

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6089

53rd Legislature
1994 Regular Session

Passed by the Senate March 9, 1994
YEAS 44 NAYS 0

President of the Senate

Passed by the House March 9, 1994
YEAS 97 NAYS 0

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6089** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6089

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators West, Bauer, A. Smith, Vognild, Talmadge, Nelson, Prince, Oke, Sutherland, Winsley, Sheldon, M. Rasmussen, Deccio, Erwin, Roach, Ludwig, Drew, Loveland, Sellar, Cantu, Morton and Skratek; by request of Washington State University)

Read first time 02/08/94.

1 AN ACT Relating to institutions of higher education collegiate
2 license plates; amending RCW 46.16.301, 46.16.313, 46.16.332, and
3 46.16.381; adding a new section to chapter 46.04 RCW; adding a new
4 section to chapter 46.16 RCW; adding a new section to chapter 28B.10
5 RCW; creating a new section; repealing RCW 46.16.323; and prescribing
6 penalties.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.04 RCW
9 to read as follows:

10 "Collegiate license plates" means license plates that display a
11 depiction of the name and mascot or symbol of a state university,
12 regional university, or state college as defined in RCW 28B.10.016.

13 **Sec. 2.** RCW 46.16.301 and 1990 c 250 s 1 are each amended to read
14 as follows:

15 (1) The department may create, design, and issue special license
16 plates(~~(, upon terms and conditions as may be established by the~~
17 ~~department,~~) that may be used in lieu of regular or personalized
18 license plates (~~upon~~) for motor vehicles required to display two

1 motor vehicle license plates, excluding vehicles registered under
2 chapter 46.87 RCW, upon terms and conditions established by the
3 department. The special plates may:

4 (a) Denote the age or type of vehicle; or ~~((may))~~

5 (b) Denote special activities or interests; or

6 (c) Denote the status, or contribution or sacrifice for the United
7 States, the state of Washington, or the citizens of the state of
8 Washington, of a registered owner of that vehicle; or

9 (d) Display a depiction of the name and mascot or symbol of a state
10 university, regional university, or state college as defined in RCW
11 28B.10.016.

12 (2) The department has the sole discretion to determine whether or
13 not to create, design, or issue any series of special license plates
14 and whether any ~~((activity,))~~ interest or status~~((, contribution, or~~
15 ~~sacrifice))~~ merits the issuance of a series of special license plates.
16 In making this determination, the department shall consider whether or
17 not an ~~((activity or))~~ interest ~~((proposed))~~ or status contributes or
18 has contributed significantly to the public health, safety, or welfare
19 of the citizens of the United States or of this state or to their
20 significant benefit, or whether the ~~((activity,))~~ interest~~((, contribution, or sacrifice))~~ or status is recognized by the United
21 States, this state, or other states, in other settings or contexts.
22 The department may also consider the potential number of persons who
23 may be eligible for the plates and the cost and efficiency of producing
24 limited numbers of the plates. The design of a special license plate
25 shall conform to all requirements for plates for the type of vehicle
26 for which it is issued, as provided elsewhere in this chapter.

28 NEW SECTION. Sec. 3. A new section is added to chapter 46.16 RCW
29 to read as follows:

30 Effective January 1, 1995, a state university, regional university,
31 or state college as defined in RCW 28B.10.016 may apply to the
32 department, in a form prescribed by the department, and request the
33 department to issue a series of collegiate license plates depicting the
34 name and mascot or symbol of the college or university, as submitted
35 and approved for use by the requesting institution.

36 Sec. 4. RCW 46.16.313 and 1990 c 250 s 4 are each amended to read
37 as follows:

1 (1) The department may establish a fee for ~~((the issuance of))~~ each
2 type of special license ~~((plate or))~~ plates issued under RCW
3 46.16.301(1) (a), (b), or (c) in an amount calculated to offset the
4 cost of production of the special license ~~((plate or))~~ plates and the
5 administration of this program. The fee shall not exceed thirty-five
6 dollars and is in addition to all other fees required to register and
7 license the vehicle for which the plates have been requested. All such
8 additional special license plate fees collected by the department shall
9 be deposited in the state treasury and credited to the motor vehicle
10 fund.

