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**ENGROSSED HOUSE BILL 2471**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** Representatives Lovick, Delvin, O'Brien, Edwards, Chase, Ahern, Simpson, D., Kessler, Kirby, Pettigrew, Lantz, Rockefeller, McCoy, Murray, Eickmeyer, Sullivan, Miloscia, Haigh, Dickerson, Hunt, Grant, McDermott, Romero, Ormsby, Darneille, McDonald, Morrell, Wallace, Skinner, Kenney, Moeller, Dunshee, Hudgins, Hankins, Hinkle, Pearson, Santos, Wood, McMahan, Clibborn, Simpson, G., Fromhold, Hunter, Talcott, Kristiansen, Hatfield, Condotta and Conway

Read first time 01/14/2004. Referred to Committee on Transportation.

1           AN ACT Relating to special license plates to honor law enforcement  
2 officers in Washington killed in the line of duty; amending RCW  
3 46.16.313 and 46.16.316; and adding new sections to chapter 46.16 RCW.

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

5           NEW SECTION. **Sec. 1.** A new section is added to chapter 46.16 RCW  
6 to read as follows:

7           (1) The legislature recognizes that the law enforcement memorial  
8 license plate has been reviewed by the special license plate review  
9 board under RCW 46.16.725, and was found to fully comply with all  
10 provisions of RCW 46.16.705 through 46.16.775.

11           (2) The department shall issue a special license plate displaying  
12 a symbol, approved by the special license plate review board, honoring  
13 law enforcement officers in Washington killed in the line of duty. The  
14 special license plate may be used in lieu of regular or personalized  
15 license plates for vehicles required to display two vehicle license  
16 plates, excluding vehicles registered under chapter 46.87 RCW, upon the  
17 terms and conditions established by the department.

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

3        "Law enforcement memorial license plates" means license plates  
4 issued under section 1 of this act that display a symbol honoring law  
5 enforcement officers in Washington killed in the line of duty.

6        **Sec. 3.**    RCW 46.16.313 and 1997 c 291 s 8 are each amended to read  
7 as follows:

8        (1) The department may establish a fee for each type of special  
9 license plates issued under RCW 46.16.301(1) (a), (b), or (c), as  
10 existing before amendment by section 5, chapter 291, Laws of 1997, in  
11 an amount calculated to offset the cost of production of the special  
12 license plates and the administration of this program. Until December  
13 31, 1997, the fee shall not exceed thirty-five dollars, but effective  
14 with vehicle registrations due or to become due on January 1, 1998, the  
15 department may adjust the fee to no more than forty dollars. This fee  
16 is in addition to all other fees required to register and license the  
17 vehicle for which the plates have been requested. All such additional  
18 special license plate fees collected by the department shall be  
19 deposited in the state treasury and credited to the motor vehicle fund.

20        (2) Until December 31, 1997, in addition to all fees and taxes  
21 required to be paid upon application, registration, and renewal  
22 registration of a motor vehicle, the holder of a collegiate license  
23 plate shall pay a fee of thirty dollars. The department shall deduct  
24 an amount not to exceed two dollars of each fee collected under this  
25 subsection for administration and collection expenses incurred by it.  
26 The remaining proceeds, minus the cost of plate production, shall be  
27 remitted to the custody of the state treasurer with a proper  
28 identifying detailed report. The state treasurer shall credit the  
29 funds to the appropriate collegiate license plate fund as provided in  
30 RCW 28B.10.890.

31        (3) Effective with vehicle registrations due or to become due on  
32 January 1, 1998, in addition to all fees and taxes required to be paid  
33 upon application and registration of a motor vehicle, the holder of a  
34 collegiate license plate shall pay an initial fee of forty dollars.  
35 The department shall deduct an amount not to exceed twelve dollars of  
36 each fee collected under this subsection for administration and  
37 collection expenses incurred by it. The remaining proceeds shall be

1 remitted to the custody of the state treasurer with a proper  
2 identifying detailed report. The state treasurer shall credit the  
3 funds to the appropriate collegiate license plate fund as provided in  
4 RCW 28B.10.890.

5 (4) Effective with annual renewals due or to become due on January  
6 1, 1999, in addition to all fees and taxes required to be paid upon  
7 renewal of a motor vehicle registration, the holder of a collegiate  
8 license plate shall pay a fee of thirty dollars. The department shall  
9 deduct an amount not to exceed two dollars of each fee collected under  
10 this subsection for administration and collection expenses incurred by  
11 it. The remaining proceeds shall be remitted to the custody of the  
12 state treasurer with a proper identifying detailed report. The state  
13 treasurer shall credit the funds to the appropriate collegiate license  
14 plate fund as provided in RCW 28B.10.890.

15 (5) In addition to all fees and taxes required to be paid upon  
16 application and registration of a motor vehicle, the holder of a  
17 special baseball stadium license plate shall pay an initial fee of  
18 forty dollars. The department shall deduct an amount not to exceed  
19 twelve dollars of each fee collected under this subsection for  
20 administration and collection expenses incurred by it. The remaining  
21 proceeds, minus the cost of plate production, shall be distributed to  
22 a county for the purpose of paying the principal and interest payments  
23 on bonds issued by the county to construct a baseball stadium, as  
24 defined in RCW 82.14.0485, including reasonably necessary  
25 preconstruction costs, while the taxes are being collected under RCW  
26 82.14.360. After this date, the state treasurer shall credit the funds  
27 to the state general fund.

