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HOUSE BILL 1008

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State of Washington

55th Legislature

1997 Regular Session

By Representatives Robertson, Fisher, Chandler, Hatfield, Johnson, Zellinsky and L. Thomas

Read first time 01/13/97. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to license plates; amending RCW 46.16.270,  
2 46.16.290, 46.16.301, 46.16.305, 46.16.309, 46.16.313, 46.16.316,  
3 46.16.350, 46.16.650, 73.04.110, and 73.04.115; adding new sections to  
4 chapter 46.16 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the proliferation  
7 of special license plate series has decreased the ready identification  
8 of vehicles by law enforcement, and increased the amount of computer  
9 programming conducted by the department of licensing, thereby  
10 increasing costs. Furthermore, rarely has the actual demand for  
11 special license plates met the requesters' projections. Most  
12 importantly, special plates detract from the primary purpose of license  
13 plates, that of vehicle identification.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.16 RCW  
15 to read as follows:

16 Except for those license plates issued under RCW 46.16.305(1)  
17 before January 1, 1987, and under RCW 46.16.305(3), effective with  
18 vehicle registrations due or to become due on January 1, 2001, all

1 vehicle license plates must be issued on a standard background, as  
2 designated by the department.

3 **Sec. 3.** RCW 46.16.270 and 1990 c 250 s 32 are each amended to read  
4 as follows:

5 (~~Replacement plates issued after January 1, 1987, will be~~  
6 ~~centennial plates as described in RCW 46.16.650.~~) The total  
7 replacement plate fee (~~including the one dollar per plate centennial~~  
8 ~~plate fee~~) shall be deposited in the motor vehicle fund.

9 Upon the loss, defacement, or destruction of one or both of the  
10 vehicle license number plates issued for any vehicle where more than  
11 one plate was originally issued or where one or both have become so  
12 illegible or in such a condition as to be difficult to distinguish, or  
13 upon the owner's option, the owner of the vehicle shall make  
14 application for new vehicle license number plates upon a form furnished  
15 by the director. The application shall be filed with the director or  
16 the director's authorized agent, accompanied by the certificate of  
17 license registration of the vehicle and a fee in the amount of three  
18 dollars per plate, whereupon the director, or the director's authorized  
19 agent, shall issue new vehicle license number plates to the applicant.  
20 It shall be accompanied by a fee of two dollars for a new motorcycle  
21 license number plate. In the event the director has issued license  
22 period tabs or a windshield emblem instead of vehicle license number  
23 plates, and upon the loss, defacement, or destruction of the tabs or  
24 windshield emblem, application shall be made on a form provided by the  
25 director and in the same manner as above described, and shall be  
26 accompanied by a fee of one dollar for each pair of tabs or for each  
27 windshield emblem, whereupon the director shall issue to the applicant  
28 a duplicate pair of tabs, year tabs, and when necessary month tabs or  
29 a windshield emblem to replace those lost, defaced, or destroyed. For  
30 vehicles owned, rented, or leased by the state of Washington or by any  
31 county, city, town, school district, or other political subdivision of  
32 the state of Washington or United States government, or owned or leased  
33 by the governing body of an Indian tribe as defined in RCW 46.16.020,  
34 a fee shall be charged for replacement of a vehicle license number  
35 plate only to the extent required by the provisions of RCW 46.16.020,  
36 46.16.061, 46.16.237, and 46.01.140. For vehicles owned, rented, or  
37 leased by foreign countries or international bodies to which the United  
38 States government is a signatory by treaty, the payment of any fee for

1 the replacement of a vehicle license number plate shall not be  
2 required.

3 **Sec. 4.** RCW 46.16.290 and 1986 c 18 s 18 are each amended to read  
4 as follows:

5 In any case of a valid sale or transfer of the ownership of any  
6 vehicle, the right to the certificates properly transferable therewith,  
7 except as provided in RCW 46.16.280, and to the vehicle license plates  
8 passes to the purchaser or transferee. It is unlawful for the holder  
9 of such certificates, except as provided in RCW 46.16.280, or vehicle  
10 license plates to fail, neglect, or refuse to endorse the certificates  
11 and deliver the vehicle license plates to the purchaser or transferee.  
12 If the sale or transfer is of a vehicle licensed by the state or any  
13 county, city, town, school district, or other political subdivision  
14 entitled to exemption as provided by law, or, if the vehicle is  
15 licensed with personalized plates, amateur radio operator plates, medal  
16 of honor plates, disabled person plates, disabled veteran plates,  
17 ~~((or))~~ prisoner of war plates, or other special license plates issued  
18 under RCW 46.16.301 as it existed before amendment by section 5 of this  
19 act, the vehicle license plates therefor shall be retained and may be  
20 displayed upon a vehicle obtained in replacement of the vehicle so sold  
21 or transferred.

