

# HOUSE BILL REPORT

## HB 1991

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to digital license plates.

**Brief Description:** Allowing the use of digital license plates.

**Sponsors:** Representatives Lovick, Fey, Sells and Valdez.

**Brief History:**

**Committee Activity:**

Transportation: 2/18/19, 2/27/19 [DPS].

**Brief Summary of Substitute Bill**

- Authorizes the Department of Licensing to approve the use of digital license plates as an alternative to the metal license plates that are affixed to the rear of vehicles.
- Provides standards and regulations for digital license plate design, use, and capabilities.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Fey, Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Wylie, 1st Vice Chair; Chapman, Doglio, Entenman, Gregerson, Lovick, Mead, Ortiz-Self, Paul, Pellicciotti, Ramos, Riccelli and Shewmake.

**Minority Report:** Do not pass. Signed by 13 members: Representatives Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Young, Assistant Ranking Minority Member; Boehnke, Chambers, Dent, Dufault, Eslick, Goehner, McCaslin, Orcutt, Shea and Van Werven.

**Minority Report:** Without recommendation. Signed by 2 members: Representatives Irwin and Kloba.

**Staff:** Patricia Hasan (786-7292).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

## **Background:**

### License Plates.

Vehicles, unless specifically exempt, must be registered with the state and must display license plates or decals to be operated on public roadways. The Department of Licensing (DOL) is responsible for providing license plates to the registered owner of a vehicle.

Washington license plates:

- may vary in background, color, and design;
- must be legible and clearly identifiable as a Washington license plate;
- must designate the name of the State of Washington without abbreviation;
- must be treated with fully reflectorized materials designed to increase visibility and legibility at night (except for license plates issued before January 1, 1968); and
- must be of a size and color and show the registration period as determined by the DOL.

Any special license plates approved by the DOL and enacted into law by the Legislature may display a symbol or artwork approved by the DOL.

For successful vehicle registration applications, the DOL must issue to the registered vehicle owner two identical license plates, each containing the same license plate number. One license plate must be issued if the vehicle is a trailer, semitrailer, camper, moped, collector vehicle, horseless carriage, or motorcycle. License plates must be attached conspicuously at the front and rear of each vehicle if two license plates have been issued or attached to the rear of the vehicle if one license plate has been issued. License plates must be kept clean and able to be plainly seen and read at all times and must be attached in a horizontal position at a distance of not more than 4 feet from the ground.

Standard issue license plates, special license plates, and personalized license plates must be replaced when ownership of the vehicle changes (with some exceptions), but the registered owner may retain the license plates and transfer them to a replacement vehicle of the same use classification. License plates are also required to be replaced if the plates assigned to the vehicle have been lost, defaced, or destroyed, or if one or both plates have become so illegible or are in such a condition as to be difficult to distinguish. Registered vehicle owners with horseless carriage license plates, Medal of Honor license plates, and license plates for commercial motor vehicles with a gross weight greater than 26,000 pounds do not have to replace their license plates when taking ownership of a new vehicle.

### Digital License Plates.

A digital license plate is an identification sign mounted on a vehicle that has an electronic display and emits a wireless signal that can be used for tracking and digital monitoring services. A digital license plate would replace a traditional metal license plate that is affixed to a vehicle. Digital license plates can potentially allow multiple services to be handled wirelessly, including automated vehicle registration and renewal, tolling payments, parking payments, messaging, and advertising.

Digital license plates are approved for use in California, Arizona, and Michigan. Florida law authorizes the state's Department of Highway Safety and Motor Vehicles to evaluate

technologies for alternative license plates. In Texas, a bill was introduced in the 2019 Legislative Session that would allow the state's Department of Public Safety to conduct a digital license plate pilot program.

The 2018 Supplemental Transportation Budget included a proviso for the DOL to conduct a study to evaluate options and potential methods for allowing digital license plates in Washington. The final report was required to include information on the durability and legibility of digital license plates in different weather conditions, costs, data security, tolling and vehicle fees, protection of personal and vehicle information, and other implementation issues. The report was provided to the transportation committees of the Legislature on December 31, 2018.

