WSR 26-16-085
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed August 5, 2026, 9:09 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 26-10-084.

Title of Rule and Other Identifying Information: Defective license plate replacements.

Hearing Location(s): On September 10, 2026, at 3:15 p.m., via Zoom meeting at https://us06web.zoom.us/j/4246121932?pwd=KN7V4afVkRY0JqFohbIqu8Jarzn0XV.1&omn=87870311561, or meeting chat link at https://us06web.zoom.us/launch/jc/87870311561, Meeting ID 424 612 1932, Passcode 101765; or One-tap mobile +12532050468,,4246121932#,,,,*101765# US, +12532158782,,4246121932#,,,,*101765# US (Tacoma); or join by SIP at 4246121932@zoomcrc.com, join instructions at https://us06web.zoom.us/meetings/87870311561/invitations?signature=z-fkjJ74YHP2KoXkufZwx4eYtyCqYybZBSfZpx7chDA.

If you are having trouble accessing the virtual meeting, call 360-902-3486 at the time of the hearing to request assistance. Email rulescoordinator@dol.wa.gov if you would like to request an interpreter, or other accommodations, at least one week in advance of the public hearing.

NOTE: Hearing participants are encouraged to attend in person or be prepared to use the telephonic option (call in) if they experience technical difficulties. In-person attendance will take place at the Highways and Licensing Building, 1125 Washington Street S.E., Olympia, WA 98504.

Date of Intended Adoption: September 11, 2026.

Submit Written Comments to: Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98504, email rulescoordinator@dol.wa.gov, beginning July 22, 2026, by September 10, 2026.

Assistance for Persons with Disabilities: Contact Ellis Starrett, phone 360-902-3846, email rulescoordinator@dol.wa.gov, by August 22, 2026.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule making would create a new definition for "defective," and establish the process and fees related to free or reduced-cost license plate replacements for defective license plates. This rule making is required by SHB 2114, chapter 172, Laws of 2026.

Reasons Supporting Proposal: SHB 2114, passed during the 2026 legislative session, requires the department of licensing to perform this rule making.

Statutory Authority for Adoption: Chapter 46.17 RCW, Vehicle licenses; RCW 46.16A.200 License plates; and SHB 2114, passed during the 2026 legislative session.

Statute Being Implemented: Chapter 172, Laws of 2026.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of licensing, governmental.

Name of Agency Personnel Responsible for Drafting: Nikkita Riley, 1125 Washington Street S.E., Olympia, WA 98504, 360-902-3789; Implementation and Enforcement: Stacy Allen, 1125 Washington Street S.E., Olympia, WA 98504, 360-902-0122.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98504, phone 360-902-3846, email rulescoordinator@dol.wa.gov.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.

Scope of exemption for rule proposal:

Is fully exempt.

August 5, 2026
Ellis Starrett
Rules and Policy Manager

RDS-7303.1

AMENDATORY SECTION (Amending WSR 11-17-111, filed 8/23/11, effective 9/23/11)

WAC 308-96A-005 Terminology—Definitions. Terms used in chapter 46.16A RCW and this chapter will have the following meanings except where otherwise defined, and where the context clearly indicates the contrary:

(1) "Application" means a form provided or approved by the department to apply for different types of services and documents.

(2) "Cab and chassis" is an incomplete vehicle manufactured and sold with only a cab, frame and running gear. (WAC 308-96A-145.)

(3) "Certificate of license registration" means a document issued by the department and required by RCW 46.16A.180 to be carried in the vehicle to operate legally on the roadways of Washington and described in RCW 46.12.540.

(4) "Chattel lien" is a process by which a person may sell or take ownership of a vehicle when:

(a) They provide services or materials for a vehicle at the request of the registered owner; and

(b) The person who provided the services and/or materials has not been compensated.

(5) "Confidential" and "undercover" license plates have the same meaning as provided in RCW 46.04.142.

(6) "Current year" means the current registration year unless otherwise stated. (WAC 308-96A-260.)

(7) "Defective" means license plates that are no longer functional as described in section 2(2), chapter 172, Laws of 2026.

