

---

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 46.16.690, 46.16.745, and 46.16.755; adding a new section to chapter  
3 46.04 RCW; and adding a new section 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            "Collection of special license plates" means a group of special  
8 license plates having a similar theme that are approved by the special  
9 license plate review board.

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

12           (1) The following special license plate series created by the  
13 legislature may be personalized: (a) RCW 46.16.301; (b) RCW 46.16.305,  
14 except those plates issued under RCW 46.16.305(1); (c) RCW 46.16.324;  
15 (d) RCW 46.16.585; or (e) RCW 46.16.745.

16           (2) Personalized special plates issued under this section may be  
17 personalized only by using numbers or letters, or any combination  
18 thereof not exceeding seven positions, including the special plate

1 identifier position holders, and not less than one position, to the  
2 extent that there are no conflicts with existing license plate series.  
3 A personalized special license plate is subject to the same  
4 requirements as personalized license plates issued on the standard  
5 background as listed in RCW 46.16.575, 46.16.580, 46.16.590, 46.16.595,  
6 and 46.16.600.

7 (3) In addition to any other fees and taxes due at the time of  
8 registration, applicants for a personalized special license plate must  
9 pay both the fees and taxes required to be paid upon registration or  
10 renewal of the special plate as set out in the statute creating the  
11 special plate and the personalized plate as required in RCW 46.16.585  
12 and 46.16.606. The special plate fee must be distributed in accordance  
13 with the requirements set out in the statute creating the special  
14 plate. The personalized plate fee must be distributed under RCW  
15 46.16.585 and 46.16.606.

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

18 (1) The department shall design and issue disabled parking emblem  
19 versions of special license plates issued under (a) RCW 46.16.301; (b)  
20 RCW 46.16.305, except those plates issued under RCW 46.16.305 (1) and  
21 (2); (c) RCW 46.16.324; (d) RCW 46.16.745; (e) RCW 73.04.110; (f) RCW  
22 73.04.115; (g) RCW 46.16.585; or ~~((g))~~ (h) RCW 46.16.301(1) (a), (b),  
23 or (c), as it existed before amendment by section 5, chapter 291, Laws  
24 of 1997. The disabled parking emblem version of the special plate must  
25 display the universal symbol of access that may be used in lieu of the  
26 parking placard issued to persons who qualify for special parking  
27 privileges under RCW 46.16.381. The department may not charge an  
28 additional fee for the issuance of the special disabled parking emblem  
29 license plate, except the regular motor vehicle registration fee, the  
30 fee associated with the particular special plate, and any other fees  
31 and taxes required to be paid upon registration of a motor vehicle.  
32 The emblem must be incorporated into the design of the special license  
33 plate in a manner to be determined by the department, and under  
34 existing vehicular licensing procedures and existing laws.

35 (2) Persons who qualify for special parking privileges under RCW  
36 46.16.381, and who have applied and paid the appropriate fee for any of  
37 the special license plates listed in subsection (1) of this section,

1 are entitled to receive from the department a special disabled parking  
2 emblem license plate. The special disabled parking emblem license  
3 plate may be used for one vehicle registered in the disabled person's  
4 name. Persons who have been issued the parking privileges or who are  
5 using a vehicle displaying the special disabled parking emblem license  
6 plate may park in places reserved for mobility disabled persons.

7 (3) The special disabled parking emblem license plate must be  
8 administered in the same manner as the plates issued under RCW  
9 46.16.381.

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

11 **Sec. 4.** RCW 46.16.690 and 2003 c 361 s 502 are each amended to  
12 read as follows:

13 The department shall offer license plate design services to  
14 organizations that are sponsoring a new special license plate series or  
15 are seeking to redesign the appearance of an existing special license  
16 plate series that they sponsored. In providing this service, the  
17 department must work with the requesting organization in determining  
18 the specific qualities of the new plate design and must provide full  
19 design services to the organization. The department shall collect from  
20 the requesting organization a fee of (~~one thousand five hundred~~)  
21 fifty dollars for providing license plate design services. This fee  
22 includes one original license plate design and up to five additional  
23 renditions of the original design. If the organization requests the  
24 department to provide further renditions, in addition to the five  
25 renditions provided for under the original fee, the department shall  
26 collect an additional fee of five hundred dollars per rendition. All  
27 revenue collected under this section must be deposited into the  
28 multimodal transportation account.

29 **Sec. 5.** RCW 46.16.745 and 2003 c 196 s 301 are each amended to  
30 read as follows:

31 (1) A sponsoring organization meeting the requirements of RCW  
32 46.16.735, applying for the creation of a special license plate to the  
33 special license plate review board must, on an application supplied by  
34 the department, provide the minimum application requirements in  
35 subsection (2) of this section. If the sponsoring organization cannot

1 meet the payment requirements of subsection (2) of this section, then  
2 the organization must meet the requirements of subsection (3) of this  
3 section.

