

SB 5423 - S AMD 243
By Senator Haugen

ADOPTED 03/12/2005

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, except ten dollars of
26 the original or renewal fee must be deposited into the pedestrian and
27 bicycle grant program account created under section 9 of this act. The
28 transfer of personalized special plates is to be administered under RCW
29 46.16.316.

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

4 Except as provided in RCW 46.16.305:

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

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

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

28 (1) The department shall design and issue disabled parking emblem
29 versions of special license plates issued under (a) RCW 46.16.301; (b)
30 RCW 46.16.305, except those plates issued under RCW 46.16.305 (1) and
31 (2); (c) RCW 46.16.324; (d) RCW 46.16.745; (e) RCW 73.04.110; (f) RCW
32 73.04.115; (~~(g)~~) (g) RCW 46.16.301(1) (a), (b), or (c), as it existed
33 before amendment by section 5, chapter 291, Laws of 1997; (h) RCW
34 46.16.565; or (i) plates issued under section 1 of this act. The
35 disabled parking emblem version of the special plate must display the
36 universal symbol of access that may be used in lieu of the parking
37 placard issued to persons who qualify for special parking privileges

1 under RCW 46.16.381. The department may not charge an additional fee
2 for the issuance of the special disabled parking emblem license plate,
3 except the regular motor vehicle registration fee, the fee associated
4 with the particular special plate, and any other fees and taxes
5 required to be paid upon registration of a motor vehicle. The emblem
6 must be incorporated into the design of the special license plate in a
7 manner to be determined by the department, and under existing vehicular
8 licensing procedures and existing laws.

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

18 (3) The special disabled parking emblem license plate must be
19 administered in the same manner as the plates issued under RCW
20 46.16.381.

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

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

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

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

1 (1) The director of licensing may establish such rules and
2 regulations as may be necessary to carry out the purposes of RCW
3 46.16.560 through 46.16.595.

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

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

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

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

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

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

32 (3) Duties of the board include but are not limited to the
33 following:

34 (a) Review and approve the annual financial reports submitted by
35 sponsoring organizations with active special license plate series and

1 present those annual financial reports to the legislative
2 transportation committee;

3 (b) Report annually to the legislative transportation committee on
4 the special license plate applications that were considered by the
5 board;

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

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

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

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

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

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

1 ~~then the organization must meet the requirements of subsection (3) of~~
2 ~~this section.)~~)

3 (2) The sponsoring organization shall:

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

9 (b) Provide a proposed license plate design;

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

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

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

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

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

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

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

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

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

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

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

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

8 NEW SECTION. **Sec. 9.** A new section is added to chapter 47.30 RCW
9 to read as follows:

10 (1) The pedestrian and bicycle grant program account is created in
11 the custody of the state treasurer. The account is subject to
12 allotment procedures under chapter 43.88 RCW, but an appropriation is
13 not required for expenditures.

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

16 (a) The department of transportation shall oversee the program and
17 grants.

18 (b) The department of transportation shall adopt rules regarding
19 the distribution of funds within this account. However, such rules
20 must include the following requirements:

21 (i) Only a governmental subdivision may apply for and receive
22 funds;

23 (ii) The entity applying for funds must supply matching funds;

24 (iii) Grants are limited to expansion of projects in order to take
25 advantage of the cost saving provided by adding onto a construction
26 project; and

27 (iv) Grants are limited to the creation and/or expansion of bicycle
28 and pedestrian pathways and projects.

29 NEW SECTION. **Sec. 10.** Section 1 of this act takes effect March 1,
30 2007."

ADOPTED 03/12/2005

1 In line 1 of the title, after "plates;" strike the remainder of the
2 title and insert "amending RCW 46.16.385, 46.16.570, 46.16.600,
3 46.16.690, 46.16.725, and 46.16.745; reenacting and amending RCW
4 46.16.316; adding a new section to chapter 46.16 RCW; adding a new
5 section to chapter 47.30 RCW; and providing an effective date."

EFFECT: Technical corrections. Clarifies that rules regarding
the number of special license plates apply to governmental entities as
well as organizations.

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