

SSB 5785 - S AMD 266

By Senators Ericksen, Rolfes

ADOPTED 04/19/2013

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 46.16A.200 and 2011 c 171 s 46 are each amended to
4 read as follows:

5 (1) **Design.** All license plates may be obtained by the director
6 from the metal working plant of a state correctional facility or from
7 any source in accordance with existing state of Washington purchasing
8 procedures. License plates:

9 (a) May vary in background, color, and design;

10 (b) Must be legible and clearly identifiable as a Washington state
11 license plate;

12 (c) Must designate the name of the state of Washington without
13 abbreviation;

14 (d) Must be treated with fully reflectorized materials designed to
15 increase visibility and legibility at night;

16 (e) Must be of a size and color and show the registration period as
17 determined by the director; and

18 (f) Before July 1, 2010, may display a symbol or artwork approved
19 by the former special license plate review board and the legislature.
20 Beginning July 1, 2010, special license plate series approved by the
21 department and enacted into law by the legislature may display a symbol
22 or artwork approved by the department.

23 (2) **Exceptions to reflectorized materials.** License plates issued
24 before January 1, 1968, are not required to be treated with
25 reflectorized materials.

26 (3) **Dealer license plates.** License plates issued to a dealer must
27 contain an indication that the license plates have been issued to a
28 vehicle dealer.

29 (4)(a) **Furnished.** The director shall furnish to all persons making
30 satisfactory application for a vehicle registration:

1 (i) Two identical license plates each containing the license plate
2 number; or
3 (ii) One license plate if the vehicle is a trailer, semitrailer,
4 camper, moped, collector vehicle, horseless carriage, or motorcycle.
5 (b) The director may adopt types of license plates to be used as
6 long as the license plates are legible.
7 (5)(a) **Display.** License plates must be:
8 (i) Attached conspicuously at the front and rear of each vehicle if
9 two license plates have been issued;
10 (ii) Attached to the rear of the vehicle if one license plate has
11 been issued;
12 (iii) Kept clean and be able to be plainly seen and read at all
13 times; and
14 (iv) Attached in a horizontal position at a distance of not more
15 than four feet from the ground.
16 (b) The Washington state patrol may grant exceptions to this
17 subsection if the body construction of the vehicle makes compliance
18 with this section impossible.
19 (6) **Change of license classification.** A person who has altered a
20 vehicle that makes the current license plate or plates invalid for the
21 vehicle's use shall:
22 (a) Surrender the current license plate or plates to the
23 department, county auditor or other agent, or subagent appointed by the
24 director;
25 (b) Apply for a new license plate or plates; and
26 (c) Pay a change of classification fee required under RCW
27 46.17.310.
28 (7) **Unlawful acts.** It is unlawful to:
29 (a) Display a license plate or plates on the front or rear of any
30 vehicle that were not issued by the director for the vehicle;
31 (b) Display a license plate or plates on any vehicle that have been
32 changed, altered, or disfigured, or have become illegible;
33 (c) Use holders, frames, or other materials that change, alter, or
34 make a license plate or plates illegible. License plate frames may be
35 used on license plates only if the frames do not obscure license tabs
36 or identifying letters or numbers on the plates and the license plates
37 can be plainly seen and read at all times;

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

3 (e) Transfer a license plate or plates issued under this chapter
4 between two or more vehicles without first making application to
5 transfer the license plates. A violation of this subsection (7)(e) is
6 a traffic infraction subject to a fine not to exceed five hundred
7 dollars. Any law enforcement agency that determines that a license
8 plate or plates have been transferred between two or more vehicles
9 shall confiscate the license plate or plates and return them to the
10 department for nullification along with full details of the reasons for
11 confiscation. Each vehicle identified in the transfer will be issued
12 a new license plate or plates upon application by the owner or owners
13 and the payment of full fees and taxes; or

14 (f) Fail, neglect, or refuse to endorse the registration
15 certificate (~~and deliver the license plate or plates to the purchaser~~
16 ~~or transferee of the vehicle~~), except as authorized under this
17 section.

18 (8) **Transfer.** (a) Standard issue license plates (~~follow the~~
19 ~~vehicle~~) must be replaced when ownership of the vehicle changes
20 (~~unless~~), pursuant to subsection (9)(a)(i) of this section, but the
21 registered owner (~~wishes to~~) may retain the license plates and
22 transfer them to a replacement vehicle of the same use. In addition to
23 all other taxes and fees due upon change in ownership, a registered
24 owner wishing to keep standard issue license plates shall pay the
25 license plate transfer fee required under RCW 46.17.200(1)(c) when
26 applying for license plate transfer.

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

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

34 (9) **Replacement.** (a) Except as provided in subsection (8)(a) of
35 this section, an owner or the owner's authorized representative
36 (~~shall~~) must apply for a replacement license plate or plates: (i)
37 When taking ownership of the vehicle; (ii) if the current license plate
38 or plates assigned to the vehicle have been lost, defaced, or

1 destroyed((7)); or (iii) if one or both plates have become so illegible
2 or are in such a condition as to be difficult to distinguish. An owner
3 or the owner's authorized representative may apply for a replacement
4 license plate or plates at any time the owner chooses. The department
5 shall offer to owners the option of retaining the current license plate
6 number when obtaining replacement license plates for the fee required
7 in RCW 46.17.200(1)(b).

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

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

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

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

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

18 (10) (~~Periodic replacement.~~ License plates must be replaced
19 periodically to ensure maximum legibility and reflectivity. The
20 department shall:

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

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

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

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

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

32 (b) Congressional Medal of Honor license plates issued under RCW
33 46.18.230;

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

36 ((12)) (11) **Rules.** The department may adopt rules to implement
37 this section.