22 **Sec. 5.** RCW 46.16.301 and 1995 3rd sp.s. c 1 s 102 are each  
23 amended to read as follows:

24 ~~((1) The department may create, design, and issue special license~~  
25 ~~plates that may be used in lieu of regular or personalized license~~  
26 ~~plates for motor vehicles required to display two motor vehicle license~~  
27 ~~plates, excluding vehicles registered under chapter 46.87 RCW, upon~~  
28 ~~terms and conditions established by the department. The special plates~~  
29 ~~may:~~

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

31 ~~(b) Denote special activities or interests; or~~

32 ~~(c) Denote the status, or contribution or sacrifice for the United~~  
33 ~~States, the state of Washington, or the citizens of the state of~~  
34 ~~Washington, of a registered owner of that vehicle; or~~

35 ~~(d) Display a depiction of the name and mascot or symbol of a state~~  
36 ~~university, regional university, or state college as defined in RCW~~  
37 ~~28B.10.016.~~

1       (2)) The department shall create, design, and issue a special  
2 baseball stadium license plate that may be used in lieu of regular or  
3 personalized license plates for motor vehicles required to display two  
4 motor vehicle license plates, excluding vehicles registered under  
5 chapter 46.87 RCW, upon terms and conditions established by the  
6 department. The special plates shall commemorate the construction of  
7 a baseball stadium, as defined in RCW 82.14.0485. The department shall  
8 also issue to each recipient of a special baseball stadium license  
9 plate a certificate of participation in the construction of the  
10 baseball stadium.

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

27       **Sec. 6.** RCW 46.16.305 and 1990 c 250 s 2 are each amended to read  
28 as follows:

29       The department shall continue to issue(~~(, under RCW 46.16.301 and~~  
30 ~~the department's rules implementing RCW 46.16.301 through 46.16.332,))  
31 the categories of special plates issued by the department under the  
32 sections repealed under section ((13)) 12 (1) through (7), chapter 250,  
33 Laws of 1990. Special license plates issued under those repealed  
34 sections before January 1, 1991, are valid to the extent and under the  
35 conditions provided in those repealed sections. The following  
36 conditions, limitations, or requirements apply to certain special  
37 license plates issued after January 1, 1991:~~

1 (1) A horseless carriage plate and a plate or plates issued for  
2 collectors' vehicles more than thirty years old, upon payment of the  
3 initial fees required by law and the additional special license plate  
4 fee established by the department, are valid for the life of the  
5 vehicle for which application is approved by the department. When a  
6 single plate is issued, it shall be displayed on the rear of the  
7 vehicle.

8 (2) The department may issue special license plates denoting  
9 amateur radio operator status only to persons having a valid official  
10 radio operator license issued (~~for a term of five years~~) by the  
11 federal communications commission.

12 (3) The department shall issue one set of special license plates to  
13 each resident of this state who has been awarded the Congressional  
14 Medal of Honor for use on a passenger vehicle other than a motor home,  
15 registered to that person. The department shall issue the plate  
16 without the payment of (~~any~~) licensing fees and motor vehicle excise  
17 tax.

18 (4) The department may issue for use on only one motor vehicle  
19 owned by the qualified applicant special license plates denoting that  
20 the recipient of the plate is a survivor of the attack on Pearl Harbor  
21 on December 7, 1941, to persons meeting all of the following criteria:

22 (a) Is a resident of this state;

23 (b) Was a member of the United States Armed Forces on December 7,  
24 1941;

25 (c) Was on station on December 7, 1941, during the hours of 7:55  
26 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or  
27 offshore at a distance not to exceed three miles;

28 (d) Received an honorable discharge from the United States Armed  
29 Forces; and

30 (e) Is certified by a Washington state chapter of the Pearl Harbor  
31 survivors association as satisfying the qualifications in (c) of this  
32 subsection.

