
ENGROSSED SENATE BILL 5423

State of Washington

59th Legislature

2005 Regular Session

By Senators Haugen and Swecker

Read first time 01/25/2005. Referred to Committee on Transportation.

1 AN ACT Relating to special license plates; amending RCW 46.16.385,
2 46.16.570, 46.16.600, 46.16.690, 46.16.725, and 46.16.745; reenacting
3 and amending RCW 46.16.316; adding a new section to chapter 46.16 RCW;
4 adding a new section to chapter 47.30 RCW; and providing an effective
5 date.

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

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

9 (1) The following special license plate series created by the
10 legislature may be personalized: (a) RCW 46.16.301 as currently law;
11 (b) RCW 46.16.301(1) (a), (b), or (c), as it existed before amendment
12 by section 5, chapter 291, Laws of 1997; (c) RCW 46.16.305, except
13 those plates issued under RCW 46.16.305 (1) and (2); (d) RCW 46.16.324;
14 (e) RCW 46.16.385; or (f) RCW 46.16.745.

15 (2) Personalized special plates issued under this section may be
16 personalized only by using numbers or letters, or any combination
17 thereof not exceeding seven positions, and not less than one position,
18 to the extent that there are no conflicts with existing license plate

1 series. A personalized special license plate is subject to the same
2 requirements as personalized license plates listed in RCW 46.16.575,
3 46.16.580, 46.16.590, 46.16.595, and 46.16.600.

4 (3) In addition to any other fees and taxes due at the time of
5 registration, applicants for a personalized special license plate must
6 pay both the fees to purchase and renew a special plate as set out in
7 the statute creating the special plate and the personalized plate as
8 required in RCW 46.16.585 and 46.16.606. The special plate fee must be
9 distributed in accordance with the requirements set out in the statute
10 creating the special plate. The personalized plate fee must be
11 distributed under RCW 46.16.605 and 46.16.606, except ten dollars of
12 the original or renewal fee must be deposited into the pedestrian and
13 bicycle grant program account created under section 9 of this act. The
14 transfer of personalized special plates is to be administered under RCW
15 46.16.316.

16 **Sec. 2.** RCW 46.16.316 and 2004 c 223 s 4, 2004 c 221 s 5, 2004 c
17 48 s 5, and 2004 c 35 s 5 are each reenacted and amended to read as
18 follows:

19 Except as provided in RCW 46.16.305:

20 (1) When a person who has been issued a special license plate or
21 plates: (a) Under RCW 46.16.30901, 46.16.30903, 46.16.30905, or
22 46.16.301 as it existed before amendment by section 5, chapter 291,
23 Laws of 1997, or under RCW 46.16.305(2) or 46.16.324; ~~((or))~~ (b)
24 approved by the special license plate review board under RCW 46.16.715
25 through 46.16.775; or (c) under section 1 of this act sells, trades, or
26 otherwise transfers or releases ownership of the vehicle upon which the
27 special license plate or plates have been displayed, he or she shall
28 immediately report the transfer of such plate or plates to an acquired
29 vehicle or vehicle eligible for such plates pursuant to departmental
30 rule, or he or she shall surrender such plates to the department
31 immediately if such surrender is required by departmental rule. If a
32 person applies for a transfer of the plate or plates to another
33 eligible vehicle, a transfer fee of ten dollars shall be charged in
34 addition to all other applicable fees. Such transfer fees shall be
35 deposited in the motor vehicle fund. Failure to surrender the plates
36 when required is a traffic infraction.

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

5 **Sec. 3.** RCW 46.16.385 and 2004 c 222 s 1 are each amended to read
6 as follows:

7 (1) The department shall design and issue disabled parking emblem
8 versions of special license plates issued under (a) RCW 46.16.301; (b)
9 RCW 46.16.305, except those plates issued under RCW 46.16.305 (1) and
10 (2); (c) RCW 46.16.324; (d) RCW 46.16.745; (e) RCW 73.04.110; (f) RCW
11 73.04.115; (~~(g)~~) (g) RCW 46.16.301(1) (a), (b), or (c), as it existed
12 before amendment by section 5, chapter 291, Laws of 1997; (h) RCW
13 46.16.565; or (i) plates issued under section 1 of this act. The
14 disabled parking emblem version of the special plate must display the
15 universal symbol of access that may be used in lieu of the parking
16 placard issued to persons who qualify for special parking privileges
17 under RCW 46.16.381. The department may not charge an additional fee
18 for the issuance of the special disabled parking emblem license plate,
19 except the regular motor vehicle registration fee, the fee associated
20 with the particular special plate, and any other fees and taxes
21 required to be paid upon registration of a motor vehicle. The emblem
22 must be incorporated into the design of the special license plate in a
23 manner to be determined by the department, and under existing vehicular
24 licensing procedures and existing laws.

