of issue or from the day of the expiration of
3 the current registration year, whichever date is later.

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

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

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

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

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

16 (a) The following license plate fees for each license plate, unless
17 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 |

27 (b) A license plate retention fee, as required under RCW
28 46.16A.200(~~((10)(e))~~) (9)(a), of twenty dollars if the owner wishes to
29 retain the current license plate number upon license plate replacement,
30 unless the owner or type of vehicle is exempt from payment. The twenty
31 dollar fee must be deposited in the multimodal transportation account
32 created in RCW 47.66.070.

33 (c) A ten dollar license plate transfer fee, as required under RCW
34 46.16A.200(8)(a), when transferring standard issue license plates from

1 one vehicle to another, unless the owner or type of vehicle is exempt
2 from payment. The ten dollar license plate transfer fee must be
3 deposited in the motor vehicle fund created in RCW 46.68.070.

4 (d) Former prisoner of war license plates, as described in RCW
5 46.18.235, may be transferred to a replacement vehicle upon payment of
6 a five dollar license plate fee, in addition to any other fee required
7 by law.

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

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

19 (1) Revenues generated from the sale of special license plates for
20 those sponsoring organizations who used the application process in RCW
21 46.18.110 must be deposited into the motor vehicle fund created in RCW
22 46.68.070 until the department determines that the state's
23 implementation costs have been fully reimbursed.

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

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

37 (4) The department shall:

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

3 (b) Maintain a record of each special license plate applicant trust
4 account deposit including, but not limited to, the name and address of
5 each special license plate applicant whose funds are being deposited,
6 the amount paid, and the date of the deposit.

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

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

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

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

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

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

32 (b) If the sponsoring organization is not able to meet the
33 prepayment requirements in (a) of this subsection and can demonstrate
34 this fact to the satisfaction of the department, the revenues generated
35 from the sale of the special license plates must be deposited in the
36 motor vehicle fund created in RCW 46.68.070 until the department
37 determines that the state's portion of the implementation costs have

1 been fully reimbursed. When it has determined that the state has been
2 fully reimbursed, the department must notify the treasurer to commence
3 distribution of the revenue according to statutory provisions.

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

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

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

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

26 NEW SECTION. **Sec. 7.** This act applies to vehicle registrations
27 that are due or become due on or after January 1, 2014.

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