(8) "Exception reports" means the main source of communication between jurisdictions and the department of licensing as computer reports that must be used by the jurisdiction to correct errors they have submitted to the department. Reports are received by all participating jurisdictions, whether processing vehicle violations manually or electronically.

((~~(8)~~)) (9) "Expiration day and month."

(a) "Date of expiration" or "expiration date" means the day of the month on which the vehicle registration, gross weight license, decal or tabs expire.

(b) "Month of expiration" or "expiration month" means the calendar month during which a registration period ends. (WAC 308-96A-260.)

((~~(9)~~)) (10) "Fleet" means a group of vehicles registered in the same owner name and which have been assigned the same fleet identifier code by the department.

((~~(10)~~)) (11) "Gross weight," "declared gross weight," and "tonnage" mean gross weight defined in RCW 46.16A.455, 46.16A.425, 46.04.140 and chapter 46.44 RCW.

((~~(11)~~)) (12) "Identification card" means the identification card referred to in RCW 46.19.010 for disabled parking privileges and is used for identification of persons with disabilities.

((~~(12)~~)) (13) "Indian country" means all lands, notwithstanding the issuance of any patent, within the exterior boundaries set aside by the United States for the use and occupancy of Indian tribes by treaty, law or executive order and which are areas currently recognized as "Indian country" by the United States Department of the Interior as referenced in 18 U.S.C. 1151 and C.F.R. 25.

((~~(13)~~)) (14) "Indian tribe" means a Washington Indian nation, tribe, band, or community recognized as an "Indian tribe" by the United States Department of the Interior.

((~~(14)~~)) (15) "Indian" means a person on the tribal rolls of the Washington Indian tribe occupying Indian country.

((~~(15)~~)) (16) "Individual with disabilities parking placard expiration date" means the last day of the month as specified on the department placard.

((~~(16)~~)) (17) "Jurisdiction" as used in the vehicle violation system means any district, municipal, justice, superior court, Washington state department of transportation, or authorized representative of one of these entities.

((~~(17)~~)) (18) "Jurisdiction seal" means an embossed seal or stamp provided by the jurisdiction to authenticate documents provided by jurisdictions.

((~~(18)~~)) (19) "Landlord's lien" for rent is a process by which a landlord may sell or take ownership of a tenant's vehicle as security for rent due.

((~~(19)~~)) (20) "License or licensing" and "register or registering" are synonymous and mean the act of registering a vehicle under chapter 46.16A RCW.

((~~(20)~~)) (21) "License fee" means the fees required for the act of licensing a vehicle under chapter 46.17 RCW. License fee does not include license plate fees identified as taxes, and fees collected by the department for other jurisdictions.

((~~(21)~~)) (22) "Licensed physician" for the purpose of individual with disabilities parking privileges, means: Chiropractic physicians, naturopaths, medical doctors, osteopathic physicians, podiatric physicians, and advanced registered nurse practitioners. Licensed physician does not include persons licensed in the professions of dentistry and optometry. (RCW 46.19.010.)

((~~(22)~~)) (23) "Municipality" in reference to parking tickets, means every court having jurisdiction over offenses committed under RCW 46.20.270.

((~~(23)~~)) (24) "NCIC number" means the numeric code assigned by the National Crime Information Center to identify a jurisdiction.

((~~(24)~~)) (25) "One hundred twenty-day notice" in reference to vehicle violations means a notice of vehicle violations that must be satisfied prior to the registration renewal date. (RCW 46.16A.120.)

((~~(25)~~)) (26) "Vehicle violation disposition" means the requested action as determined by the jurisdiction to add failure-to-pay vehicle violations, or to remove paid vehicle violations from a vehicle record. (RCW 46.16A.120.)

((~~(26)~~)) (27) "Vehicle violation" means any standing, stopping, toll nonpayment civil penalty, automated traffic safety camera infractions, or vehicle violation per RCW 46.20.270(3).

((~~(27)~~)) (28) "Vehicle violation list" means a computerized list containing all outstanding vehicle violations, which have been processed by the department. (RCW 46.16A.120.)

