

WSR 23-22-022

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed October 20, 2023, 10:33 a.m., effective November 20, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Clarifying standard specialty plate design guidelines by requiring new plate designs to show the jurisdiction at the top of the plate.

Citation of Rules Affected by this Order: Amending WAC 308-96A-560 Special license plates—Criteria for creation or continued issuance.

Statutory Authority for Adoption: RCW 46.01.110 Rule-making authority and 46.18.200 Department approved plate types.

Adopted under notice filed as WSR 23-18-093 on September 6, 2023.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: October 20, 2023.

Ellis Starrett
Rules and Policy Manager

OTS-4894.1

AMENDATORY SECTION (Amending WSR 11-01-118, filed 12/20/10, effective 1/20/11)

WAC 308-96A-560 Special license plates—Criteria for creation or continued issuance. (1) **What is a special license plate series?** For the purpose of this rule a special license plate series is one license plate design with a range of numbers and letter combinations to be determined by the department.

(2) **What is required for an organization to apply to create a new plate through the department?** The organization must submit a completed application packet, signature sheet and supporting documentation as required by law. Signature sheets must reflect that they are collected within three years of submission.

~~((If an organization started collecting signature sheets before the moratorium was put into place that ends on July 1, 2009, they are exempt from the three-year time frame. However, organizations collecting signatures during the moratorium must submit their completed application packet and signature sheets to the department within ninety~~

~~days after the moratorium is lifted. If an organization does not submit the signature sheets to the department within ninety days after the moratorium, the signature sheets are no longer valid.))~~

(3) What are the design criteria for a special license plate series?

(a) The jurisdiction must be located at the top of the license plate;

(b) The plate dimensions, bolt hole placement, and other features must comply with the *Department's Specialty Plate Design Guide*;

(c) Plate color usage must be readable by state tolling facilities or law enforcement plate readers, consistent with the department's published guidance; and

(d) Other criteria as established by the department.

(4) What criteria are used to discontinue issuing special license plates? A special license plate series may be canceled if:

(a) The department determines that fewer than ~~((five hundred))~~ 500 special license plates are purchased annually and fewer than ~~((one thousand five hundred))~~ 1,500 special license plates are purchased in any continuous three-year period. (Except those license plates issued under RCW 46.16.301, 46.16.305, and 46.16.324); or

(b) If the sponsoring organization does not submit an annual financial statement required by RCW 46.16.765 and certified by an accountant; or

(c) The legislature concurs with a recommendation from the department to discontinue a plate series created after January 1, 2003; or

(d) The state legislature changes the law allowing that plate series.

~~((4))~~ **(5) What information must be contained in the annual financial report?** The annual financial report must include all expenditures related to programs, fund-raising, marketing, and administrative expenses related to their special license plate(s). The report must include:

(a) The stated purpose of the organization receiving the special plate revenue;

(b) A message from the chair or director of the organization;

(c) Program highlights with a detailed list of how the funds were expended for those programs;

(d) List of special events the organization held to market their special plate for the current reporting year;

(e) A summary of financial information:

(i) Previous revenue received during current reporting year;

(ii) Total revenue received during current reporting year;

(iii) Summary of administrative expenses.

If an organization is disbursing funds through a grant program or to another nonprofit organization supporting Washington citizens, a list including the program and the organizations must be submitted which includes their name and amount received.

~~((5))~~ **(6) What steps are taken by the department if the annual financial report is not submitted as required or the special plate revenue is expended for purposes other than allowed by law?** The department will follow the guidelines as established in the organization's contractual agreement with the department:

(a) Send a written notice of the violations to the organization;

(b) The organization is given ~~((thirty))~~ 30 days to correct the violation;

(c) If the violation is not corrected, the department may immediately terminate the contract.

~~((+6+))~~ (7) **Can an organization have more than one special plate series?** No. Organizations cannot have more than one special license plate series except those issued before January 1, 2006. Those organizations that already have multiple special plate series may not have more.

An updated design of the current special license plates does not constitute more than one special plate series. The newest design supersedes the prior design. The assigned number and letter combination cannot be changed when a new plate design is created.

(8) **Are tribal license plates established pursuant to RCW 46.16A.230 subject to the requirements of this section?** No. Tribal license plates enacted through the compacting process described in RCW 46.16A.230 are exempt from the special license plate requirements established in this section.