25 (2) Persons who qualify for special parking privileges under RCW
26 46.16.381, and who have applied and paid the appropriate fee for any of
27 the special license plates listed in subsection (1) of this section,
28 are entitled to receive from the department a special disabled parking
29 emblem license plate. The special disabled parking emblem license
30 plate may be used for one vehicle registered in the disabled person's
31 name. Persons who have been issued the parking privileges or who are
32 using a vehicle displaying the special disabled parking emblem license
33 plate may park in places reserved for mobility disabled persons.

34 (3) The special disabled parking emblem license plate must be
35 administered in the same manner as the plates issued under RCW
36 46.16.381.

37 (4) The department shall adopt rules to implement this section.

1 **Sec. 4.** RCW 46.16.570 and 1986 c 108 s 1 are each amended to read
2 as follows:

3 Except for personalized plates issued under section 1 of this act,
4 the personalized license plates shall be the same design as regular
5 license plates, and shall consist of numbers or letters, or any
6 combination thereof not exceeding seven positions unless proposed by
7 the department and approved by the Washington state patrol and not less
8 than one position, to the extent that there are no conflicts with
9 existing passenger, commercial, trailer, motorcycle, or special license
10 plates series or with the provisions of RCW 46.16.230 or 46.16.235:
11 PROVIDED, That the maximum number of positions on personalized license
12 plates for motorcycles shall be designated by the department.

13 **Sec. 5.** RCW 46.16.600 and 1979 c 158 s 143 are each amended to
14 read as follows:

15 (1) The director of licensing may establish such rules and
16 regulations as may be necessary to carry out the purposes of RCW
17 46.16.560 through 46.16.595.

18 (2) Upon direction by the board, the department shall adopt a rule
19 limiting the ability of organizations and governmental entities to
20 apply for more than one license plate series.

21 **Sec. 6.** RCW 46.16.690 and 2003 c 361 s 502 are each amended to
22 read as follows:

23 The department shall offer license plate design services to
24 organizations that are sponsoring a new special license plate series or
25 are seeking to redesign the appearance of an existing special license
26 plate series that they sponsored. In providing this service, the
27 department must work with the requesting organization in determining
28 the specific qualities of the new plate design and must provide full
29 design services to the organization. The department shall collect from
30 the requesting organization a fee of (~~one thousand five~~) two hundred
31 dollars for providing license plate design services. This fee includes
32 one original license plate design and up to five additional renditions
33 of the original design. If the organization requests the department to
34 provide further renditions, in addition to the five renditions provided
35 for under the original fee, the department shall collect an additional

1 fee of (~~five~~) one hundred dollars per rendition. All revenue
2 collected under this section must be deposited into the multimodal
3 transportation account.

4 **Sec. 7.** RCW 46.16.725 and 2003 c 196 s 103 are each amended to
5 read as follows:

6 (1) The creation of the board does not in any way preclude the
7 authority of the legislature to independently propose and enact special
8 license plate legislation.

9 (2) The board must review and either approve or reject special
10 license plate applications submitted by sponsoring organizations.

11 (3) Duties of the board include but are not limited to the
12 following:

13 (a) Review and approve the annual financial reports submitted by
14 sponsoring organizations with active special license plate series and
15 present those annual financial reports to the legislative
16 transportation committee;

17 (b) Report annually to the legislative transportation committee on
18 the special license plate applications that were considered by the
19 board;

20 (c) Issue approval and rejection notification letters to sponsoring
21 organizations, the department, the chairs of the senate and house of
22 representatives transportation committees, and the legislative sponsors
23 identified in each application. The letters must be issued within
24 seven days of making a determination on the status of an application;

25 (d) Review annually the number of plates sold for each special
26 license plate series created after January 1, 2003. The board may
27 submit a recommendation to discontinue a special plate series to the
28 chairs of the senate and house of representatives transportation
29 committees;

30 (e) Provide policy guidance and directions to the department
31 concerning the adoption of rules necessary to limit the number of
32 special license plates that an organization or a governmental entity
33 may apply for.

