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**SUBSTITUTE HOUSE BILL 1726**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** House Transportation (originally sponsored by Representatives Wylie, Roberts, and Ryu)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to vehicle registration renewal requirements;  
2 amending RCW 46.16A.090, 46.16A.200, 46.17.200, and 46.18.130;  
3 reenacting and amending RCW 46.18.140; adding a new section to chapter  
4 46.17 RCW; and creating a new section.

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

6 **Sec. 1.** RCW 46.16A.090 and 2012 c 261 s 9 are each amended to read  
7 as follows:

8 (1) The department, county auditor or other agent, or subagent  
9 appointed by the director must provide an opportunity for a vehicle  
10 owner to make a voluntary donation as provided in this section when  
11 applying for an initial or renewal vehicle registration.

12 (2)(a) A vehicle owner who registers a vehicle under this chapter  
13 may donate one dollar or more to the organ and tissue donation  
14 awareness account to promote the donation of organs and tissues under  
15 the uniform anatomical gift act as described in chapter 68.64 RCW. The  
16 donation of one or more dollars is voluntary and may be refused by the  
17 vehicle owner.

18 (b) The department, county auditor or other agent, or subagent  
19 appointed by the director must:

1 (i) Ask a vehicle owner applying for a vehicle registration if the  
2 owner would like to donate one dollar or more;

3 (ii) Inform a vehicle owner of the option for organ and tissue  
4 donations as required under RCW 46.20.113; and

5 (iii) Make information booklets or other informational material  
6 available regarding the importance of organ and tissue donations to  
7 vehicle owners.

8 (c) All reasonable costs associated with the creation of the  
9 donation program created under this section must be paid proportionally  
10 or by another agreement by a participating Washington state organ  
11 procurement organization established for organ and tissue donation  
12 awareness purposes by the Washington state organ procurement  
13 organizations. For the purposes of this section, "reasonable costs"  
14 and "Washington state organ procurement organization" have the same  
15 meaning as in RCW 68.64.010.

16 (3) The department must collect from a vehicle owner who pays a  
17 vehicle license fee under RCW 46.17.350(1) (a), (d) through (l), (n),  
18 (o), or (q) or who registers a vehicle under RCW 46.16A.455 with a  
19 declared gross weight of twelve thousand pounds or less a voluntary  
20 donation of five dollars. The donation may not be collected from any  
21 vehicle owner actively opting not to participate in the donation  
22 program. The department must ensure that the opt-out donation under  
23 this section is clear, visible, and prominently displayed in both paper  
24 and online vehicle registration renewals. The department must provide  
25 education about and market the benefits that are derived from the  
26 donation. Notification of intent to not participate in the donation  
27 program must be provided annually at the time of vehicle registration  
28 renewal. The donation must be deposited in the state parks renewal and  
29 stewardship account established in RCW 79A.05.215 to be used for the  
30 operation and maintenance of state parks.

31 (4) A vehicle owner who registers a vehicle under this chapter may  
32 purchase a discover pass for the price amount established in RCW  
33 79A.80.020. Purchase of a discover pass is voluntary by the vehicle  
34 owner. The discover pass fee must be deposited in the recreation  
35 access pass account created in RCW 79A.80.090. The department, county  
36 auditor((τ)) or other agent, or subagent appointed by the director is  
37 not responsible for delivering a purchased discover pass to a motor

1 vehicle owner. The agencies, as defined in RCW 79A.80.010, must  
2 deliver the purchased discover pass to a motor vehicle owner.

3 **Sec. 2.** RCW 46.16A.200 and 2011 c 171 s 46 are each amended to  
4 read as follows:

5 (1) **Design.** All license plates may be obtained by the director  
6 from the metal working plant of a state correctional facility or from  
7 any source in accordance with existing state of Washington purchasing  
8 procedures. License plates:

9 (a) May vary in background, color, and design;

10 (b) Must be legible and clearly identifiable as a Washington state  
11 license plate;

12 (c) Must designate the name of the state of Washington without  
13 abbreviation;

14 (d) Must be treated with fully reflectorized materials designed to  
15 increase visibility and legibility at night;

16 (e) Must be of a size and color and show the registration period as  
17 determined by the director; and

18 (f) Before July 1, 2010, may display a symbol or artwork approved  
19 by the former special license plate review board and the legislature.  
20 Beginning July 1, 2010, special license plate series approved by the  
21 department and enacted into law by the legislature may display a symbol  
22 or artwork approved by the department.

