
SENATE BILL 5485

State of Washington 58th Legislature 2003 Regular Session

By Senators Haugen, Horn, Jacobsen, Benton, Rasmussen and Kohl-Welles

Read first time 01/27/2003. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to special law enforcement memorial license plates;
2 amending RCW 46.16.313 and 46.16.316; adding new sections to chapter
3 46.16 RCW; and adding a new section to chapter 46.04 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 In cooperation with the Washington state patrol and the department,
8 the sponsor of the law enforcement memorial license plate shall create
9 and design, and the department shall issue, a special license plate
10 displaying a symbol of law enforcement that may be used in lieu of
11 regular or personalized license plates for motor vehicles required to
12 display two motor vehicle license plates, excluding vehicles registered
13 under chapter 46.87 RCW, upon terms and conditions established by the
14 department. These special plates will honor Washington law enforcement
15 officers who gave their lives in the line of duty.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04 RCW
17 to read as follows:

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

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 of no more than forty
7 dollars for each type of special license plates issued under RCW
8 46.16.301(1) (a), (b), or (c), as existing before amendment by section
9 5, chapter 291, Laws of 1997, in an amount calculated to offset the
10 cost of production of the special license plates and the administration
11 of this program. (~~Until December 31, 1997, the fee shall not exceed~~
12 ~~thirty five dollars, but effective with vehicle registrations due or to~~
13 ~~become due on January 1, 1998, the department may adjust the fee to no~~
14 ~~more than forty dollars.)) This fee is in addition to all other fees
15 required to register and license the vehicle for which the plates have
16 been requested. All such additional special license plate fees
17 collected by the department shall be deposited in the state treasury
18 and credited to 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, 2004, 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 law enforcement memorial license plate shall pay an initial fee of
7 forty dollars. The department shall deduct an amount not to exceed
8 twelve dollars of each fee collected under this subsection for
9 administration and collection expenses incurred by it. The remaining
10 proceeds must be remitted to the custody of the state treasurer with a
11 proper identifying detailed report. The state treasurer shall credit
12 the proceeds to the motor vehicle account until the department
13 determines that the state has been reimbursed for the cost of
14 implementing the law enforcement memorial license plate. Upon the
15 department's determination, the treasurer shall credit the proceeds to
16 the law enforcement memorial account established under section 4 of
17 this act.

18 (7) Effective with annual renewals due or to become due on January
19 1, 2005, in addition to all fees and taxes required to be paid upon
20 renewal of a motor vehicle registration, the holder of a law
21 enforcement memorial license plate shall, upon application, pay a fee
22 of thirty dollars. The department shall deduct an amount not to exceed
23 two dollars of each fee collected under this subsection for
24 administration and collection expenses incurred by it. The remaining
25 proceeds must be remitted to the custody of the state treasurer with a
26 proper identifying detailed report. The state treasurer shall credit
27 the proceeds to the motor vehicle account until the department
28 determines that the state has been reimbursed for the cost of
29 implementing the law enforcement memorial license plate. Upon the
30 department's determination, the treasurer shall credit the proceeds to
31 the law enforcement memorial account established under section 4 of
32 this act.

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

35 (1) The law enforcement memorial account is created in the custody
36 of the state treasurer. Upon the department's determination that the
37 state had been reimbursed for the cost of implementing the law

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

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

10 (a) The director of general administration or the director's
11 designee must disburse the funds for the purpose of constructing a law
12 enforcement memorial on the grounds of the capitol campus. Upon the
13 completion of the memorial, the director of general administration or
14 the director's designee must disburse the funds for the purpose of
15 providing maintenance for the memorial. At the end of each fiscal year
16 any remaining funds in the account must be disbursed for the purpose of
17 contracting with a qualified nonprofit organization to provide grants
18 to the families of officers killed in the line of duty. The grants
19 must be distributed on the basis of financial need.

20 (b) For purposes of this section, a "qualified nonprofit
21 organization" means a not-for-profit corporation incorporated and
22 operating exclusively in Washington that has received a determination
23 of tax-exempt status under section 501(c)(3) of the Federal Internal
24 Revenue Code. The organization must have been established for the
25 express purpose of honoring law enforcement officers who have given
26 their lives in service to their communities.

27 (c) Beginning January 31, 2005, the qualified nonprofit
28 organization selected by the department under (a) of this subsection
29 shall prepare and submit to the department an annual independent audit,
30 an annual financial statement, and an annual report detailing the
31 nonprofit organization's expenditure of the funds from the account
32 created in subsection (1) of this section.

33 (d) Disbursement of these funds from the account to the nonprofit
34 organization is contingent upon the organization meeting all reporting
35 and review requirements as specified under (c) of this subsection.

36 (e) No portion of any funds disbursed under this section may be
37 used, directly or indirectly, for any of the following purposes:

1 (i) Attempting to influence: (A) The passage or defeat of any
2 legislation by the legislature of the state of Washington, by a county,
3 city, town, or other political subdivision of the state of Washington,
4 or by Congress; or (B) the adoption or rejection of any rule, standard,
5 rate, or other legislative enactment of any state agency;

6 (ii) Making contributions reportable under chapter 42.17 RCW; or

7 (iii) Providing any: (A) Gift; (B) honoraria; or (C) travel,
8 lodging, meals, or entertainment to a public officer or employee.

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

11 Except as provided in RCW 46.16.305:

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

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

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