#### Ingress Protection Rating.

An Ingress Protection (IP) rating, also known as an International Protection rating, is the standard used to define the level of sealing effectiveness of electrical enclosures against intrusion from foreign bodies such as dirt, dust, and water. The rating is indicated with an "IP" followed by two numerals. The first digit following the "IP" indicates the level of protection that the enclosure provides against solid bodies, and the second digit indicates the level of protection that the enclosure provides against liquids. A first digit of "6" indicates protection from total dust ingress, and a second digit of "6" indicates protection from high pressure water jets from any direction.

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#### **Summary of Substitute Bill:**

"Digital license plates" are defined as a license plate that: (1) always displays the letters and numbers assigned to the vehicle by the DOL, the name of the state, and any other information required by the DOL, in the manner prescribed by the DOL; (2) produces a crisp, bright screen; and (3) is certified, at a minimum, as an automotive grade IP66 product.

The DOL Director is authorized to approve the use of digital license plates purchased by vehicle owners as an alternative to the metal license plates that are affixed to the rear of vehicles. Prior to approval, the DOL Director must consult with the Washington State Department of Transportation (WSDOT), the Washington State Patrol (WSP), the Washington Association of Sheriffs and Police Chiefs (WASPC), and the Office of the Chief Information Officer (OCIO), and adopt rules regarding digital license plates. The DOL Director may revoke digital license plate products approved for use upon the Director's determination that digital license plates cause a legitimate public safety or enforcement concern. The DOL may issue one metal plate to be attached to the front of the vehicle if an approved digital license plate is affixed to the rear of the vehicle.

The digital license plate design must be consistent with the metal license plate that is issued by the DOL to the customer. Any changes to the plate design that are required for proper rendering of the digital license plate must be approved by the DOL. Digital license plates are not required to be treated with reflectorized material. Digital license plates are not required to be replaced if the owner of the digital license plate takes ownership or changes ownership

of a vehicle. It is unlawful to display a digital license plate that is not approved by the DOL Director on the front or rear of any vehicle.

Digital license plates must meet the following requirements:

- be visible at all times, including while the vehicle is parked or turned off;
- the letters and numbers must be of sufficient size to be plainly readable during daylight hours from a distance of 100 feet;
- the display device must be visible at night and not obstruct the vehicle's equipped illumination light or must contain an internal light source;
- the display device must allow for the automated image capture of letters and numbers to facilitate law enforcement and tolling purposes;
- must contain a user selectable feature that may be turned on or off as to whether the digital license plate collects or stores vehicle location and telemetry information; and
- must contain antitampering and data security features approved by the OCIO.

### **Substitute Bill Compared to Original Bill:**

The substitute bill:

- requires the DOL Director to consult with the WSDOT, the WSP, the WASPC, and the OCIO and adopt rules regarding digital license plates prior to approving the use of digital license plates in the state;
- allows the DOL Director to revoke digital license plate products approved for use upon the Director's determination that digital license plates cause a legitimate public safety or enforcement concern;
- requires the digital license plate display to allow for the automated image capture of letters and numbers to facilitate law enforcement and tolling purposes;
- requires the digital license plate to contain antitampering and data security features approved by the OCIO;
- makes it unlawful to display a digital license plate that is not approved by the DOL Director on the front or rear of any vehicle;
- requires a digital license plate to always display the license plate number and be certified, at a minimum, as an automotive grade IP66 product;
- removes the requirement that a digital license plate must have a reflective screen; and
- clarifies that the DOL approves license plates rather than assigns them to vehicles' owners.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The bill authorizes, but does not direct, the use of digital license plates, which is the key objective here. This legislation came about as a result of a study by the DOL on digital license plates that was directed by the Legislature. It is imperative that any private companies looking to offer digital license plates are able to work with states and each state's agencies in a partnership to provide digital license plates. Each state is unique and different in how their license plates need to look and the functionality of license plates. The goal is to provide the technology in the best interest of Washington.

(Opposed) None.

(Other) There is still some work needed on this bill. The WSP met with the primary company offering the digital license plates during the interim, and it has since been determined that the WSP will need software that is capable of reading both metal and digital license plates. At this time it appears that the only software available reads either the metal or the digital license plates.

**Persons Testifying:** (In support) Representative Lovick, prime sponsor; Neville Boston and Brandi Lites, Reviver Auto.

(Other) Monica Alexander, Washington State Patrol.

**Persons Signed In To Testify But Not Testifying:** None.