23 (2) **Exceptions to reflectorized materials.** License plates issued  
24 before January 1, 1968, are not required to be treated with  
25 reflectorized materials.

26 (3) **Dealer license plates.** License plates issued to a dealer must  
27 contain an indication that the license plates have been issued to a  
28 vehicle dealer.

29 (4)(a) **Furnished.** The director shall furnish to all persons making  
30 satisfactory application for a vehicle registration:

31 (i) Two identical license plates each containing the license plate  
32 number; or

33 (ii) One license plate if the vehicle is a trailer, semitrailer,  
34 camper, moped, collector vehicle, horseless carriage, or motorcycle.

35 (b) The director may adopt types of license plates to be used as  
36 long as the license plates are legible.

37 (5)(a) **Display.** License plates must be:

1 (i) Attached conspicuously at the front and rear of each vehicle if  
2 two license plates have been issued;

3 (ii) Attached to the rear of the vehicle if one license plate has  
4 been issued;

5 (iii) Kept clean and be able to be plainly seen and read at all  
6 times; and

7 (iv) Attached in a horizontal position at a distance of not more  
8 than four feet from the ground.

9 (b) The Washington state patrol may grant exceptions to this  
10 subsection if the body construction of the vehicle makes compliance  
11 with this section impossible.

12 (6) **Change of license classification.** A person who has altered a  
13 vehicle that makes the current license plate or plates invalid for the  
14 vehicle's use shall:

15 (a) Surrender the current license plate or plates to the  
16 department, county auditor or other agent, or subagent appointed by the  
17 director;

18 (b) Apply for a new license plate or plates; and

19 (c) Pay a change of classification fee required under RCW  
20 46.17.310.

21 (7) **Unlawful acts.** It is unlawful to:

22 (a) Display a license plate or plates on the front or rear of any  
23 vehicle that were not issued by the director for the vehicle;

24 (b) Display a license plate or plates on any vehicle that have been  
25 changed, altered, or disfigured, or have become illegible;

26 (c) Use holders, frames, or other materials that change, alter, or  
27 make a license plate or plates illegible. License plate frames may be  
28 used on license plates only if the frames do not obscure license tabs  
29 or identifying letters or numbers on the plates and the license plates  
30 can be plainly seen and read at all times;

31 (d) Operate a vehicle unless a valid license plate or plates are  
32 attached as required under this section;

33 (e) Transfer a license plate or plates issued under this chapter  
34 between two or more vehicles without first making application to  
35 transfer the license plates. A violation of this subsection (7)(e) is  
36 a traffic infraction subject to a fine not to exceed five hundred  
37 dollars. Any law enforcement agency that determines that a license  
38 plate or plates have been transferred between two or more vehicles

1 shall confiscate the license plate or plates and return them to the  
2 department for nullification along with full details of the reasons for  
3 confiscation. Each vehicle identified in the transfer will be issued  
4 a new license plate or plates upon application by the owner or owners  
5 and the payment of full fees and taxes; or

6 (f) Fail, neglect, or refuse to endorse the registration  
7 certificate and deliver the license plate or plates to the purchaser or  
8 transferee of the vehicle, except as authorized under this section.

9 (8) **Transfer.** (a) New standard issue license plates (~~follow the~~  
10 ~~vehicle~~) must be issued when ownership of (~~the~~) a vehicle changes  
11 (~~unless~~). The registered owner (~~wishes to~~) may retain the replaced  
12 license plates and transfer them to a replacement vehicle of the same  
13 use. A registered owner wishing to keep replaced standard issue  
14 license plates under this subsection shall pay the license plate  
15 transfer fee required under RCW 46.17.200(1)(c) when applying for  
16 license plate transfer.

17 (b) Special license plates and personalized license plates may be  
18 treated in the same manner as described in (a) of this subsection  
19 unless otherwise limited by law.

20 (c) License plates issued to the state or any county, city, town,  
21 school district, or other political subdivision entitled to exemption  
22 as provided by law may be treated in the same manner as described in  
23 (a) of this subsection.

24 (9) **Replacement.** (a) An owner or the owner's authorized  
25 representative shall apply for a replacement license plate or plates if  
26 the current license plate or plates assigned to the vehicle have been  
27 lost, defaced, or destroyed, or if one or both plates have become so  
28 illegible or are in such a condition as to be difficult to distinguish.

29 (b) An owner or the owner's authorized representative may apply  
30 voluntarily for a replacement license plate or plates at any time the  
31 owner chooses.

32 (~~(b)~~) (c) The application for a replacement license plate or  
33 plates must:

34 (i) Be on a form furnished or approved by the director; and

35 (ii) Be accompanied by the appropriate fee required under RCW  
36 46.17.200(1)(a).

