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**SUBSTITUTE HOUSE BILL 1991**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** House Transportation (originally sponsored by Representatives Lovick, Fey, Sells, and Valdez)

READ FIRST TIME 03/01/19.

1 AN ACT Relating to digital license plates; reenacting and  
2 amending RCW 46.16A.200 and 46.16A.030; and adding a new section to  
3 chapter 46.04 RCW.

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

5 **Sec. 1.** RCW 46.16A.200 and 2014 c 181 s 2 and 2014 c 80 s 1 are  
6 each reenacted and amended to read as follows:

7 (1) **Design.** All license plates may be obtained by the director  
8 from the metal working plant of a state correctional facility or from  
9 any source in accordance with existing state of Washington purchasing  
10 procedures. The director may approve the use of specific digital  
11 license plate products, as described in subsection (4) of this  
12 section. Prior to approving digital license plate products, the  
13 director must consult with the department of transportation,  
14 Washington state patrol, Washington association of sheriffs and  
15 police chiefs, and office of the chief information officer, and adopt  
16 rules regarding digital license plates. The rules must, at a minimum,  
17 address information displayed on digital license plates and the  
18 manner in which the information is displayed. The director may revoke  
19 digital license plate products approved for use upon the director's  
20 determination that digital license plates cause a legitimate public  
21 safety or enforcement concern, in which case a replacement metal

1 plate must be provided at no cost. Except as provided in subsection  
2 (4) of this section, license plates:

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

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

6 (c) Must designate the name of the state of Washington without  
7 abbreviation;

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

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

12 (f) Before July 1, 2010, may display a symbol or artwork approved  
13 by the former special license plate review board and the legislature.  
14 Beginning July 1, 2010, special license plate series approved by the  
15 department and enacted into law by the legislature may display a  
16 symbol or artwork approved by the department.

17 (2) **Exceptions to reflectorized materials.** License plates issued  
18 before January 1, 1968, or digital license plates approved by the  
19 director, are not required to be treated with reflectorized  
20 materials.

21 (3) **Dealer license plates.** License plates issued to a dealer must  
22 contain an indication that the license plates have been issued to a  
23 vehicle dealer.

24 (4) **Digital license plates.** The digital license plate design must  
25 be consistent with the plate design issued to the customer by the  
26 department. Any changes to the plate design that are required for  
27 proper rendering of the digital license plate must be approved by the  
28 department. Digital license plates must meet the following  
29 requirements:

30 (a) Be visible at all times, including while the vehicle is  
31 parked or turned off;

32 (b) The letters and numbers must be of sufficient size to be  
33 plainly readable during daylight hours from a distance of one hundred  
34 feet;

35 (c) The display device must be visible at night and not obstruct  
36 the vehicle's equipped illumination light or must contain an internal  
37 light source;

38 (d) The display device must allow for the automated image capture  
39 of letters and numbers to facilitate law enforcement and tolling  
40 purposes;

1 (e) Must contain a user selectable feature that may be turned on  
2 or off as to whether the license plate collects or stores vehicle  
3 location and telemetry information; and

4 (f) Must contain antitampering and data security features  
5 approved by the office of the chief information officer.

6 (5)(a) **Furnished.** The director shall furnish to all persons  
7 making satisfactory application for a vehicle registration:

8 (i) Two identical license plates each containing the license  
9 plate number; or

10 (ii) One license plate if the vehicle is a trailer, semitrailer,  
11 camper, moped, collector vehicle, horseless carriage, or motorcycle.

12 (b) The director may adopt types of license plates to be used as  
13 long as the license plates are legible.

14 (c) The director may issue one metal plate to be attached to the  
15 front of the vehicle if an approved digital license plate is affixed  
16 to the rear of the vehicle.

17 ~~((+5))~~ (6)(a) **Display.** License plates must be:

18 (i) Attached conspicuously at the front and rear of each vehicle  
19 if two license plates have been issued;

20 (ii) Attached to the rear of the vehicle if one license plate has  
21 been issued;

22 (iii) Kept clean and be able to be plainly seen and read at all  
23 times; and

24 (iv) Attached in a horizontal position at a distance of not more  
25 than four feet from the ground.

26 (b) The Washington state patrol may grant exceptions to this  
27 subsection if the body construction of the vehicle makes compliance  
28 with this section impossible.

29 ~~((+6))~~ (7) **Change of license classification.** A person who has  
30 altered a vehicle that makes the current license plate or plates  
31 invalid for the vehicle's use shall:

32 (a) Surrender the current license plate or plates to the  
33 department, county auditor or other agent, or subagent appointed by  
34 the director;

35 (b) Apply for a new license plate or plates; and

36 (c) Pay a change of classification fee required under RCW  
37 46.17.310.