4 (2) The sponsoring organization shall:

5 (a) Submit prepayment of all start-up costs associated with the  
6 creation and implementation of the special license plate or collection  
7 of special license plates in an amount determined by the department.  
8 The department shall place this money into the special license plate  
9 applicant trust account created under RCW 46.16.755(~~(+3)~~) (4);

10 (b) Provide a proposed license plate design;

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

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

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

20 (3) If the sponsoring organization is not able to meet the payment  
21 requirements of subsection (2)(a) of this section and can demonstrate  
22 this fact to the satisfaction of the department, the sponsoring  
23 organization shall:

24 (a) Submit an application and nonrefundable fee of two thousand  
25 dollars per plate, for deposit in the motor vehicle account, to the  
26 department;

27 (b) Provide signature sheets that include signatures from  
28 individuals who intend to purchase the special license plate and the  
29 number of plates each individual intends to purchase. The sheets must  
30 reflect a minimum of two thousand intended purchases of the special  
31 license plate, or in the case of a collection of special license plates  
32 the sheets must contain signatures representing the number of plates in  
33 the collection multiplied by two thousand;

34 (c) Provide a proposed license plate design;

35 (d) Provide a marketing strategy outlining short and long-term  
36 marketing plans for (~~the~~) each special license plate and a financial  
37 analysis outlining the anticipated revenue and the planned expenditures  
38 of the revenues derived from the sale of the special license plate;

1 (e) Provide a signature of a legislative sponsor and proposed  
2 legislation creating the special license plate or collection of special  
3 license plates; and

4 (f) Provide proof of organizational qualifications as determined by  
5 the department as provided in RCW 46.16.735.

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

9 **Sec. 6.** RCW 46.16.755 and 2004 c 222 s 4 are each amended to read  
10 as follows:

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

17 (b) When it is determined that the state has been fully reimbursed  
18 the department must notify the house of representatives and senate  
19 transportation committees, the sponsoring organization, and the  
20 treasurer, and commence the distribution of the revenue as otherwise  
21 provided by law.

22 (2) If reimbursement does not occur within two years from the date  
23 the plate is first offered for sale to the public, the special license  
24 plate series must be placed in probationary status for a period of one  
25 year from that date. If the state is still not fully reimbursed for  
26 its implementation costs after the one-year probation, the plate series  
27 must be discontinued immediately. Special plates issued before  
28 discontinuation are valid until replaced under RCW 46.16.233.

29 (3) For purposes of meeting the reimbursement requirements provided  
30 in this section, an organization sponsoring a collection of special  
31 license plates may provide for reimbursement in the following manner:

32 (a) The sponsoring organization may dedicate the revenue from each  
33 plate in the collection to meet the reimbursement requirement for  
34 implementation of that individual plate design. If one or more plate  
35 designs within the collection cannot meet the reimbursement  
36 requirement, the plate failing to meet the requirement must be placed

1 on probationary status and discontinued as provided in subsections (1)  
2 and (2) of this section; or

3 (b) The sponsoring organization may dedicate the revenues from all  
4 plates to meet a common reimbursement requirement for the whole  
5 collection. If the total revenue from the sale of all the plates  
6 within the collection are sufficient to meet the entire collection's  
7 reimbursement requirements, the complete collection may continue to be  
8 made available. If the total revenue from the sale of all the plates  
9 within the collection is not sufficient to meet the entire collection's  
10 reimbursement requirements, the complete collection must be placed in  
11 probationary status and discontinued as provided in subsections (1) and  
12 (2) of this section.

13 (4) The special license plate applicant trust account is created in  
14 the custody of the state treasurer. All receipts from special license  
15 plate applicants, except the application fee as provided in RCW  
16 46.16.745(3), must be deposited into the account. Only the director of  
17 the department or the director's designee may authorize disbursements  
18 from the account. The account is not subject to the allotment  
19 procedures under chapter 43.88 RCW, nor is an appropriation required  
20 for disbursements.

21 ~~((4))~~ (5) The department shall provide the special license plate  
22 applicant with a written receipt for the payment.

23 ~~((5))~~ (6) The department shall maintain a record of each special  
24 license plate applicant trust account deposit, including, but not  
25 limited to, the name and address of each special license plate  
26 applicant whose funds are being deposited, the amount paid, and the  
27 date of the deposit.

28 ~~((6))~~ (7) After the department receives written notice that the  
29 special license plate applicant's application has been:

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

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

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

--- END ---