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HOUSE BILL 2065

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State of Washington                      58th Legislature                      2003 Regular Session

By Representatives Simpson and Edwards

Read first time 02/21/2003. Referred to Committee on Transportation.

1            AN ACT Relating to license plate technology; amending RCW 46.16.233  
2 and 46.01.140; adding new sections to chapter 46.16 RCW; and creating  
3 a new section.

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

5            **Sec. 1.** RCW 46.16.233 and 2000 c 37 s 1 are each amended to read  
6 as follows:

7            (1) Except for those license plates issued under RCW 46.16.305(1)  
8 before January 1, 1987, under RCW 46.16.305(3), and to commercial  
9 vehicles with a gross weight in excess of twenty-six thousand pounds,  
10 effective with vehicle registrations due or to become due on January 1,  
11 2001, the appearance of the background of all vehicle license plates  
12 may vary in color and design but must be ((issued on a standard  
13 background)) legible and clearly identifiable as a Washington state  
14 license plate, as designated by the department.

15            (2) Additionally, to ensure maximum legibility and reflectivity,  
16 the department shall periodically provide for the replacement of  
17 license plates, except for commercial vehicles with a gross weight in  
18 excess of twenty-six thousand pounds. Frequency of replacement shall

1 be established in accordance with empirical studies documenting the  
2 longevity of the reflective materials used to make license plates.

3 (3) In providing for the periodic replacement of license plates,  
4 the department shall offer to vehicle owners the option of retaining  
5 their current license plate numbers. The department shall charge a  
6 retention fee of twenty dollars if this option is exercised. Revenue  
7 generated from the retention fee will be deposited into the multimodal  
8 transportation account.

9 **Sec. 2.** RCW 46.01.140 and 2001 c 331 s 1 are each amended to read  
10 as follows:

11 (1) The county auditor, if appointed by the director of licensing  
12 shall carry out the provisions of this title relating to the licensing  
13 of vehicles and the issuance of vehicle license number plates under the  
14 direction and supervision of the director and may with the approval of  
15 the director appoint assistants as special deputies and recommend  
16 subagents to accept applications and collect fees for vehicle licenses  
17 and transfers and to deliver vehicle license number plates.

18 (2) A county auditor appointed by the director may request that the  
19 director appoint subagencies within the county.

20 (a) Upon authorization of the director, the auditor shall use an  
21 open competitive process including, but not limited to, a written  
22 business proposal and oral interview to determine the qualifications of  
23 all interested applicants.

24 (b) A subagent may recommend a successor who is either the  
25 subagent's sibling, spouse, or child, or a subagency employee, as long  
26 as the recommended successor participates in the open, competitive  
27 process used to select an applicant. In making successor  
28 recommendation and appointment determinations, the following provisions  
29 apply:

30 (i) If a subagency is held by a partnership or corporate entity,  
31 the nomination must be submitted on behalf of, and agreed to by, all  
32 partners or corporate officers.

33 (ii) No subagent may receive any direct or indirect compensation or  
34 remuneration from any party or entity in recognition of a successor  
35 nomination. A subagent may not receive any financial benefit from the  
36 transfer or termination of an appointment.

1 (iii) (a) and (b) of this subsection are intended to assist in the  
2 efficient transfer of appointments in order to minimize public  
3 inconvenience. They do not create a proprietary or property interest  
4 in the appointment.

5 (c) The auditor shall submit all proposals to the director, and  
6 shall recommend the appointment of one or more subagents who have  
7 applied through the open competitive process. The auditor shall  
8 include in his or her recommendation to the director, not only the name  
9 of the successor who is a relative or employee, if applicable and if  
10 otherwise qualified, but also the name of one other applicant who is  
11 qualified and was chosen through the open competitive process. The  
12 director has final appointment authority.

13 (3)(a) A county auditor who is appointed as an agent by the  
14 department shall enter into a standard contract provided by the  
15 director, developed with the advice of the title and registration  
16 advisory committee.

17 (b) A subagent appointed under subsection (2) of this section shall  
18 enter into a standard contract with the county auditor, developed with  
19 the advice of the title and registration advisory committee. The  
20 director shall provide the standard contract to county auditors.

21 (c) The contracts provided for in (a) and (b) of this subsection  
22 must contain at a minimum provisions that:

23 (i) Describe the responsibilities, and where applicable, the  
24 liability, of each party relating to the service expectations and  
25 levels, equipment to be supplied by the department, and equipment  
26 maintenance;

27 (ii) Require the specific type of insurance or bonds so that the  
28 state is protected against any loss of collected motor vehicle tax  
29 revenues or loss of equipment;

30 (iii) Specify the amount of training that will be provided by the  
31 state, the county auditor, or subagents;

32 (iv) Describe allowable costs that may be charged to vehicle  
33 licensing activities as provided for in (d) of this subsection;

34 (v) Describe the causes and procedures for termination of the  
35 contract, which may include mediation and binding arbitration.