33 The department may issue such plates to the surviving spouse of any  
34 deceased Pearl Harbor survivor who met the requirements of this  
35 subsection. If the surviving spouse remarries, he or she shall return  
36 the special plates to the department within fifteen days and apply for  
37 regular plates. The surviving spouse must be a resident of this state.

38 The department shall issue these plates upon payment by the  
39 applicant of all other license fees, but the department may not set or

1 charge an additional fee for these special license plates (~~under RCW~~  
2 ~~46.16.313~~)).

3 (5) The department shall replace, free of charge, special license  
4 plates issued under subsections (3) and (4) of this section if they are  
5 lost, stolen, damaged, defaced, or destroyed. Such plates shall remain  
6 with the persons upon transfer or other disposition of the vehicle for  
7 which they were initially issued, and may be used on another vehicle  
8 registered to the recipient in accordance with the provisions of RCW  
9 46.16.316(1).

10 **Sec. 7.** RCW 46.16.309 and 1990 c 250 s 3 are each amended to read  
11 as follows:

12 Persons applying to the department for special license plates shall  
13 apply on forms obtained from the department and in accordance with RCW  
14 46.16.040. The applicant shall provide all information as is required  
15 by the department in order to determine the applicant's eligibility for  
16 (~~such~~) the special license plates (~~and for administration of RCW~~  
17 ~~46.16.301 through 46.16.332~~)).

18 **Sec. 8.** RCW 46.16.313 and 1996 c 165 s 506 are each amended to  
19 read as follows:

20 (1) The department may establish a fee for each type of special  
21 license plates issued under RCW 46.16.301(1) (a), (b), or (c), as  
22 existing before amendment by section 5 of this act, in an amount  
23 calculated to offset the cost of production of the special license  
24 plates and the administration of this program. Until December 31,  
25 1997, the fee shall not exceed thirty-five dollars (~~and~~), but  
26 effective with vehicle registrations due or to become due on January 1,  
27 1998, the department may adjust the fee to no more than forty dollars.  
28 This fee is in addition to all other fees required to register and  
29 license the vehicle for which the plates have been requested. All such  
30 additional special license plate fees collected by the department shall  
31 be deposited in the state treasury and credited to the motor vehicle  
32 fund.

33 (2) Until December 31, 1997, in addition to all fees and taxes  
34 required to be paid upon application, registration, and renewal  
35 registration of a motor vehicle, the holder of a collegiate license  
36 plate shall pay a fee of thirty dollars. The department shall deduct  
37 an amount not to exceed two dollars of each fee collected under this

1 subsection for administration and collection expenses incurred by it.  
2 The remaining proceeds, minus the cost of plate production, shall be  
3 remitted to the custody of the state treasurer with a proper  
4 identifying detailed report. The state treasurer shall credit the  
5 funds to the appropriate collegiate license plate fund as provided in  
6 RCW 28B.10.890.

7 ~~(3) ((Except as set forth under subsection (4) of this section,))~~  
8 Effective with vehicle registrations due or to become due on January 1,  
9 1998, in addition to all fees and taxes required to be paid upon  
10 application and registration of a motor vehicle, the holder of a  
11 collegiate license plate shall pay an initial fee of forty dollars.  
12 The department shall deduct an amount not to exceed twelve dollars of  
13 each fee collected under this subsection for administration and  
14 collection expenses incurred by it. The remaining proceeds shall be  
15 remitted to the custody of the state treasurer with a proper  
16 identifying detailed report. The state treasurer shall credit the  
17 funds to the appropriate collegiate license plate fund as provided in  
18 RCW 28B.10.890.

19 (4) Effective with annual renewals due or to become due on January  
20 1, 1999, in addition to all fees and taxes required to be paid upon  
21 renewal of a motor vehicle registration, the holder of a collegiate  
22 license plate shall pay a fee of thirty dollars. The department shall  
23 deduct an amount not to exceed two dollars of each fee collected under  
24 this subsection for administration and collection expenses incurred by  
25 it. The remaining proceeds shall be remitted to the custody of the  
26 state treasurer with a proper identifying detailed report. The state  
27 treasurer shall credit the funds to the appropriate collegiate license  
28 plate fund as provided in RCW 28B.10.890.