38 ~~((+7))~~ (8) **Unlawful acts.** It is unlawful to:

39 (a) Display a metal license plate or plates on the front or rear  
40 of any vehicle that were not issued by the director for the vehicle;

1       (b) Display a digital license plate or plates, as defined in  
2 section 2 of this act, on the front or rear of any vehicle that were  
3 not approved by the director for the vehicle;

4       (c) Display a license plate or plates on any vehicle that have  
5 been changed, altered, or disfigured, or have become illegible;

6       ~~((e))~~ (d) Use holders, frames, or other materials that change,  
7 alter, or make a license plate or plates illegible. License plate  
8 frames may be used on license plates only if the frames do not  
9 obscure license tabs or identifying letters or numbers on the plates  
10 and the license plates can be plainly seen and read at all times;

11       ~~((d))~~ (e) Operate a vehicle unless a valid license plate or  
12 plates are attached as required under this section;

13       ~~((e))~~ (f) Transfer a license plate or plates issued under this  
14 chapter between two or more vehicles without first making application  
15 to transfer the license plates. A violation of this subsection  
16 ~~((7)(e))~~ (8)(f) is a traffic infraction subject to a fine not to  
17 exceed five hundred dollars. Any law enforcement agency that  
18 determines that a license plate or plates have been transferred  
19 between two or more vehicles shall confiscate the license plate or  
20 plates and return them to the department for nullification along with  
21 full details of the reasons for confiscation. Each vehicle identified  
22 in the transfer will be issued a new license plate or plates upon  
23 application by the owner or owners and the payment of full fees and  
24 taxes; or

25       ~~((f))~~ (g) Fail, neglect, or refuse to endorse the registration  
26 certificate, except as authorized under this section.

27       ~~((8))~~ (9) **Transfer.** (a) Standard issue license plates must be  
28 replaced when ownership of the vehicle changes, pursuant to  
29 subsection ~~((9))~~ (10)(a)(i) of this section, but the registered  
30 owner may retain the license plates and transfer them to a  
31 replacement vehicle of the same use. In addition to all other taxes  
32 and fees due upon change in ownership, a registered owner wishing to  
33 keep standard issue license plates shall pay the license plate  
34 transfer fee required under RCW 46.17.200(1)(c) when applying for  
35 license plate transfer.

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

39       (c) License plates issued to the state or any county, city, town,  
40 school district, or other political subdivision entitled to exemption

1 as provided by law may be treated in the same manner as described in  
2 (a) of this subsection.

3 (d) License plate replacement is not required when a change in  
4 vehicle ownership is the result of one or more of the following  
5 circumstances:

6 (i) When adding a lienholder to the certificate of title or  
7 removing a lienholder from the certificate of title;

8 (ii) When a vehicle is transferred from one spouse or registered  
9 domestic partner to another;

10 (iii) When removing a deceased spouse or registered domestic  
11 partner from the certificate of title;

12 (iv) When a vehicle is transferred by gift or inheritance to one  
13 or more members of the registered owner's immediate family;

14 (v) When a vehicle is transferred into or out of a trust in which  
15 the registered owner or one or more immediate family members of the  
16 registered owner is the beneficiary;

17 (vi) When a leaseholder buys out the leased vehicle; or

18 (vii) When a person changes his or her name.

19 (~~(9)~~) (10) **Replacement.** (a) Except as provided in subsection  
20 (~~(8)~~) (9)(a) of this section, an owner or the owner's authorized  
21 representative must apply for a replacement license plate or plates:  
22 (i) When taking ownership of the vehicle; (ii) if the current license  
23 plate or plates assigned to the vehicle have been lost, defaced, or  
24 destroyed; or (iii) if one or both plates have become so illegible or  
25 are in such a condition as to be difficult to distinguish. An owner  
26 or the owner's authorized representative may apply for a replacement  
27 license plate or plates at any time the owner chooses. The department  
28 shall offer to owners the option of retaining the current license  
29 plate number when obtaining replacement license plates for the fee  
30 required in RCW 46.17.200(1)(b).

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

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

34 (ii) Be accompanied by the fee required under RCW  
35 46.17.200(1)(a).

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

39 (d) The department shall not require the payment of any fee to  
40 replace a license plate or plates for vehicles owned, rented, or

1 leased by foreign countries or international bodies to which the  
2 United States government is a signatory by treaty.

