
HOUSE BILL 2928

State of Washington 58th Legislature 2004 Regular Session

By Representatives Pearson, Kristiansen, Sump, Sullivan, Mielke, Boldt, O'Brien, McCoy and Kirby

Read first time 01/23/2004. Referred to Committee on Transportation.

1 AN ACT Relating to special NASCAR license plates; amending RCW
2 46.16.313, 46.16.290, and 46.16.316; adding a new section to chapter
3 46.04 RCW; 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 46.04 RCW
6 to read as follows:

7 "NASCAR license plate" means license plates issued under section 2
8 of this act that display a NASCAR symbol.

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

11 The department shall issue a special NASCAR license plate
12 displaying a symbol approved by the department. The NASCAR license
13 plate may be used in lieu of regular or personalized license plates for
14 motor vehicles required to display two motor vehicle license plates or
15 for motorcycles, excluding vehicles registered under chapter 46.87 RCW,
16 upon the terms and conditions established by the department.

17 Notwithstanding the provisions of RCW 46.16.230, the NASCAR license

1 plate must be flat and digitally printed. The digitally printed
2 license plates may include bar codes to facilitate distribution and
3 inventory control.

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

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

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

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

1 identifying detailed report. The state treasurer shall credit the
2 funds to the appropriate collegiate license plate fund as provided in
3 RCW 28B.10.890.

4 ~~((4) Effective with annual renewals due or to become due on~~
5 ~~January 1, 1999,))~~ (3) In addition to all fees and taxes required to be
6 paid upon renewal of a motor vehicle registration, the holder of a
7 collegiate license plate shall pay a fee of thirty dollars. The
8 department shall deduct an amount not to exceed two dollars of each fee
9 collected under this subsection for administration and collection
10 expenses incurred by it. The remaining proceeds shall be remitted to
11 the custody of the state treasurer with a proper identifying detailed
12 report. The state treasurer shall credit the funds to the appropriate
13 collegiate license plate fund as provided in RCW 28B.10.890.

14 ~~((5))~~ (4) In addition to all fees and taxes required to be paid
15 upon application and registration of a motor vehicle, the holder of a
16 special baseball stadium license plate shall pay an initial fee of
17 forty dollars. The department shall deduct an amount not to exceed
18 twelve dollars of each fee collected under this subsection for
19 administration and collection expenses incurred by it. The remaining
20 proceeds, minus the cost of plate production, shall be distributed to
21 a county for the purpose of paying the principal and interest payments
22 on bonds issued by the county to construct a baseball stadium, as
23 defined in RCW 82.14.0485, including reasonably necessary
24 preconstruction costs, while the taxes are being collected under RCW
25 82.14.360. After this date, the state treasurer shall credit the funds
26 to the state general fund.

27 ~~((6) Effective with annual renewals due or to become due on~~
28 ~~January 1, 1999,))~~ (5) In addition to all fees and taxes required to be
29 paid upon renewal of a motor vehicle registration, the holder of a
30 special baseball stadium license plate shall pay a fee of thirty
31 dollars. The department shall deduct an amount not to exceed two
32 dollars of each fee collected under this subsection for administration
33 and collection expenses incurred by it. The remaining proceeds shall
34 be distributed to a county for the purpose of paying the principal and
35 interest payments on bonds issued by the county to construct a baseball
36 stadium, as defined in RCW 82.14.0485, including reasonably necessary
37 preconstruction costs, while the taxes are being collected under RCW

1 82.14.360. After this date, the state treasurer shall credit the funds
2 to the state general fund.

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

17 (7) Effective with annual renewals due or to become due on January
18 1, 2006, in addition to all fees and taxes required to be paid upon
19 renewal of a motor vehicle registration, the holder of a NASCAR license
20 plate shall, upon application, pay a fee of fifty dollars. The
21 department shall deduct an amount not to exceed two dollars of each fee
22 collected under this subsection for administration and collection
23 expenses incurred by it. The remaining proceeds must be remitted to
24 the custody of the state treasurer with a proper identifying detailed
25 report. Under RCW 46.16.755, the state treasurer shall credit the
26 proceeds to the motor vehicle account until the department determines
27 that the state has been reimbursed for the cost of implementing the
28 NASCAR special license plate. Upon the determination by the department
29 that the state has been reimbursed, the treasurer shall credit fifteen
30 dollars of the proceeds from each original and renewal to the NASCAR
31 account established under section 4 of this act. All remaining
32 proceeds will be deposited to the motor vehicle account.