37 (~~(c)~~) (d) The department shall not require the payment of any fee

1 to replace a license plate or plates for vehicles owned, rented, or  
2 leased by foreign countries or international bodies to which the United  
3 States government is a signatory by treaty.

4 ~~((10) **Periodic replacement.** License plates must be replaced~~  
5 ~~periodically to ensure maximum legibility and reflectivity. The~~  
6 ~~department shall:~~

7 ~~(a) Use empirical studies documenting the longevity of the~~  
8 ~~reflective materials used to make license plates;~~

9 ~~(b) Determine how frequently license plates must be replaced; and~~

10 ~~(c)) (e) The department shall offer to owners the option of~~  
11 ~~retaining the current license plate number when obtaining replacement~~  
12 ~~license plates for the fee required in RCW 46.17.200(1)(b).~~

13 ~~((11) **Periodic replacement--Exceptions.** The following license~~  
14 ~~plates are not required to be periodically replaced as required in~~  
15 ~~subsection (10) of this section:~~

16 ~~(a) Horseless carriage license plates issued under RCW 46.18.255~~  
17 ~~before January 1, 1987;~~

18 ~~(b) Congressional Medal of Honor license plates issued under RCW~~  
19 ~~46.18.230;~~

20 ~~(c) License plates for commercial motor vehicles with a gross~~  
21 ~~weight greater than twenty-six thousand pounds.~~

22 ~~(12)) (10) **Rules.** The department may adopt rules to implement~~  
23 ~~this section.~~

24 ~~((13)) (11) **Tabs or emblems.** The director may issue tabs or~~  
25 ~~emblems to be attached to license plates or elsewhere on the vehicle to~~  
26 ~~signify initial registration and renewals. Renewals become effective~~  
27 ~~when tabs or emblems have been issued and properly displayed on license~~  
28 ~~plates.~~

29 **Sec. 3.** RCW 46.17.200 and 2012 c 74 s 3 are each amended to read  
30 as follows:

31 (1) In addition to all other fees and taxes required by law, the  
32 department, county auditor or other agent, or subagent appointed by the  
33 director shall charge:

34 (a) The following license plate fees for each license plate, unless  
35 the owner or type of vehicle is exempt from payment:

FEE TYPE	FEE	DISTRIBUTION
Original issue	\$ 10.00	RCW 46.68.070
Reflectivity	\$ 2.00	RCW 46.68.070
Replacement	\$ 10.00	RCW 46.68.070
<u>Voluntary replacement</u>	<u>\$12.50</u>	<u>RCW 46.68.070</u>
Original issue, motorcycle	\$ 4.00	RCW 46.68.070
Replacement, motorcycle	\$ 4.00	RCW 46.68.070
Original issue, moped	\$1.50	RCW 46.68.070

(b) A license plate retention fee, as required under RCW 46.16A.200(~~((10)(c))~~) (9)(e), of twenty dollars if the owner wishes to retain the current license plate number upon license plate replacement, unless the owner or type of vehicle is exempt from payment. The twenty dollar fee must be deposited in the multimodal transportation account created in RCW 47.66.070.

(c) A ten dollar license plate transfer fee, as required under RCW 46.16A.200(8)(a), when transferring standard issue license plates from one vehicle to another, unless the owner or type of vehicle is exempt from payment. The ten dollar license plate transfer fee must be deposited in the motor vehicle fund created in RCW 46.68.070.

(d) Former prisoner of war license plates, as described in RCW 46.18.235, may be transferred to a replacement vehicle upon payment of a five dollar license plate fee, in addition to any other fee required by law.

(2) The department may, upon request, provide license plates that have been used and returned to the department to individuals for nonvehicular use. The department may charge a fee of up to five dollars per license plate to cover costs or recovery for postage and handling. The department may waive the fee for license plates used in educational projects and may, by rule, provide standards for the fee waiver and restrictions on the number of license plates provided to any one person. The fee must be deposited in the motor vehicle fund created in RCW 46.68.070.

1        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 46.17 RCW  
2 under the subchapter heading "license plate fees" to read as follows:

3        Before accepting an application for a renewal vehicle registration,  
4 the department, county auditor or other agent, or subagent appointed by  
5 the director shall charge a one dollar and twenty-five cent license  
6 plate fee per each license plate on the vehicle. The license plate fee  
7 must be deposited in the motor vehicle fund created in RCW 46.68.070.