11 (2) In addition to all fees and taxes required to be paid upon
12 application, registration, and renewal registration of a motor vehicle,
13 the holder of a collegiate license plate shall pay a fee of thirty
14 dollars. The department shall deduct an amount not to exceed two
15 dollars of each fee collected under this subsection for administration
16 and collection expenses incurred by it. The remaining proceeds, minus
17 the cost of plate production, shall be remitted to the custody of the
18 state treasurer with a proper identifying detailed report. The state
19 treasurer shall credit the funds to the appropriate collegiate license
20 plate fund as provided in section 7 of this act.

21 **Sec. 5.** RCW 46.16.332 and 1990 c 250 s 9 are each amended to read
22 as follows:

23 (1) The director may adopt fees to be charged by the department for
24 emblems issued by the department under RCW 46.16.319 ~~((and 46.16.323))~~.

25 (2) The fee for each remembrance emblem issued under RCW 46.16.319
26 shall be in an amount sufficient to offset the costs of production of
27 remembrance emblems and the administration of that program by the
28 department plus an amount for use by the department of veterans
29 affairs, not to exceed a total fee of twenty-five dollars per emblem.
30 ~~((The fee for each special vehicle license plate emblem issued under~~
31 ~~RCW 46.16.323 shall be an amount sufficient to offset the cost of~~
32 ~~production of the emblems and of administering the special vehicle~~
33 ~~license plate emblem program.))~~

34 (3) The veterans' emblem account is created in the custody of the
35 state treasurer. All receipts by the department from the issuance of
36 remembrance emblems under RCW 46.16.319 shall be deposited into this
37 fund. Expenditures from the fund may be used only for the costs of
38 production of remembrance emblems and administration of the program by

1 the department of licensing, with the balance used only by the
2 department of veterans affairs for projects that pay tribute to those
3 living veterans and to those who have died defending freedom in our
4 nation's wars and conflicts and for the upkeep and operations of
5 existing memorials, as well as for planning, acquiring land for, and
6 constructing future memorials. Only the director of licensing, the
7 director of veterans affairs, or their designees may authorize
8 expenditures from the fund. The fund is subject to allotment
9 procedures under chapter 43.88 RCW, but no appropriation is required
10 for expenditures.

11 ~~((4) The special vehicle license plate emblem account is
12 established in the state treasury. Fees collected by the department
13 for emblems issued under RCW 46.16.323 shall be deposited into the
14 special vehicle license plate emblem account to be used only to offset
15 the costs of administering the special vehicle license plate emblem
16 program.))~~

17 **Sec. 6.** RCW 46.16.381 and 1993 c 106 s 1 are each amended to read
18 as follows:

19 (1) The director shall grant special parking privileges to any
20 person who has a disability that limits or impairs the ability to walk
21 and meets one of the following criteria, as determined by a licensed
22 physician:

23 (a) Cannot walk two hundred feet without stopping to rest;

24 (b) Is severely limited in ability to walk due to arthritic,
25 neurological, or orthopedic condition;

26 (c) Is so severely disabled, that the person cannot walk without
27 the use of or assistance from a brace, cane, another person, prosthetic
28 device, wheelchair, or other assistive device;

29 (d) Uses portable oxygen;

30 (e) Is restricted by lung disease to such an extent that forced
31 expiratory respiratory volume, when measured by spirometry is less than
32 one liter per second or the arterial oxygen tension is less than sixty
33 mm/hg on room air at rest;

34 (f) Impairment by cardiovascular disease or cardiac condition to
35 the extent that the person's functional limitations are classified as
36 class III or IV under standards accepted by the American Heart
37 Association; or

1 (g) Has a disability resulting from an acute sensitivity to
2 automobile emissions which limits or impairs the ability to walk. The
3 personal physician of the applicant shall document that the disability
4 is comparable in severity to the others listed in this subsection.