34 (4) In order to assess the effects and impact of the proliferation
35 of special license plates, the legislature declares a temporary
36 moratorium on the issuance of any additional plates until June 1, 2007.
37 During this period of time, the special license plate review board

1 created in RCW 46.16.705 and the department of licensing are prohibited
2 from accepting, reviewing, processing, or approving any applications.
3 Additionally, no special license plate may be enacted by the
4 legislature during the moratorium, unless the proposed license plate
5 has been approved by the board before February 15, 2005.

6 **Sec. 8.** RCW 46.16.745 and 2003 c 196 s 301 are each amended to
7 read as follows:

8 (1) A sponsoring organization meeting the requirements of RCW
9 46.16.735, applying for the creation of a special license plate to the
10 special license plate review board must, on an application supplied by
11 the department, provide the minimum application requirements in
12 subsection (2) of this section. ~~((If the sponsoring organization~~
13 ~~cannot meet the payment requirements of subsection (2) of this section,~~
14 ~~then the organization must meet the requirements of subsection (3) of~~
15 ~~this section.))~~

16 (2) The sponsoring organization shall:

17 (a) Submit prepayment of all start-up costs associated with the
18 creation and implementation of the special license plate in an amount
19 determined by the department. The department shall place this money
20 into the special license plate applicant trust account created under
21 RCW 46.16.755~~((+3))~~ (4);

22 (b) Provide a proposed license plate design;

23 (c) Provide a marketing strategy outlining short and long-term
24 marketing plans for ~~((the))~~ each special license plate and a financial
25 analysis outlining the anticipated revenue and the planned expenditures
26 of the revenues derived from the sale of the special license plate;

27 (d) Provide a signature of a legislative sponsor and proposed
28 legislation creating the special license plate; ~~((and))~~

29 (e) Provide proof of organizational qualifications as determined by
30 the department as provided for in RCW 46.16.735;

31 (f) Provide signature sheets that include signatures from
32 individuals who intend to purchase the special license plate and the
33 number of plates each individual intends to purchase. The sheets must
34 reflect a minimum of three thousand five hundred intended purchases of
35 the special license plate.

36 (3) ~~((If the sponsoring organization is not able to meet the~~

1 ~~payment requirements of subsection (2)(a) of this section and can~~
2 ~~demonstrate this fact to the satisfaction of the department, the~~
3 ~~sponsoring organization shall:~~

4 ~~(a) Submit an application and nonrefundable fee of two thousand~~
5 ~~dollars, for deposit in the motor vehicle account, to the department;~~

6 ~~(b) Provide signature sheets that include signatures from~~
7 ~~individuals who intend to purchase the special license plate and the~~
8 ~~number of plates each individual intends to purchase. The sheets must~~
9 ~~reflect a minimum of two thousand intended purchases of the special~~
10 ~~license plate;~~

11 ~~(c) Provide a proposed license plate design;~~

12 ~~(d) Provide a marketing strategy outlining short and long term~~
13 ~~marketing plans for the special license plate and a financial analysis~~
14 ~~outlining the anticipated revenue and the planned expenditures of the~~
15 ~~revenues derived from the sale of the special license plate;~~

16 ~~(e) Provide a signature of a legislative sponsor and proposed~~
17 ~~legislation creating the special license plate; and~~

18 ~~(f) Provide proof of organizational qualifications as determined by~~
19 ~~the department as provided in RCW 46.16.735.~~

20 ~~(4))~~ After an application is approved by the special license plate
21 review board, the application need not be reviewed again by the board
22 for a period of three years.

23 NEW SECTION. **Sec. 9.** A new section is added to chapter 47.30 RCW
24 to read as follows:

25 (1) The pedestrian and bicycle grant program account is created in
26 the custody of the state treasurer. The account is subject to
27 allotment procedures under chapter 43.88 RCW, but an appropriation is
28 not required for expenditures.

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

31 (a) The department of transportation shall oversee the program and
32 grants.

33 (b) The department of transportation shall adopt rules regarding
34 the distribution of funds within this account. However, such rules
35 must include the following requirements:

36 (i) Only a governmental subdivision may apply for and receive
37 funds;

1 (ii) The entity applying for funds must supply matching funds;
2 (iii) Grants are limited to expansion of projects in order to take
3 advantage of the cost saving provided by adding onto a construction
4 project; and
5 (iv) Grants are limited to the creation and/or expansion of bicycle
6 and pedestrian pathways and projects.

7 NEW SECTION. **Sec. 10.** Section 1 of this act takes effect March 1,
8 2007.

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