29 (5) In addition to all fees and taxes required to be paid upon  
30 application(~~(7)~~) and registration(~~(7, and renewal registration)~~) of a  
31 motor vehicle, the holder of a special baseball stadium license plate  
32 shall pay ~~((a))~~ an initial fee of ~~((thirty))~~ forty dollars. The  
33 department shall deduct an amount not to exceed ~~((two))~~ twelve dollars  
34 of each fee collected under this subsection for administration and  
35 collection expenses incurred by it. The remaining proceeds, minus the  
36 cost of plate production, shall be distributed to a county for the  
37 purpose of paying the principal and interest payments on bonds issued  
38 by the county to construct a baseball stadium, as defined in RCW  
39 82.14.0485, including reasonably necessary preconstruction costs, while

1 the taxes are being collected under RCW 82.14.360. After this date,  
2 the state treasurer shall credit the funds to the state general fund.  
3 ~~((4) Until June 30, 1997))~~ (6) Effective with annual renewals due  
4 or to become due on January 1, 1999, in addition to all fees and taxes  
5 required to be paid upon ~~((application, registration, and))~~ renewal  
6 ~~((registration))~~ of a motor vehicle registration, the holder of a  
7 special baseball stadium license plate shall pay a fee of ~~((forty))~~  
8 thirty dollars. The department shall deduct an amount not to exceed  
9 ~~((twelve))~~ two dollars of each fee collected under this subsection for  
10 ~~((license plate))~~ administration and collection expenses incurred by  
11 it. The remaining proceeds shall be distributed to a county for the  
12 purpose of paying the principal and interest payments on bonds issued  
13 by the county to construct a baseball stadium, as defined in RCW  
14 82.14.0485, including reasonably necessary preconstruction costs, while  
15 the taxes are being collected under RCW 82.14.360. After this date,  
16 the state treasurer shall credit the funds to the state general fund.

17 NEW SECTION. **Sec. 9.** A new section is added to chapter 46.16 RCW  
18 to read as follows:

19 After a period of three years from the initial issuance of a  
20 special license plate series, the department has the sole discretion,  
21 based upon the number of sales to date, to determine whether or not to  
22 continue issuing the special series.

23 **Sec. 10.** RCW 46.16.316 and 1990 c 250 s 5 are each amended to read  
24 as follows:

25 Except as provided in RCW 46.16.305:

26 (1) When a person who has been issued a special license plate or  
27 plates under RCW 46.16.301 as it existed before amendment by section 5  
28 of this act, sells, trades, or otherwise transfers or releases  
29 ownership of the vehicle upon which the special license plate or plates  
30 have been displayed, he or she shall immediately report the transfer of  
31 such plate or plates to an acquired vehicle or vehicle eligible for  
32 such plates pursuant to departmental rule, or he or she shall surrender  
33 such plates to the department immediately if such surrender is required  
34 by departmental rule. If a person applies for a transfer of the plate  
35 or plates to another eligible vehicle, a transfer fee of five dollars  
36 shall be charged in addition to all other applicable fees. Such



1 transfer fees shall be deposited in the motor vehicle fund. Failure to  
2 surrender the plates when required is a traffic infraction.

3 (2) If the special license plate or plates issued by the department  
4 become lost, defaced, damaged, or destroyed, application for a  
5 replacement special license plate or plates shall be made and fees paid  
6 as provided by law for the replacement of regular license plates.

7 **Sec. 11.** RCW 46.16.350 and 1990 c 250 s 11 are each amended to  
8 read as follows:

9 Any radio amateur operator who holds a special call letter license  
10 plate as issued under RCW (~~46.16.301 through 46.16.316~~) 46.16.305,  
11 and who has allowed his or her federal communications commission  
12 license to expire, or has had it revoked, must notify the director in  
13 writing within thirty days and surrender his or her call letter license  
14 plate. Failure to do so is a traffic infraction.