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

35 (1) The NASCAR account is created in the custody of the state
36 treasurer. Upon the department's determination that the state has been
37 reimbursed for the cost of implementing the NASCAR special license

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

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

9 (a) Under the requirements of RCW 46.16.765, the department must
10 contract with a qualified nonprofit organization to provide assistance
11 to injured NASCAR drivers injured during a NASCAR sponsored race or to
12 the survivors of a NASCAR driver killed during a NASCAR sponsored race.

13 (b) For the purposes of this section, a "qualified nonprofit
14 organization" means a not-for-profit corporation incorporated and
15 operating exclusively in Washington that has received a determination
16 of tax exempt status under section 501(c)(3) of the federal internal
17 revenue code. The organization must have been established for the
18 express purposes of providing assistance to injured NASCAR drivers or
19 the survivors of a NASCAR driver killed in a NASCAR sponsored race.
20 The qualified nonprofit organization will elect a board and establish
21 the criteria for application and disbursement of funds from the NASCAR
22 account.

23 (c) The qualified nonprofit organization must meet all requirements
24 of RCW 46.16.765.

25 **Sec. 5.** RCW 46.16.290 and 1997 c 291 s 4 are each amended to read
26 as follows:

27 In any case of a valid sale or transfer of the ownership of any
28 vehicle, the right to the certificates properly transferable therewith,
29 except as provided in RCW 46.16.280, and to the vehicle license plates,
30 except as provided in RCW 46.16.316, passes to the purchaser or
31 transferee. It is unlawful for the holder of such certificates, except
32 as provided in RCW 46.16.280, or vehicle license plates, except as
33 provided in RCW 46.16.316, to fail, neglect, or refuse to endorse the
34 certificates and deliver the vehicle license plates to the purchaser or
35 transferee. If the sale or transfer is of a vehicle licensed by the
36 state or any county, city, town, school district, or other political
37 subdivision entitled to exemption as provided by law, or, if the

1 vehicle is licensed with personalized plates, amateur radio operator
2 plates, medal of honor plates, disabled person plates, disabled veteran
3 plates, prisoner of war plates, or other special license plates issued
4 under RCW 46.16.301 or 46.16.313 as now existing or as it existed
5 before amendment by section 5, chapter 291, Laws of 1997, the vehicle
6 license plates therefor (~~shall~~) may be transferred as provided in RCW
7 46.16.316, in which case they may be retained and (~~may be~~) displayed
8 upon a vehicle obtained in replacement of the vehicle so sold or
9 transferred.

10 **Sec. 6.** RCW 46.16.316 and 1997 c 291 s 10 are each amended to read
11 as follows:

12 Except as provided in RCW 46.16.305:

13 (1) When a person who has been issued a special license plate or
14 plates under section 2 of this act or RCW 46.16.301 as now existing or
15 as it existed before amendment by section 5, chapter 291, Laws of 1997,
16 sells, trades, or otherwise transfers or releases ownership of the
17 vehicle upon which the special license plate or plates have been
18 displayed, he or she shall immediately report the transfer of such
19 plate or plates to an acquired vehicle or vehicle eligible for such
20 plates pursuant to departmental rule, or he or she shall surrender such
21 plates to the department immediately if such surrender is required by
22 departmental rule. If a person applies for a transfer of the plate or
23 plates to another eligible vehicle, a transfer fee of five dollars
24 shall be charged in addition to all other applicable fees. Such
25 transfer fees shall be deposited in the motor vehicle fund. Failure to
26 surrender the plates when required is a traffic infraction.

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

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