3 ~~((+10+))~~ (11) **Replacement—Exceptions.** The following license  
4 plates are not required to be replaced as required in subsection  
5 ~~((+9+))~~ (10) of this section:

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

8 (b) Medal of Honor license plates issued under RCW 46.18.230;

9 (c) License plates for commercial motor vehicles with a gross  
10 weight greater than twenty-six thousand pounds;

11 (d) Digital license plates, as defined in section 2 of this act.

12 ~~((+11+))~~ (12) **Rules.** The department may adopt rules to implement  
13 this section.

14 ~~((+12+))~~ (13) **Tabs or emblems.** The director may issue tabs or  
15 emblems to be attached to license plates or elsewhere on the vehicle  
16 to signify initial registration and renewals. Renewals become  
17 effective when tabs or emblems have been issued and properly  
18 displayed.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04  
20 RCW to read as follows:

21 "Digital license plate" means a license plate that: (1) Always  
22 displays the letters and numbers assigned to the vehicle by the  
23 department, the name of the state, and any other information required  
24 by the department, in the manner prescribed by the department via an  
25 electronic display; (2) produces a crisp, bright screen; and (3) is  
26 certified, at a minimum, as an automotive grade IP66 product.

27 **Sec. 3.** RCW 46.16A.030 and 2011 c 171 s 43 and 2011 c 96 s 31  
28 are each reenacted and amended to read as follows:

29 (1) Vehicles must be registered as required by this chapter and  
30 must display license plates or decals ~~((assigned))~~ approved by the  
31 department.

32 (2) It is unlawful for a person to operate any vehicle on a  
33 public highway of this state without having in full force and effect  
34 a current and proper vehicle registration and displaying license  
35 plates on the vehicle.

36 (3) Vehicle license plates or registration certificates, whether  
37 original issues or duplicates, may not be issued or furnished by the  
38 department until the applicant makes satisfactory application for a

1 certificate of title or presents satisfactory evidence that a  
2 certificate of title covering the vehicle has been previously issued.

3 (4) Failure to make initial registration before operating a  
4 vehicle on the public highways of this state is a traffic infraction.  
5 A person committing this infraction must pay a fine of five hundred  
6 twenty-nine dollars, which may not be suspended, deferred, or  
7 reduced. This fine is in addition to any delinquent taxes and fees  
8 that must be deposited and distributed in the same manner as if the  
9 taxes and fees were properly paid in a timely fashion. The five  
10 hundred twenty-nine dollar fine must be deposited into the vehicle  
11 licensing fraud account created in the state treasury in RCW  
12 46.68.250.

13 (5) Failure to renew an expired registration before operating a  
14 vehicle on the public highways of this state is a traffic infraction.

15 (6) It is a gross misdemeanor for a resident, as identified in  
16 RCW 46.16A.140, to register a vehicle in another state, evading the  
17 payment of any tax or vehicle license fee imposed in connection with  
18 registration. It is punishable, in lieu of the fine in subsection (4)  
19 of this section, as follows:

20 (a) For a first offense:

21 (i) Up to three hundred sixty-four days in the county jail;

22 (ii) Payment of a fine of five hundred twenty-nine dollars plus  
23 any applicable assessments, which may not be suspended, deferred, or  
24 reduced. The fine of five hundred twenty-nine dollars must be  
25 deposited into the vehicle licensing fraud account created in the  
26 state treasury in RCW 46.68.250;

27 (iii) A fine of one thousand dollars to be deposited into the  
28 vehicle licensing fraud account created in the state treasury in RCW  
29 46.68.250, which may not be suspended, deferred, or reduced; and

30 (iv) The delinquent taxes and fees, which must be deposited and  
31 distributed in the same manner as if the taxes and fees were properly  
32 paid in a timely fashion, and which may not be suspended, deferred,  
33 or reduced;

34 (b) For a second or subsequent offense:

35 (i) Up to three hundred sixty-four days in the county jail;

36 (ii) Payment of a fine of five hundred twenty-nine dollars plus  
37 any applicable assessments, which may not be suspended, deferred, or  
38 reduced. The fine of five hundred twenty-nine dollars must be  
39 deposited into the vehicle licensing fraud account created in the  
40 state treasury in RCW 46.68.250;

1           (iii) A fine of five thousand dollars to be deposited into the  
2 vehicle licensing fraud account created in the state treasury in RCW  
3 46.68.250, which may not be suspended, deferred, or reduced; and  
4           (iv) The amount of delinquent taxes and fees, which must be  
5 deposited and distributed in the same manner as if the taxes and fees  
6 were properly paid in a timely fashion, and which may not be  
7 suspended, deferred, or reduced.  
8           (7) A vehicle with an expired registration of more than  
9 forty-five days parked on a public street may be impounded by a  
10 police officer under RCW 46.55.113(2).

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