
SUBSTITUTE SENATE BILL 6148

State of Washington

58th Legislature

2004 Regular Session

By Senate Committee on Highways & Transportation (originally sponsored by Senators Haugen, Horn, Brandland, Esser, Oke, Eide, Winsley and Hewitt)

READ FIRST TIME 01/23/04.

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 (1) The legislature recognizes that the law enforcement memorial
8 license plate has been reviewed by the special license plate review
9 board as specified in chapter 196, Laws of 2003, and was found to fully
10 comply with all provisions of chapter 196, Laws of 2003.

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

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

3 "Law enforcement memorial license plates" means license plates
4 issued under section 1 of this act that display a symbol honoring law
5 enforcement officers in Washington killed in the line of duty.

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

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

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

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

1 remitted to the custody of the state treasurer with a proper
2 identifying detailed report. The state treasurer shall credit the
3 funds to the appropriate collegiate license plate fund as provided in
4 RCW 28B.10.890.

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

15 (5) In addition to all fees and taxes required to be paid upon
16 application and registration of a motor vehicle, the holder of a
17 special baseball stadium license plate shall pay an initial fee of
18 forty dollars. The department shall deduct an amount not to exceed
19 twelve dollars of each fee collected under this subsection for
20 administration and collection expenses incurred by it. The remaining
21 proceeds, minus the cost of plate production, shall be distributed to
22 a county for the purpose of paying the principal and interest payments
23 on bonds issued by the county to construct a baseball stadium, as
24 defined in RCW 82.14.0485, including reasonably necessary
25 preconstruction costs, while the taxes are being collected under RCW
26 82.14.360. After this date, the state treasurer shall credit the funds
27 to the state general fund.

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

1 preconstruction costs, while the taxes are being collected under RCW
2 82.14.360. After this date, the state treasurer shall credit the funds
3 to the state general fund.

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

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

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

36 (1) The law enforcement memorial account is created in the custody
37 of the state treasurer. Upon the department's determination that the

1 state has been reimbursed for the cost of implementing the law
2 enforcement memorial special license plate, all receipts, except as
3 provided in RCW 46.16.313 (7) and (8), from law enforcement memorial
4 license plates must be deposited into the account. Only the director
5 of the department of licensing or the director's designee may authorize
6 expenditures from the account. The account is subject to allotment
7 procedures under chapter 43.88 RCW, but an appropriation is not
8 required for expenditures.

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

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

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

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

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

31 Except as provided in RCW 46.16.305:

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

1 an acquired vehicle or vehicle eligible for such plates pursuant to
2 departmental rule, or he or she shall surrender such plates to the
3 department immediately if such surrender is required by departmental
4 rule. If a person applies for a transfer of the plate or plates to
5 another eligible vehicle, a transfer fee of five dollars shall be
6 charged in addition to all other applicable fees. Such transfer fees
7 shall be deposited in the motor vehicle fund. Failure to surrender the
8 plates when required is a traffic infraction.

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

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