((~~(28)~~)) (29) "Permanent" in reference to individual with disabilities parking privileges, means a licensed physician has certified that a qualifying condition is expected to last at least five years. (RCW 46.19.010. ((~~WAC 308-96A-306.~~)))

((~~(29)~~)) (30) "Permanent fleet" means a group of ((~~fifty~~)) 50 or more vehicles registered in the same owner(s) name and which have been assigned the same fleet identifier code by the department and has an expiration date of December 31st of each year. (WAC 308-96A-161.)

((~~(30)~~)) (31) "Permit" in reference to individual with disabilities parking privileges means the proof provided by the department in the form of placard(s), special license plate(s) and an identification card indicating eligibility for individual with disabilities parking privileges. (RCW 46.19.010.)

((~~(31)~~)) (32) "Personal use vehicle" in reference to disabled veteran's, prisoners of war and congressional medal of honor plates, means vehicles not used for commercial purpose including: Passenger vehicles, motor homes, motorcycles, and trucks with designated gross vehicle weight not exceeding ((~~twelve thousand~~)) 12,000 pounds. Registration ownership must be in the name of the individual and not in the business name. (WAC 308-96A-046.)

((~~(32)~~)) (33) "Placard" is an item issued to individuals who qualify for special individual with disabilities parking privileges under RCW 46.19.010 and are entitled to receive from the department of licensing in the form of a removable windshield placard bearing the international symbol of access and individual serial number.

((~~(33)~~)) (34) "Private carriers" means those entities contracting with public transportation authorities to transport persons with disabilities described in RCW 46.19.010.

((~~(34)~~)) (35) "Privilege" in reference to individual with disabilities parking privileges means permission to utilize the benefits associated with the permit. (RCW 46.19.010, 46.61.582 and chapter 70.84 RCW (July 1, 2011, version((~~). WAC 308-96A-306~~)).)

((~~(35)~~)) (36) "Public transportation authorities" means those entities operating motor vehicles owned or leased by Washington state, or a town, city, county, municipality, or metropolitan or municipal corporation within the state, or United States government agencies or Indian nations used for the primary purpose of transporting persons with disabilities described in RCW 46.19.010.

((~~(36)~~)) (37) "Regular fleet" means a group of five or more vehicles registered in the same owner(s) name and which have been assigned the same fleet identifier code by the department and has an expiration date of December 31st of each year. (WAC 308-96A-161.)

((~~(37)~~)) (38) "Salvage title" means a certificate of title issued by another jurisdiction designating a motor vehicle as a "salvage vehicle."

((~~(38)~~)) (39) "Self-storage facilities lien" is a process by which the owner of a self-storage facility may sell a vehicle stored at the facility as security for rent or other charges due.

((~~(39)~~)) (40) "Signature" means any memorandum, mark, sign or subscriptions made with intent to authenticate an application. (RCW 9A.04.110((~~(23)~~)) (24).)

((~~(40)~~)) (41) "Unprocessed" as used in vehicle violation system means an update of the computer record has not occurred.

((~~(41)~~)) (42) "Use classes" means those vehicles described in WAC 308-96A-099.

((~~(42)~~)) (43) "Vehicle database record" means the electronic record stored on the department's motor vehicle database reflecting vehicle and ownership information.

((~~(43)~~)) (44) "Vehicle/vessel report of sale" means a document or electronic record transaction that when properly filed protects the seller of a vehicle/vessel from certain criminal and civil liabilities arising from use of the vehicle/vessel by another person after the vehicle/vessel has been sold or a change in ownership has occurred.

AMENDATORY SECTION (Amending WSR 15-10-005, filed 4/22/15, effective 5/23/15)

WAC 308-96A-021 Replacement plates—Requirements. (1) **How do I obtain replacement plate(s) for my current Washington plate(s)?**

You obtain replacement plate(s) by applying to a Washington vehicle licensing office in person or by mail.

(2) **When do I need to replace my plate(s)?**

You need to replace your plate(s) if:

(a) Your plate(s) are lost, destroyed, or mutilated. For an additional fee, you may replace them with the same number and letter combination as long as the plate meets a current approved license plate configuration and background; or

(b) Your plate(s) are stolen. You may not request the same number and letter combination (see the note at the end of this section); or

(c) Your plate(s) are defective as described in section 2(2), chapter 172, Laws of 2026; or

(d) The primary use of your vehicle has changed requiring new plate(s) designated for the new use of the vehicle. Example: A passenger car used to transport commodities, merchandise, produce, freight or animals for commercial purposes may be licensed as a commercial use truck; or

((~~(d)~~)) (e) You took ownership of a vehicle, unless you met one of the exemptions in RCW 46.16A.200, or the vehicle is registered as a title purpose only or has one of the following nonstandard plates on it at the time of transfer:

(i) Horseless carriage plates;

(ii) Collector vehicle plates; or

(iii) Restored plates.

