
SENATE BILL 5016

State of Washington

63rd Legislature

2013 Regular Session

By Senator Benton

Read first time 01/14/13. Referred to Committee on Transportation.

1 AN ACT Relating to eliminating the periodic replacement requirement
2 for license plates; amending RCW 46.16A.200, 46.17.200, and 46.18.130;
3 and reenacting and amending RCW 46.18.140.

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

5 **Sec. 1.** RCW 46.16A.200 and 2011 c 171 s 46 are each amended to
6 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. License plates:

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

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

14 (c) Must designate the name of the state of Washington without
15 abbreviation;

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

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

1 (f) Before July 1, 2010, may display a symbol or artwork approved
2 by the former special license plate review board and the legislature.
3 Beginning July 1, 2010, special license plate series approved by the
4 department and enacted into law by the legislature may display a symbol
5 or artwork approved by the department.

6 (2) **Exceptions to reflectorized materials.** License plates issued
7 before January 1, 1968, are not required to be treated with
8 reflectorized materials.

9 (3) **Dealer license plates.** License plates issued to a dealer must
10 contain an indication that the license plates have been issued to a
11 vehicle dealer.

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

14 (i) Two identical license plates each containing the license plate
15 number; or

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

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

20 (5)(a) **Display.** License plates must be:

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

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

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

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

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

32 (6) **Change of license classification.** A person who has altered a
33 vehicle that makes the current license plate or plates invalid for the
34 vehicle's use shall:

35 (a) Surrender the current license plate or plates to the
36 department, county auditor or other agent, or subagent appointed by the
37 director;

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

1 (c) Pay a change of classification fee required under RCW
2 46.17.310.

3 (7) **Unlawful acts.** It is unlawful to:

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

6 (b) Display a license plate or plates on any vehicle that have been
7 changed, altered, or disfigured, or have become illegible;

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

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

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

26 (f) Fail, neglect, or refuse to endorse the registration
27 certificate and deliver the license plate or plates to the purchaser or
28 transferee of the vehicle, except as authorized under this section.

29 (8) **Transfer.** (a) Standard issue license plates follow the vehicle
30 when ownership of the vehicle changes unless the registered owner
31 wishes to retain the license plates and transfer them to a replacement
32 vehicle of the same use. A registered owner wishing to keep standard
33 issue license plates shall pay the license plate transfer fee required
34 under RCW 46.17.200(1)((+e+)) (b) when applying for license plate
35 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.

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

5 (9) **Replacement.** (a) An owner or the owner's authorized
6 representative shall apply for a replacement license plate or plates if
7 the current license plate or plates assigned to the vehicle have been
8 lost, defaced, or destroyed, or if one or both plates have become so
9 illegible or are in such a condition as to be difficult to distinguish.
10 An owner or the owner's authorized representative may apply for a
11 replacement license plate or plates at any time the owner chooses.

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

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

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

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

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

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

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

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

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

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

33 ~~(b) Congressional Medal of Honor license plates issued under RCW~~
34 ~~46.18.230;~~

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

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

1 ((+13)) (11) **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 license
5 plates.

6 **Sec. 2.** RCW 46.17.200 and 2012 c 74 s 3 are each amended to read
7 as follows:

8 (1) In addition to all other fees and taxes required by law, the
9 department, county auditor or other agent, or subagent appointed by the
10 director shall charge:

11 (a) The following license plate fees for each license plate, unless
12 the owner or type of vehicle is exempt from payment:

FEE TYPE	FEE	DISTRIBUTION
Original issue	\$ 10.00	RCW 46.68.070
Reflectivity	\$ 2.00	RCW 46.68.070
Replacement	\$ 10.00	RCW 46.68.070
Original issue, motorcycle	\$ 4.00	RCW 46.68.070
Replacement, motorcycle	\$ 4.00	RCW 46.68.070
Original issue, moped	\$ 1.50	RCW 46.68.070

22 ~~(b) ((A license plate retention fee, as required under RCW~~
23 ~~46.16A.200(10)(c), of twenty dollars if the owner wishes to retain the~~
24 ~~current license plate number upon license plate replacement, unless the~~
25 ~~owner or type of vehicle is exempt from payment. The twenty dollar fee~~
26 ~~must be deposited in the multimodal transportation account created in~~
27 ~~RCW 47.66.070.~~

28 ~~(e))~~ A ten dollar license plate transfer fee, as required under
29 RCW 46.16A.200(8)(a), when transferring standard issue license plates
30 from one vehicle to another, unless the owner or type of vehicle is
31 exempt from payment. The ten dollar license plate transfer fee must be
32 deposited in the motor vehicle fund created in RCW 46.68.070.

33 ~~((d))~~ (c) Former prisoner of war license plates, as described in

1 RCW 46.18.235, may be transferred to a replacement vehicle upon payment
2 of a five dollar license plate fee, in addition to any other fee
3 required by law.

4 (2) The department may, upon request, provide license plates that
5 have been used and returned to the department to individuals for
6 nonvehicular use. The department may charge a fee of up to five
7 dollars per license plate to cover costs or recovery for postage and
8 handling. The department may waive the fee for license plates used in
9 educational projects and may, by rule, provide standards for the fee
10 waiver and restrictions on the number of license plates provided to any
11 one person. The fee must be deposited in the motor vehicle fund
12 created in RCW 46.68.070.

13 **Sec. 3.** RCW 46.18.130 and 2011 c 171 s 68 are each amended to read
14 as follows:

15 (1) Revenues generated from the sale of special license plates for
16 those sponsoring organizations who used the application process in RCW
17 46.68.110 must be deposited into the motor vehicle fund created in RCW
18 46.68.070 until the department determines that the state's
19 implementation costs have been fully reimbursed.

20 (2) When it is determined that the state has been fully reimbursed
21 the department must notify the house of representatives and senate
22 transportation committees, the sponsoring organization, and the state
23 treasurer, and begin distributing the revenue as otherwise provided by
24 law.

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

33 (4) The department shall:

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

36 (b) Maintain a record of each special license plate applicant trust

1 account deposit including, but not limited to, the name and address of
2 each special license plate applicant whose funds are being deposited,
3 the amount paid, and the date of the deposit.

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

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

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

16 **Sec. 4.** RCW 46.18.140 and 2010 1st sp.s. c 7 s 97 and 2010 c 161
17 s 609 are each reenacted and amended to read as follows:

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

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

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

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

4 (2) The state must be reimbursed for its portion of the
5 implementation costs within two years from the date the new special
6 license plate series goes on sale to the public. If the reimbursement
7 does not occur within the two-year time frame, the special license
8 plate series must be placed in probationary status for a period of one
9 year from that date. If the state is still not fully reimbursed for
10 its implementation costs after the one-year probation, the special
11 license plate series must be discontinued immediately. (~~Those special
12 license plates issued before discontinuation are valid until replaced
13 under RCW 46.16A.200(10).~~)

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

18 (4) A sponsoring organization may not seek to redesign its special
19 license plate series until the entire existing inventory is sold or
20 purchased by the organization itself. All costs for the redesign of a
21 special license plate series must be paid by the sponsoring
22 organization.

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