5 (2) Persons who qualify for special parking privileges are entitled
6 to receive from the department of licensing a removable windshield
7 placard bearing the international symbol of access. The department
8 shall design the placard to be displayed when the vehicle is parked by
9 suspending it from the rearview mirror, or in the absence of a rearview
10 mirror the card may be displayed on the dashboard of any vehicle used
11 to transport the disabled person. Instead of regular motor vehicle
12 license plates, disabled persons are entitled to receive special
13 license plates bearing the international symbol of access for one
14 vehicle registered in the disabled person's name. Disabled persons who
15 are not issued the special license plates are entitled to receive a
16 second special placard. Persons who have been issued the parking
17 privileges and who are using a vehicle or are riding in a vehicle
18 displaying the special license plates or placard may park in places
19 reserved for mobility disabled persons. The director shall adopt rules
20 providing for the issuance of special placards and license plates to
21 public transportation authorities, nursing homes licensed under chapter
22 18.51 RCW, boarding homes licensed under chapter 18.20 RCW, senior
23 citizen centers, ~~((and))~~ private nonprofit agencies as defined in
24 chapter 24.03 RCW, and vehicles registered with the department as
25 cabulances that regularly transport disabled persons who have been
26 determined eligible for special parking privileges provided under this
27 section. The director may issue special license plates for a vehicle
28 registered in the name of the public transportation authority, nursing
29 home, boarding homes, senior citizen center, ~~((or))~~ private nonprofit
30 agency, or cabulance service if the vehicle is primarily used to
31 transport persons with disabilities described in this section. Public
32 transportation authorities, nursing homes, boarding homes, senior
33 citizen centers, ~~((and))~~ private nonprofit agencies, and cabulance
34 services are responsible for insuring that the special placards and
35 license plates are not used improperly and are responsible for all
36 fines and penalties for improper use.

37 (3) Whenever the disabled person transfers or assigns his or her
38 interest in the vehicle, the special license plates shall be removed
39 from the motor vehicle. If another vehicle is acquired by the disabled

1 person and the vehicle owner qualifies for a special plate, the plate
2 shall be attached to the vehicle, and the director shall be immediately
3 notified of the transfer of the plate. If another vehicle is not
4 acquired by the disabled person, the removed plate shall be immediately
5 surrendered to the director.

6 (4) The special license plate shall be renewed in the same manner
7 and at the time required for the renewal of regular motor vehicle
8 license plates under this chapter. No special license plate may be
9 issued to a person who is temporarily disabled. A person who has a
10 condition expected to improve within six months may be issued a
11 temporary placard for a period not to exceed six months. The director
12 may issue a second temporary placard during that period if requested by
13 the person who is temporarily disabled. If the condition exists after
14 six months a new temporary placard shall be issued upon receipt of a
15 new certification from the disabled person's physician. The parking
16 placard of a disabled person shall be renewed, when required by the
17 director, by satisfactory proof of the right to continued use of the
18 privileges.

19 (5) Additional fees shall not be charged for the issuance of the
20 special placards. No additional fee may be charged for the issuance of
21 the special license plates except the regular motor vehicle
22 registration fee and any other fees and taxes required to be paid upon
23 registration of a motor vehicle.

24 (6) Any unauthorized use of the special placard or the special
25 license plate is a misdemeanor.

26 (7) It is a traffic infraction, with a monetary penalty of fifty
27 dollars for any person to park a vehicle in a parking place provided on
28 private property without charge or on public property reserved for
29 physically disabled persons without a special license plate or placard.
30 If a person is charged with a violation, the person shall not be
31 determined to have committed an infraction if the person produces in
32 court or before the court appearance the special license plate or
33 placard required under this section. A local jurisdiction providing
34 on-street parking places reserved for physically disabled persons may
35 impose by ordinance time restrictions on the use of these parking
36 places.

37 (8) The portion of a penalty imposed under subsection (7) of this
38 section that is retained by a local jurisdiction under RCW 3.46.120,
39 3.50.100, 3.62.020, 3.62.040, or 35.20.220 shall be used by that local

1 jurisdiction exclusively for law enforcement. The court may also
2 impose an additional penalty sufficient to reimburse the local
3 jurisdiction for any costs it may have incurred in removal and storage
4 of the improperly parked vehicle.

5 (9) It is a misdemeanor for any person to willfully obtain a
6 special license plate or placard in a manner other than that
7 established under this section.

8 NEW SECTION. **Sec. 7.** A new section is added to chapter 28B.10 RCW
9 to read as follows:

10 A collegiate license plate fund is established in the custody of
11 the state treasurer for each college or university with a collegiate
12 license plate program approved by the department under section 3 of
13 this act. All receipts from collegiate license plates authorized under
14 RCW 46.16.301 shall be deposited in the appropriate local college or
15 university nonappropriated, nonallotted fund. Expenditures from the
16 funds may be used only for student scholarships. Only the president of
17 the college or university or the president's designee may authorize
18 expenditures from the fund.

19 NEW SECTION. **Sec. 8.** By January 1, 1996, the department of
20 licensing shall report to the legislative transportation committee
21 regarding the number of colleges or universities issued a collegiate
22 license plate series, and the total number of collegiate plates issued
23 for each participating college or university.

24 NEW SECTION. **Sec. 9.** RCW 46.16.323 and 1990 c 250 s 7 are each
25 repealed.

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