(3) **Who can apply for replacement plate(s)?**

One of the registered owners or the owner's authorized representative may apply for replacement plate(s).

(4) **What documentation do I need to apply for replacement plate(s)?**

(a) If your plate(s) are lost, stolen (see note at end of this section), destroyed, or mutilated, you need to submit an affidavit of loss or letter of request describing the vehicle by Washington license plate or vehicle identification number. The affidavit of loss or letter of request must be signed by at least one of the registered owners. The registered owner's signature must be either notarized by a notary public or certified by an authorized employee of a Washington vehicle licensing office. A replacement plate fee will be charged. For an additional fee, the same number and letter combination may be requested as long as the plate meets a current approved license plate configuration and background.

(b) If the primary use of your vehicle has changed requiring new plate(s) designated for the new use of the vehicle, the department will replace the plate(s) without the affidavit of loss or letter of request. A new plate fee will be charged.

(5) **What if the department issued incorrect plate(s) for my vehicle?**

When incorrect plate(s) have been issued due to departmental error, the department will replace the plate(s) without the affidavit of loss or letter of request. No replacement plate fee will be charged in this case.

(6) **If I replace special license plate(s) on a currently registered vehicle, will I receive the same license plate number and letter combination?** Yes, for an additional fee, if you are replacing license plates on a currently registered vehicle, your license plates will be replaced with the same number and letter combination as shown on the vehicle computer record as long as the plate meets a current approved license plate configuration and background.

Note: If the license plate has been reported as stolen or if the department record indicates the vehicle has been stolen, the same number and letter combination will not be issued.

NEW SECTION

WAC 308-96A-022 Defective plates replacement. Individuals may qualify for free or reduced-cost replacements for defective license plates as authorized by section 2, chapter 172, Laws of 2026.

(1) **Free replacements.** The department will replace license plates deemed defective free of charge when requested within 24 months of the original issuance of the plates.

The request must be made or postmarked on or before the last day of the 24-month period.

(2) **Reduced fees.** The department will replace license plates deemed defective at reduced cost if requested between 24 months and 60 months of the original issuance of the plates.

The request must be made on or before the last day of the 60-month period.

(3) **Reduced-fee plate replacement fees.** Reduced-fee replacement plates are subject only to the following fees:

(a) The filing fee in accordance with RCW 46.17.005;

(b) The license service fee in accordance with RCW 46.17.025;

(c) The service fee in accordance with RCW 46.17.040 (1)(b);

(d) The retention fee in accordance with RCW 46.17.200, when applicable;

(e) The department may charge a fee to cover the costs of production and postage.

(4) **Retention fee requirements.** The retention fee is required when the owner wishes to retain the same configuration on a standard license plate or special background license plate.

No retention fee is charged on license plates with personalized configurations.

(5) **Requesting replacements.** The department will determine if the plate(s) meet the requirement of being defective.

(a) Plate owners may request replacements for defective plate(s) in one of the following ways:

(i) By visiting a vehicle licensing office.

(ii) By mailing the request and defective plate(s) to the department.

(b) Owners must surrender their assigned plate(s) to receive free or reduced cost defective plates. If only one plate in a set is deemed defective, both plates must be surrendered.

(c) If defective, the vehicle licensing office or the department will issue replacement plate(s) either free of cost, or at the combined cost of fees outlined in this section.

(6) **Denied requests.** The department, agents, and subagents may deny any requests for free or reduced-cost replacement plates when any of the following apply:

(a) The license plate is legible, clearly identifiable, and does not have any damage or minor cosmetic wear that would interfere with the function of the license plate.

(b) The requester is found to have made an excessive number of requests within 60 months of original issuance of the plate(s).

(c) For any reason outlined in section 2(4), chapter 172, Laws of 2026.