
SENATE BILL 6325

State of Washington

58th Legislature

2004 Regular Session

By Senators Haugen and Esser

Read first time 01/16/2004. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to special license plates; amending RCW 46.16.735
2 and 46.16.755; and providing an effective date.

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

4 **Sec. 1.** RCW 46.16.735 and 2003 c 196 s 201 are each amended to
5 read as follows:

6 (1) For an organization to qualify for a special license plate
7 under the special license plate approval program created in RCW
8 46.16.705 through 46.16.765, the sponsoring organization must submit
9 documentation in conjunction with the application to the department
10 that verifies:

11 (a) That the organization is a nonprofit organization, as defined
12 in 26 U.S.C. Sec. 501(c)(3). The department may request a copy of an
13 Internal Revenue Service ruling to verify an organization's nonprofit
14 status; and

15 (b) That the organization is located in Washington and has
16 registered as a charitable organization with the secretary of state's
17 office as required by law.

18 (2) For a governmental body to qualify for a special license plate

1 under the special license plate approval program created in RCW
2 46.16.705 through 46.16.765, a governmental body must be:

3 (a) A political subdivision, including but not limited to any
4 county, city, town, municipal corporation, or special purpose taxing
5 district that has the express permission of the political subdivision's
6 executive body to sponsor a special license plate;

7 (b) A federally recognized tribal government that has received the
8 approval of the executive body of that government to sponsor a special
9 license plate;

10 (c) A state agency that has (~~both~~) received approval from the
11 director of the agency or the department head(~~(, and has the express~~
12 ~~statutory authority to sponsor a special license plate)~~); or

13 (d) A community or technical college that has the express
14 permission of the college's board of trustees to sponsor a special
15 license plate.

16 **Sec. 2.** RCW 46.16.755 and 2003 c 196 s 302 are each amended to
17 read as follows:

18 (1)(a) Revenues generated from the sale of special license plates
19 for those sponsoring organizations who used the application process in
20 RCW 46.16.745(3) must be deposited into the motor vehicle account until
21 the department determines that the state's implementation costs have
22 been fully reimbursed. The department shall apply the application fee
23 required under RCW 46.16.745(3)(a) towards those costs.

24 (b) When it is determined that the state has been fully reimbursed
25 the department must notify the house of representatives and senate
26 transportation committees, the sponsoring organization, and the
27 treasurer, and commence the distribution of the revenue as otherwise
28 provided by law.

29 (2) If reimbursement does not occur within (~~the two-year time~~
30 ~~frame~~) two years from the date the plate is first offered for sale to
31 the public, the special license plate series must be placed in
32 probationary status for a period of one year from that date. If the
33 state is still not fully reimbursed for its implementation costs after
34 the one-year probation, the plate series must be discontinued
35 immediately. Special plates issued before discontinuation are valid
36 until replaced under RCW 46.16.233. (~~The state must be reimbursed for~~

1 ~~its portion of the implementation costs within two years from the date~~
2 ~~the new plate series goes on sale to the public.)~~)

3 (3) The special license plate applicant trust account is created in
4 the custody of the state treasurer. All receipts from special license
5 plate applicants, except the application fee as provided in RCW
6 46.16.745(3), must be deposited into the account. Only the director of
7 the department or the director's designee may authorize disbursements
8 from the account. The account is not subject to the allotment
9 procedures under chapter 43.88 RCW, nor is an appropriation required
10 for disbursements.

11 (4) The department shall provide the special license plate
12 applicant with a written receipt for the payment.

13 (5) The department shall maintain a record of each special license
14 plate applicant trust account deposit, including, but not limited to,
15 the name and address of each special license plate applicant whose
16 funds are being deposited, the amount paid, and the date of the
17 deposit.

18 (6) After the department receives written notice that the special
19 license plate applicant's application has been:

20 (a) Approved by the legislature the director shall request that the
21 money be transferred to the motor vehicle account;

22 (b) Denied by the special license plate review board or the
23 legislature the director shall provide a refund to the applicant within
24 thirty days; or

25 (c) Withdrawn by the special license plate applicant the director
26 shall provide a refund to the applicant within thirty days.

27 NEW SECTION. **Sec. 3.** This act takes effect November 1, 2004.

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