1 (~~(13)~~) (12) Tabs or emblems. The director may issue tabs or
2 emblems to be attached to license plates or elsewhere on the vehicle to
3 signify initial registration and renewals. Renewals become effective
4 when tabs or emblems have been issued and properly displayed (~~on~~
5 ~~license plates~~)).

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

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

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

17 (b) The Washington vehicle registration has expired and the
18 registered owner:

19 (i) Is a member of the United States armed forces;

20 (ii) Was stationed outside of Washington under military orders
21 during the prior vehicle registration year; and

22 (iii) Provides the department a copy of the military orders.

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

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

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

32 (1) A registered owner or the registered owner's authorized
33 representative must apply for a renewal vehicle registration to the
34 department, county auditor or other agent, or subagent appointed by the
35 director on a form approved by the director. The application for a

1 renewal vehicle registration must be accompanied by a draft, money
2 order, certified bank check, or cash for all fees and taxes required by
3 law for the application for a renewal vehicle registration.

4 (2)(a) When a vehicle changes ownership, the person taking
5 ownership or his or her authorized representative must apply for a
6 renewal vehicle registration as provided in subsection (1) of this
7 section and, except as provided in (b) of this subsection, pay all the
8 taxes and fees that are due at the time of registration renewal. For
9 the purposes of this section, when a vehicle is sold to a vehicle
10 dealer for resale, the application for a renewal registration need not
11 be made until the vehicle is sold by the vehicle dealer.

12 (b) The person taking ownership or his or her authorized
13 representative must be given credit for the portion of a motor vehicle
14 excise tax, including the motor vehicle excise tax collected under RCW
15 81.104.160, that reflects the remaining period for which the tax was
16 initially paid by the previous owner.

17 (3) An application and the fees and taxes for a renewal vehicle
18 registration must be handled in the same manner as an original vehicle
19 registration application. The registration does not need to show the
20 name of the lien holder when the application for renewal vehicle
21 registration becomes the renewal registration upon validation.

22 ~~((+3))~~ (4) A person expecting to be out of state during the normal
23 renewal period of a vehicle registration may renew a vehicle
24 registration and have license plates or tabs preissued by applying for
25 a renewal as described in subsection (1) of this section. A vehicle
26 registration may be renewed for the subsequent registration year up to
27 eighteen months before the current expiration date and must be
28 displayed from the date of issue or from the day of the expiration of
29 the current registration year, whichever date is later.

30 ~~((+4))~~ (5) An application for a renewal vehicle registration is
31 not required for those vehicles owned, rented, or leased by:

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

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

1 handling. The department may waive the fee for license plates used in
2 educational projects and may, by rule, provide standards for the fee
3 waiver and restrictions on the number of license plates provided to any
4 one person. The fee must be deposited in the motor vehicle fund
5 created in RCW 46.68.070.

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

8 (1) Revenues generated from the sale of special license plates for
9 those sponsoring organizations who used the application process in RCW
10 46.18.110 must be deposited into the motor vehicle fund created in RCW
11 46.68.070 until the department determines that the state's
12 implementation costs have been fully reimbursed.

13 (2) When it is determined that the state has been fully reimbursed
14 the department must notify the house of representatives and senate
15 transportation committees, the sponsoring organization, and the state
16 treasurer, and begin distributing the revenue as otherwise provided by
17 law.

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

26 (4) The department shall:

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

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

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

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

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

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

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

14 (a) The organization sponsoring the license plate series shall,
15 within thirty days of enactment of the legislation creating the special
16 license plate series, submit prepayment of all start-up costs
17 associated with the creation and implementation of the special license
18 plate in an amount determined by the department. The prepayment will
19 be credited to the motor vehicle fund created in RCW 46.68.070. The
20 creation and implementation of the special license plate series may not
21 begin until payment is received by the department.

22 (b) If the sponsoring organization is not able to meet the
23 prepayment requirements in (a) of this subsection and can demonstrate
24 this fact to the satisfaction of the department, the revenues generated
25 from the sale of the special license plates must be deposited in the
26 motor vehicle fund created in RCW 46.68.070 until the department
27 determines that the state's portion of the implementation costs have
28 been fully reimbursed. When it has determined that the state has been
29 fully reimbursed, the department must notify the treasurer to commence
30 distribution of the revenue according to statutory provisions.

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

34 (2) The state must be reimbursed for its portion of the
35 implementation costs within two years from the date the new special
36 license plate series goes on sale to the public. If the reimbursement
37 does not occur within the two-year time frame, the special license

1 plate series must be placed in probationary status for a period of one
2 year from that date. If the state is still not fully reimbursed for
3 its implementation costs after the one-year probation, the special
4 license plate series must be discontinued immediately. Those special
5 license plates issued before discontinuation are valid until replaced
6 ((~~under RCW 46.16A.200(10)~~)).

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

11 (4) A sponsoring organization may not seek to redesign its special
12 license plate series until the entire existing inventory is sold or
13 purchased by the organization itself. All costs for the redesign of a
14 special license plate series must be paid by the sponsoring
15 organization.

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

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By Senators Ericksen, Rolfes

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18 On page 1, at the beginning of line 2 of the title, strike the
19 remainder of the title and insert "amending RCW 46.16A.200, 46.16A.020,
20 46.17.200, and 46.18.130; reenacting and amending RCW 46.16A.110 and
21 46.18.140; and creating a new section."

EFFECT: (1) Removes the provision exempting vehicles from the
requirement to display a front license plate when the design of the
vehicle is not conducive for the placement of a front license plate.

(2) Adds a provision that the new owner of a vehicle applying for

a renewal registration must be credited for any motor vehicle excise tax paid by the previous owner that expired.

(3) Makes a technical correction to clarify that a special license plate that has been discontinued is only valid until it is replaced for any reason.

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