8        **Sec. 5.**    RCW 46.18.130 and 2011 c 171 s 68 are each amended to read  
9 as follows:

10        (1) Revenues generated from the sale of special license plates for  
11 those sponsoring organizations who used the application process in RCW  
12 46.18.110 must be deposited into the motor vehicle fund created in RCW  
13 46.68.070 until the department determines that the state's  
14 implementation costs have been fully reimbursed.

15        (2) When it is determined that the state has been fully reimbursed  
16 the department must notify the house of representatives and senate  
17 transportation committees, the sponsoring organization, and the state  
18 treasurer, and begin distributing the revenue as otherwise provided by  
19 law.

20        (3) If reimbursement does not occur within two years from the date  
21 the special license plate is first offered for sale to the public, the  
22 special license plate series must be placed in probationary status for  
23 a period of one year from that date. If the state is still not fully  
24 reimbursed for its implementation costs after the one-year probation,  
25 the special license plate series must be discontinued immediately.  
26 (~~Special license plates issued before discontinuation are valid until~~  
27 ~~replaced under RCW 46.16A.200(10).~~)

28        (4) The department shall:

29        (a) Provide the special license plate applicant with a written  
30 receipt for the payment; and

31        (b) Maintain a record of each special license plate applicant trust  
32 account deposit including, but not limited to, the name and address of  
33 each special license plate applicant whose funds are being deposited,  
34 the amount paid, and the date of the deposit.

35        (5) After the department receives written notice that the special  
36 license plate applicant's application has been approved by the



1 legislature, the director shall request that the money be transferred  
2 to the motor vehicle fund created in RCW 46.68.070.

3 (6) After the department receives written notice that the special  
4 license plate applicant's application has been denied by the department  
5 or the legislature, the director shall provide a refund to the  
6 applicant within thirty days.

7 (7) After the department receives written notice that the special  
8 license plate applicant's application has been withdrawn by the special  
9 license plate applicant, the director shall provide a refund to the  
10 applicant within thirty days.

11 **Sec. 6.** RCW 46.18.140 and 2010 1st sp.s. c 7 s 97 and 2010 c 161  
12 s 609 are each reenacted and amended to read as follows:

13 (1) A special license plate series created by the legislature after  
14 January 1, 2011, that has not been reviewed and approved by the  
15 department is subject to the following requirements:

16 (a) The organization sponsoring the license plate series shall,  
17 within thirty days of enactment of the legislation creating the special  
18 license plate series, submit prepayment of all start-up costs  
19 associated with the creation and implementation of the special license  
20 plate in an amount determined by the department. The prepayment will  
21 be credited to the motor vehicle fund created in RCW 46.68.070. The  
22 creation and implementation of the special license plate series may not  
23 begin until payment is received by the department.

24 (b) If the sponsoring organization is not able to meet the  
25 prepayment requirements in (a) of this subsection and can demonstrate  
26 this fact to the satisfaction of the department, the revenues generated  
27 from the sale of the special license plates must be deposited in the  
28 motor vehicle fund created in RCW 46.68.070 until the department  
29 determines that the state's portion of the implementation costs have  
30 been fully reimbursed. When it has determined that the state has been  
31 fully reimbursed, the department must notify the treasurer to commence  
32 distribution of the revenue according to statutory provisions.

33 (c) The sponsoring organization must provide a proposed special  
34 license plate design to the department within thirty days of enactment  
35 of the legislation creating the special license plate series.

36 (2) The state must be reimbursed for its portion of the  
37 implementation costs within two years from the date the new special

1 license plate series goes on sale to the public. If the reimbursement  
2 does not occur within the two-year time frame, the special license  
3 plate series must be placed in probationary status for a period of one  
4 year from that date. If the state is still not fully reimbursed for  
5 its implementation costs after the one-year probation, the special  
6 license plate series must be discontinued immediately. (~~Those special  
7 license plates issued before discontinuation are valid until replaced  
8 under RCW 46.16A.200(10).~~)

9 (3) If the sponsoring organization ceases to exist or the purpose  
10 of the special license plate series ceases to exist, revenues generated  
11 from the sale of the special license plates must be deposited into the  
12 motor vehicle fund created in RCW 46.68.070.

13 (4) A sponsoring organization may not seek to redesign its special  
14 license plate series until the entire existing inventory is sold or  
15 purchased by the organization itself. All costs for the redesign of a  
16 special license plate series must be paid by the sponsoring  
17 organization.

18 NEW SECTION. **Sec. 7.** This act applies to vehicle registrations  
19 that are due or become due on or after January 1, 2014.

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