

SENATE BILL REPORT

EHB 1784

As of February 22, 2022

Title: An act relating to establishing an exception to the requirement that vehicle license plates be visible at all times for vehicles using certain cargo carrying devices.

Brief Description: Establishing an exception to the requirement that vehicle license plates be visible at all times for vehicles using certain cargo carrying devices.

Sponsors: Representative Thai.

Brief History: Passed House: 2/15/22, 96-1.

Committee Activity: Transportation: 2/22/22.

Brief Summary of Bill

- Provides that, under certain circumstances, the display of a single license plate may be temporarily obstructed by a trailer hitch; a wheelchair lift or wheelchair carrier; a trailer being towed by the vehicle; a bicycle rack, ski rack, or luggage rack; or a device for transporting a forklift used for product delivery purposes.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Kelly Simpson (786-7403)

Background: Vehicles required to be registered with the Department of Licensing (DOL) must display license plates or decals assigned by DOL.

License plates must be:

- attached conspicuously at the front and rear of each vehicle if two license plates have been issued;
- kept clean and be able to be plainly seen and read at all times; and
- attached in a horizontal position at a distance not more than 4 feet from the ground.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The Washington State Patrol may grant exceptions to license plate display requirements if the body construction of the vehicle makes compliance impossible.

Summary of Bill: The display of a single license plate properly attached to a vehicle that has two license plates properly attached may be temporarily obstructed by one or more of the following devices by the cargo the device is carrying:

- a trailer hitch;
- a wheelchair lift or wheelchair carrier;
- a trailer being towed by the vehicle, provided the trailer meets any applicable trailer license plate requirements; or
- a bicycle rack, ski rack, or luggage rack.

The display of a single license plate properly attached to a trailer may be obstructed by a device for transporting a forklift used for product delivery purposes. For license plate visibility, the single trailer license plate obstructed by a device for carrying a forklift may be relocated on the trailer or the towing vehicle to a position that is more than four feet from the ground.

For the license plate visibility exception to apply, the device must be installed according to manufacturer specifications or generally accepted installation practices, and the device or cargo the device is carrying must not prevent the license plate from being read from one or more accessible viewing angles when the vehicle is parked, except if the device is a trailer that meets trailer license plate requirements.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill was brought by a constituent. A lot of public dollars are spent to provide safe outdoor activities like bicycling. In order to access those bike facilities, for example, bike racks are needed on vehicles, which can obscure license plates. This bill would make it legal to temporarily obscure license plates in order to transport various necessary equipment such as bikes and wheelchairs. Under the bill, license plates can still be read when the vehicle is parked. The bill shouldn't increase criminal behavior. In order to continue to make Washington State a bike and wheelchair friendly place to live, the law should allow for the necessary equipment to be transported on vehicles. This bill came about in part to a judge, who had upheld license plate-related tickets, encouraging the violator go to the Legislature and change the law. The current law is counterproductive to encouraging bicyclists in Washington State. The forklift provision

in the bill really helps commercial vehicle drivers.

CON: The rear plate is often the only way for law enforcement to identify a vehicle which helps prevent crimes. This bill makes it harder for law enforcement to do its job. One way to help would be to issue smaller license plates, like motorcycle plates, that could attach to the equipment being transported that obscures the main vehicle license plate.

Persons Testifying: PRO: Representative My-Linh Thai, Prime Sponsor; Sheri Call, Washington Trucking Associations; Bob Ellis.

CON: James McMahan, WA Assoc Sheriffs & Police Chiefs.

Persons Signed In To Testify But Not Testifying: No one.