28 (6) Effective with annual renewals due or to become due on January  
29 1, 1999, in addition to all fees and taxes required to be paid upon  
30 renewal of a motor vehicle registration, the holder of a special  
31 baseball stadium license plate shall pay a fee of thirty dollars. The  
32 department shall deduct an amount not to exceed two dollars of each fee  
33 collected under this subsection for administration and collection  
34 expenses incurred by it. The remaining proceeds shall be distributed  
35 to a county for the purpose of paying the principal and interest  
36 payments on bonds issued by the county to construct a baseball stadium,  
37 as defined in RCW 82.14.0485, including reasonably necessary

1 preconstruction costs, while the taxes are being collected under RCW  
2 82.14.360. After this date, the state treasurer shall credit the funds  
3 to the state general fund.

4 (7) Effective with vehicle registrations due or to become due on  
5 January 1, 2005, in addition to all fees and taxes required to be paid  
6 upon application and registration of a vehicle, the holder of a "law  
7 enforcement memorial" license plate shall pay an initial fee of forty  
8 dollars. The department shall deduct an amount not to exceed twelve  
9 dollars of each fee collected under this subsection for administration  
10 and collection expenses incurred by it. The remaining proceeds shall  
11 be remitted to the custody of the state treasurer with a proper  
12 identifying detailed report. Pursuant to RCW 46.16.755, the state  
13 treasurer shall credit the proceeds to the motor vehicle account until  
14 the department determines that the state has been reimbursed for the  
15 cost of implementing the law enforcement memorial special license  
16 plate. Upon the determination by the department that the state has  
17 been reimbursed, the treasurer shall credit the proceeds to the law  
18 enforcement memorial account established under section 4 of this act.

19 (8) Effective with annual renewals due or to become due on January  
20 1, 2006, in addition to all fees and taxes required to be paid upon  
21 renewal of a vehicle registration, the holder of a "law enforcement  
22 memorial" license plate shall, upon application, pay a fee of thirty  
23 dollars. The department shall deduct an amount not to exceed two  
24 dollars of each fee collected under this subsection for administration  
25 and collection expenses incurred by it. The remaining proceeds shall  
26 be remitted to the custody of the state treasurer with a proper  
27 identifying detailed report. Pursuant to RCW 46.16.755, the state  
28 treasurer shall credit the proceeds to the motor vehicle account until  
29 the department determines that the state has been reimbursed for the  
30 cost of implementing the law enforcement memorial special license  
31 plate. Upon the determination by the department that the state has  
32 been reimbursed, the treasurer shall credit the proceeds to the law  
33 enforcement memorial account established under section 4 of this act.

34 NEW SECTION. Sec. 4. A new section is added to chapter 46.16 RCW  
35 to read as follows:

36 (1) The law enforcement memorial account is created in the custody  
37 of the state treasurer. Upon the department's determination that the

1 state has been reimbursed for the cost of implementing the law  
2 enforcement memorial special license plate, all receipts, except as  
3 provided in RCW 46.16.313 (7) and (8), from law enforcement memorial  
4 license plates must be deposited into the account. Only the director  
5 of the department of licensing or the director's designee may authorize  
6 expenditures from the account. The account is subject to allotment  
7 procedures under chapter 43.88 RCW, but an appropriation is not  
8 required for expenditures.

9 (2) Funds in the account must be disbursed subject to the following  
10 conditions and limitations:

11 (a) Pursuant to the requirements set out in RCW 46.16.765 the  
12 department must contract with a qualified nonprofit organization to  
13 provide support and assistance to survivors and families of law  
14 enforcement officers in Washington killed in the line of duty and to  
15 organize, finance, fund, construct, utilize, and maintain a memorial on  
16 the state capitol grounds to honor those fallen officers.

17 (b) For the purposes of this section, a "qualified nonprofit  
18 organization" means a not-for-profit corporation incorporated and  
19 operating exclusively in Washington that has received a determination  
20 of tax exempt status under section 501(c)(3) of the federal internal  
21 revenue code. The organization must have been established for the  
22 express purposes of providing support and assistance to the survivors  
23 and families of law enforcement officers in Washington killed in the  
24 line of duty and to organize, finance, fund, construct, utilize, and  
25 maintain a memorial on the state capitol grounds to honor those fallen  
26 officers.

27 (c) The qualified nonprofit must meet all requirements set out in  
28 RCW 46.16.765.

29 **Sec. 5.** RCW 46.16.316 and 1997 c 291 s 10 are each amended to read  
30 as follows:

31 Except as provided in RCW 46.16.305:

32 (1) When a person who has been issued a special license plate or  
33 plates under section 1 of this act or RCW 46.16.301 as it existed  
34 before amendment by section 5, chapter 291, Laws of 1997, sells,  
35 trades, or otherwise transfers or releases ownership of the vehicle  
36 upon which the special license plate or plates have been displayed, he  
37 or she shall immediately report the transfer of such plate or plates to

1 an acquired vehicle or vehicle eligible for such plates pursuant to  
2 departmental rule, or he or she shall surrender such plates to the  
3 department immediately if such surrender is required by departmental  
4 rule. If a person applies for a transfer of the plate or plates to  
5 another eligible vehicle, a transfer fee of five dollars shall be  
6 charged in addition to all other applicable fees. Such transfer fees  
7 shall be deposited in the motor vehicle fund. Failure to surrender the  
8 plates when required is a traffic infraction.

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

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