

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5423

Chapter 210, Laws of 2005

59th Legislature
2005 Regular Session

LICENSE PLATES--APPLICATIONS--MORATORIUM

EFFECTIVE DATE: 7/24/05 - Except section 1, which becomes effective 3/01/07.

Passed by the Senate April 18, 2005
YEAS 43 NAYS 3

BRAD OWEN

President of the Senate

Passed by the House April 12, 2005
YEAS 63 NAYS 34

FRANK CHOPP

Speaker of the House of Representatives

Approved April 28, 2005.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5423** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 28, 2005 - 3:22 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5423

AS AMENDED BY THE HOUSE

Passed Legislature - 2005 Regular Session

State of Washington **59th Legislature** **2005 Regular Session**

By Senators Haugen and Swecker

Read first time 01/25/2005. Referred to Committee on Transportation.

1 AN ACT Relating to special license plates; amending RCW 46.16.385,
2 46.16.570, 46.16.600, 46.16.690, 46.16.725, and 46.16.745; reenacting
3 and amending RCW 46.16.316; adding a new section to chapter 46.16 RCW;
4 and providing an effective date.

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

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

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

14 (2) Personalized special plates issued under this section may be
15 personalized only by using numbers or letters, or any combination
16 thereof not exceeding seven positions, and not less than one position,
17 to the extent that there are no conflicts with existing license plate
18 series. A personalized special license plate is subject to the same

1 requirements as personalized license plates listed in RCW 46.16.575,
2 46.16.580, 46.16.590, 46.16.595, and 46.16.600.

3 (3) In addition to any other fees and taxes due at the time of
4 registration, applicants for a personalized special license plate must
5 pay both the fees to purchase and renew a special plate as set out in
6 the statute creating the special plate and the personalized plate as
7 required in RCW 46.16.585 and 46.16.606. The special plate fee must be
8 distributed in accordance with the requirements set out in the statute
9 creating the special plate. The personalized plate fee must be
10 distributed under RCW 46.16.605 and 46.16.606. The transfer of
11 personalized special plates is to be administered under RCW 46.16.316.

12 **Sec. 2.** RCW 46.16.316 and 2004 c 223 s 4, 2004 c 221 s 5, 2004 c
13 48 s 5, and 2004 c 35 s 5 are each reenacted and amended to read as
14 follows:

15 Except as provided in RCW 46.16.305:

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

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

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

3 (1) The department shall design and issue disabled parking emblem
4 versions of special license plates issued under (a) RCW 46.16.301; (b)
5 RCW 46.16.305, except those plates issued under RCW 46.16.305 (1) and
6 (2); (c) RCW 46.16.324; (d) RCW 46.16.745; (e) RCW 73.04.110; (f) RCW
7 73.04.115; ~~((e))~~ (g) RCW 46.16.301(1) (a), (b), or (c), as it existed
8 before amendment by section 5, chapter 291, Laws of 1997; (h) RCW
9 46.16.565; or (i) plates issued under section 1 of this act. The
10 disabled parking emblem version of the special plate must display the
11 universal symbol of access that may be used in lieu of the parking
12 placard issued to persons who qualify for special parking privileges
13 under RCW 46.16.381. The department may not charge an additional fee
14 for the issuance of the special disabled parking emblem license plate,
15 except the regular motor vehicle registration fee, the fee associated
16 with the particular special plate, and any other fees and taxes
17 required to be paid upon registration of a motor vehicle. The emblem
18 must be incorporated into the design of the special license plate in a
19 manner to be determined by the department, and under existing vehicular
20 licensing procedures and existing laws.

21 (2) Persons who qualify for special parking privileges under RCW
22 46.16.381, and who have applied and paid the appropriate fee for any of
23 the special license plates listed in subsection (1) of this section,
24 are entitled to receive from the department a special disabled parking
25 emblem license plate. The special disabled parking emblem license
26 plate may be used for one vehicle registered in the disabled person's
27 name. Persons who have been issued the parking privileges or who are
28 using a vehicle displaying the special disabled parking emblem license
29 plate may park in places reserved for mobility disabled persons.

30 (3) The special disabled parking emblem license plate must be
31 administered in the same manner as the plates issued under RCW
32 46.16.381.

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

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

36 Except for personalized plates issued under section 1 of this act,
37 the personalized license plates shall be the same design as regular

1 license plates, and shall consist of numbers or letters, or any
2 combination thereof not exceeding seven positions unless proposed by
3 the department and approved by the Washington state patrol and not less
4 than one position, to the extent that there are no conflicts with
5 existing passenger, commercial, trailer, motorcycle, or special license
6 plates series or with the provisions of RCW 46.16.230 or 46.16.235:
7 PROVIDED, That the maximum number of positions on personalized license
8 plates for motorcycles shall be designated by the department.

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

11 (1) The director of licensing may establish such rules and
12 regulations as may be necessary to carry out the purposes of RCW
13 46.16.560 through 46.16.595.

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

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

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

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

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

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

8 (3) Duties of the board include but are not limited to the
9 following:

10 (a) Review and approve the annual financial reports submitted by
11 sponsoring organizations with active special license plate series and
12 present those annual financial reports to the legislative
13 transportation committee;

14 (b) Report annually to the legislative transportation committee on
15 the special license plate applications that were considered by the
16 board;

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

22 (d) Review annually the number of plates sold for each special
23 license plate series created after January 1, 2003. The board may
24 submit a recommendation to discontinue a special plate series to the
25 chairs of the senate and house of representatives transportation
26 committees;

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

31 (4) In order to assess the effects and impact of the proliferation
32 of special license plates, the legislature declares a temporary
33 moratorium on the issuance of any additional plates until June 1, 2007.
34 During this period of time, the special license plate review board
35 created in RCW 46.16.705 and the department of licensing are prohibited
36 from accepting, reviewing, processing, or approving any applications.
37 Additionally, no special license plate may be enacted by the

1 legislature during the moratorium, unless the proposed license plate
2 has been approved by the board before February 15, 2005.

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

5 (1) A sponsoring organization meeting the requirements of RCW
6 46.16.735, applying for the creation of a special license plate to the
7 special license plate review board must, on an application supplied by
8 the department, provide the minimum application requirements in
9 subsection (2) of this section. ~~((If the sponsoring organization
10 cannot meet the payment requirements of subsection (2) of this section,
11 then the organization must meet the requirements of subsection (3) of
12 this section.))~~

13 (2) The sponsoring organization shall:

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

19 (b) Provide a proposed license plate design;

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

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

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

28 (f) Provide signature sheets that include signatures from
29 individuals who intend to purchase the special license plate and the
30 number of plates each individual intends to purchase. The sheets must
31 reflect a minimum of three thousand five hundred intended purchases of
32 the special license plate.

33 ~~((If the sponsoring organization is not able to meet the~~
34 ~~payment requirements of subsection (2)(a) of this section and can~~
35 ~~demonstrate this fact to the satisfaction of the department, the~~
36 ~~sponsoring organization shall:~~

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

3 ~~(b) Provide signature sheets that include signatures from~~
4 ~~individuals who intend to purchase the special license plate and the~~
5 ~~number of plates each individual intends to purchase. The sheets must~~
6 ~~reflect a minimum of two thousand intended purchases of the special~~
7 ~~license plate;~~

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

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

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

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

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

20 NEW SECTION. **Sec. 9.** Section 1 of this act takes effect March 1,
21 2007.

Passed by the Senate April 18, 2005.

Passed by the House April 12, 2005.

Approved by the Governor April 28, 2005.

Filed in Office of Secretary of State April 28, 2005.