15 **Sec. 12.** RCW 46.16.650 and 1987 c 178 s 1 are each amended to read  
16 as follows:

17 (~~In order to help publicize and commemorate the state's 1989~~  
18 ~~anniversary celebration of its admission to the Union, a new centennial~~  
19 ~~design shall be developed by the department for vehicle license plates~~  
20 ~~that uses reflectorized materials necessary to provide adequate~~  
21 ~~visibility and legibility at night.~~

22 ~~The centennial plates shall be developed in cooperation with the~~  
23 ~~design selection committee appointed by the director. The committee~~  
24 ~~shall include representation from the Washington centennial commission.~~

25 ~~Registration numbers and letters for the centennial plate shall be~~  
26 ~~assigned by the department in accordance with established procedures.~~  
27 ~~Distribution of the centennial license plates shall commence January 1,~~  
28 ~~1987, to all new vehicle registrations and license plate replacements.~~  
29 ~~In addition, the centennial plate shall be available for purchase by~~  
30 ~~all other vehicle owners at the owner's option.~~

31 ~~Revenues generated from the centennial plate shall go in part to~~  
32 ~~support local and state centennial activities as provided in RCW~~  
33 ~~27.60.080.)~~ In addition to the basic fees for new vehicle  
34 registrations provided in RCW 46.16.060, 46.16.065, 46.16.505, and  
35 46.16.630 and the license fees for new vehicle registrations provided  
36 in RCW 46.16.070 and 46.16.085, persons purchasing (~~centennial~~)  
37 license plates shall pay an additional fee of one dollar per plate, to

1 be (~~distributed as follows: From January 1, 1987, through June 30,~~  
2 ~~1989, one half of the fee shall be deposited in the centennial~~  
3 ~~commission account, and the remainder shall be deposited in the motor~~  
4 ~~vehicle fund. Commencing July 1, 1989, the total one dollar per plate~~  
5 ~~fee shall be~~) deposited in the motor vehicle fund.

6 **Sec. 13.** RCW 73.04.110 and 1987 c 98 s 2 are each amended to read  
7 as follows:

8 Any person who is a veteran as defined in RCW 41.04.005 who submits  
9 to the department of licensing satisfactory proof of a service-  
10 connected disability rating from the veterans administration or the  
11 military service from which the veteran was discharged and:

12 (1) Has lost the use of both hands or one foot;

13 (2) Was captured and incarcerated for more than twenty-nine days by  
14 an enemy of the United States during a period of war with the United  
15 States;

16 (3) Has become blind in both eyes as the result of military  
17 service; or

18 (4) Is rated by the veterans administration or the military service  
19 from which the veteran was discharged and is receiving service-  
20 connected compensation at the one hundred percent rate that is expected  
21 to exist for more than one year;

22 is entitled to regular or special license plates issued by the  
23 department of licensing. The special license plates shall bear  
24 distinguishing marks, letters, or numerals indicating that the motor  
25 vehicle is owned by a disabled veteran or former prisoner of war. This  
26 license shall be issued or renewed annually for one personal use  
27 vehicle, other than a motor home as defined by RCW 46.04.305, without  
28 payment of any license fees or excise tax thereon. Whenever any person  
29 who has been issued license plates under the provisions of this section  
30 applies to the department for transfer of the plates to a subsequently  
31 acquired motor vehicle, a transfer fee of five dollars shall be charged  
32 in addition to all other appropriate fees. The department may  
33 periodically verify the one hundred percent rate as provided in  
34 subsection (4) of this section.

35 Any person who has been issued free motor vehicle license plates  
36 under this section prior to July 1, 1983, shall continue to be eligible  
37 for the annual free license plates.

1 For the purposes of this section, "blind" means the definition of  
2 "blind" used by the state of Washington in determining eligibility for  
3 financial assistance to the blind under Title 74 RCW.

4 Any unauthorized use of a special plate is a gross misdemeanor.

5 **Sec. 14.** RCW 73.04.115 and 1990 c 250 s 91 are each amended to  
6 read as follows:

7 The department shall issue to the surviving spouse of any deceased  
8 former prisoner of war described in RCW 73.04.110(2), one set of  
9 regular or special license plates for use on a personal passenger  
10 vehicle, other than a motor home as defined by RCW 46.04.305,  
11 registered to that person.

12 The plates shall be issued or renewed annually without the payment  
13 of any license fees or excise tax on the vehicle. Whenever any person  
14 who has been issued license plates under this section applies to the  
15 department for transfer of the plates to a subsequently acquired motor  
16 vehicle, a transfer fee of five dollars shall be charged in addition to  
17 all other appropriate fees. If the surviving spouse remarries, he or  
18 she shall return the special plates to the department within fifteen  
19 days and apply for regular license plates.

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