36 (d) The department shall develop procedures that will standardize  
37 and prescribe allowable costs that may be assigned to vehicle licensing

1 and vessel registration and title activities performed by county  
2 auditors.

3 (e) The contracts may include any provision that the director deems  
4 necessary to ensure acceptable service and the full collection of  
5 vehicle and vessel tax revenues.

6 (f) The director may waive any provisions of the contract deemed  
7 necessary in order to ensure that readily accessible service is  
8 provided to the citizens of the state.

9 (4)(a) At any time any application is made to the director, the  
10 county auditor, or other agent pursuant to any law dealing with  
11 licenses, registration, or the right to operate any vehicle or vessel  
12 upon the public highways or waters of this state, excluding applicants  
13 already paying such fee under RCW 46.16.070 or 46.16.085, the applicant  
14 shall pay to the director, county auditor, or other agent a fee of  
15 three dollars for each application in addition to any other fees  
16 required by law.

17 (b) Counties that do not cover the expenses of vehicle licensing  
18 and vessel registration and title activities may submit to the  
19 department a request for cost-coverage moneys. The request must be  
20 submitted on a form developed by the department. The department shall  
21 develop procedures to verify whether a request is reasonable. Payment  
22 shall be made on requests found to be allowable from the licensing  
23 services account.

24 (c) Applicants for certificates of ownership, including applicants  
25 paying fees under RCW 46.16.070 or 46.16.085, shall pay to the  
26 director, county auditor, or other agent a fee of four dollars in  
27 addition to any other fees required by law.

28 (d) The fees under (a) and (c) of this subsection, if paid to the  
29 county auditor as agent of the director, or if paid to a subagent of  
30 the county auditor, shall be paid to the county treasurer in the same  
31 manner as other fees collected by the county auditor and credited to  
32 the county current expense fund. If the fee is paid to another agent  
33 of the director, the fee shall be used by the agent to defray his or  
34 her expenses in handling the application.

35 (e) Applicants required to pay the three-dollar fee established  
36 under (a) of this subsection, must pay an additional ~~((fifty))~~ seventy-  
37 five cents on registrations that are due or are to become due November

1 1, 2003, which must be collected and remitted to the state treasurer  
2 (~~for deposit~~) and distributed as follows:

3 (i) Fifty cents must be deposited into the department of licensing  
4 services account of the motor vehicle fund(~~(. Revenue deposited into~~  
5 ~~this account)) and must be used for agent and subagent support, which  
6 is to include but not be limited to the replacement of department-owned  
7 equipment in the possession of agents and subagents.~~

8 (ii) Twenty-five cents must be deposited into the license plate  
9 technology account created under section 3 of this act.

10 (5) A subagent shall collect a service fee of (a) eight dollars and  
11 fifty cents for changes in a certificate of ownership, with or without  
12 registration renewal, or verification of record and preparation of an  
13 affidavit of lost title other than at the time of the title application  
14 or transfer and (b) three dollars and fifty cents for registration  
15 renewal only, issuing a transit permit, or any other service under this  
16 section.

17 (6) If the fee is collected by the state patrol as agent for the  
18 director, the fee so collected shall be certified to the state  
19 treasurer and deposited to the credit of the state patrol highway  
20 account. If the fee is collected by the department of transportation  
21 as agent for the director, the fee shall be certified to the state  
22 treasurer and deposited to the credit of the motor vehicle fund. All  
23 such fees collected by the director or branches of his office shall be  
24 certified to the state treasurer and deposited to the credit of the  
25 highway safety fund.

26 (7) Any county revenues that exceed the cost of providing vehicle  
27 licensing and vessel registration and title activities in a county,  
28 calculated in accordance with the procedures in subsection (3)(d) of  
29 this section, shall be expended as determined by the county legislative  
30 authority during the process established by law for adoption of county  
31 budgets.

32 (8) The director may adopt rules to implement this section.

33 NEW SECTION. Sec. 3. A new section is added to chapter 46.16 RCW  
34 to read as follows:

35 The license plate technology account is created in the state  
36 treasury. All receipts collected under RCW 46.01.140(4)(e)(ii) must be  
37 deposited into this account. Expenditures from this account must

1 support current and future license plate technology and systems  
2 integration upgrades. Moneys in the account may be spent only after  
3 appropriation.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.16 RCW  
5 to 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 hundred dollars  
14 for providing license plate design services. This fee includes one  
15 original license plate design and up to five additional renditions of  
16 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 hundred dollars per rendition. All revenue collected under  
20 this section must be deposited into the multimodal transportation  
21 account.

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