

INITIATIVE 908

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 908 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to a single license plate on vehicles; amending RCW
2 20.01.120, 46.01.230, 46.12.010, 46.12.020, 46.16.020, 46.16.023,
3 46.16.029, 46.16.047, 46.16.088, 46.16.210, 46.16.230, 46.16.260,
4 46.16.270, 46.16.280, 46.16.290, 46.16.301, 46.16.309, 46.16.30901,
5 46.16.30903, 46.16.30905, 46.16.327, 46.16.333, 46.16.371, 46.16.374,
6 46.16.565, 46.16.575, 46.16.580, 46.16.585, 46.16.590, 46.16.595,
7 46.16.606, 46.29.605, 46.32.010, 46.44.170, 46.61.725, 46.70.120,
8 46.70.180, 46.76.030, 46.76.040, 46.79.060, 46.80.060, 46.87.080,
9 46.87.140, 73.04.115, 82.44.060, and 82.44.090; reenacting and amending
10 RCW 46.16.010, 46.16.240, 46.16.305, 46.16.316, 73.04.110, and
11 82.44.023; and creating a new section.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

13 NEW SECTION. **Sec. 1.** Eliminating the front license plate halves
14 costs because the number of plates produced declines. Funds can
15 alternatively be directed towards road maintenance. Many vehicle
16 manufacturers do not include front plate bracketry; eliminating this
17 plate will reduce damage caused to attach these plates. Damage from
18 bumper to bumper collisions, due to plate fasteners, will be

1 eliminated. States that do not require front plates show no evidence
2 of a decline in public safety due to plate removal.

3 **Sec. 2.** RCW 20.01.120 and 1959 c 139 s 12 are each amended to read
4 as follows:

5 The licensee shall prominently display a license (~~((plates))~~) plate
6 issued by the director on the (~~((front and))~~) back of any vehicle used by
7 the licensee to transport upon public highways unprocessed agricultural
8 products which he has not produced as a producer of such agricultural
9 products. If the licensee operates more than one vehicle to transport
10 unprocessed agricultural products on public highways he shall apply to
11 the director for a license (~~((plates))~~) plate for each such additional
12 vehicle. Such additional license plates shall be issued to the
13 licensee at the actual cost to the department for such license plates
14 and necessary handling charges. Such license plates are not
15 transferable to any other person and may be used only on the licensee's
16 vehicle or vehicles. The display of such license plates on the vehicle
17 or vehicles of a person whose license has been revoked, or the failure
18 to surrender such license plates forthwith to the department after such
19 revocation, shall be deemed a violation of this chapter.

20 **Sec. 3.** RCW 46.01.230 and 2003 c 369 s 1 are each amended to read
21 as follows:

22 (1) The department of licensing is authorized to accept checks and
23 money orders for payment of drivers' licenses, certificates of
24 ownership and registration, motor vehicle excise taxes, gross weight
25 fees, and other fees and taxes collected by the department, in
26 accordance with regulations adopted by the director. The director's
27 regulations shall duly provide for the public's convenience consistent
28 with sound business practice and shall encourage the annual renewal of
29 vehicle registrations by mail to the department, authorizing checks and
30 money orders for payment. Such regulations shall contain provisions
31 for cancellation of any registrations, licenses, or permits paid for by
32 checks or money orders which are not duly paid and for the necessary
33 accounting procedures in such cases: PROVIDED, That any bona fide
34 purchaser for value of a vehicle shall not be liable or responsible for
35 any prior uncollected taxes and fees paid, pursuant to this section, by
36 a check which has subsequently been dishonored: AND PROVIDED FURTHER,
37 That no transfer of ownership of a vehicle may be denied to a bona fide

1 purchaser for value of a vehicle if there are outstanding uncollected
2 fees or taxes for which a predecessor paid, pursuant to this section,
3 by check which has subsequently been dishonored nor shall the new owner
4 be required to pay any fee for a replacement vehicle license number
5 (~~(plates)~~) plate that may be required pursuant to RCW 46.16.270 (~~(as~~
6 ~~now or hereafter amended)~~).

7 (2) It is a traffic infraction to fail to surrender within ten days
8 to the department or any authorized agent of the department any
9 certificate, license, or permit after being notified that such
10 certificate, license, or permit has been canceled pursuant to this
11 section. Notice of cancellation may be accomplished by sending a
12 notice by first class mail using the last known address in department
13 records for the holder of the certificate, license, or permit, and
14 recording the transmittal on an affidavit of first class mail.

15 (3) Whenever registrations, licenses, or permits have been paid for
16 by checks that have been dishonored by nonacceptance or nonpayment, a
17 reasonable handling fee may be assessed for each such instrument.
18 Notwithstanding provisions of any other laws, county auditors, agents,
19 and subagents, appointed or approved by the director pursuant to RCW
20 46.01.140, may collect restitution, and where they have collected
21 restitution may retain the reasonable handling fee. The amount of the
22 reasonable handling fee may be set by rule by the director.

23 (4) In those counties where the county auditor has been appointed
24 an agent of the director under RCW 46.01.140, the auditor shall
25 continue to process mail-in registration renewals until directed
26 otherwise by legislative authority. Subagents appointed by the
27 director under RCW 46.01.140 have the same authority to mail out
28 registrations and replacement plates to Internet payment option
29 customers as the agents until directed otherwise by legislative
30 authority. The department shall provide separate statements giving
31 notice to Internet payment option customers that: (a) A subagent
32 service fee, as provided in RCW 46.01.140(5)(b), will be collected by
33 a subagent office for providing mail and pick-up services; and (b) a
34 filing fee will be collected on all transactions listed under RCW
35 46.01.140(4)(a). The statement must include the amount of the fee and
36 be published on the department's Internet web site on the page that
37 lists each department, county auditor, and subagent office, eligible to
38 provide mail or pick-up services for registration renewals and

1 replacement plates. The statements must be published below each office
2 listed.

3 **Sec. 4.** RCW 46.12.010 and 1997 c 241 s 3 are each amended to read
4 as follows:

5 It shall be unlawful for any person to operate any vehicle in this
6 state under a certificate of license registration of this state without
7 securing and having in full force and effect a certificate of ownership
8 therefor that contains the name of the registered owner exactly as it
9 appears on the certificate of license registration and it shall further
10 be unlawful for any person to sell or transfer any vehicle without
11 complying with all the provisions of this chapter relating to
12 certificates of ownership and license registration of vehicles:
13 PROVIDED, No certificate of title need be obtained for a vehicle owned
14 by a manufacturer or dealer and held for sale, even though incidentally
15 moved on the highway or used for purposes of testing and demonstration,
16 or a vehicle used by a manufacturer solely for testing: PROVIDED, That
17 a security interest in a vehicle held as inventory by a manufacturer or
18 dealer shall be perfected in accordance with RCW ((62A.9-302(1)))
19 62A.9A-303 and no endorsement on the certificate of title shall be
20 necessary for perfection: AND PROVIDED FURTHER, That nothing in this
21 title shall be construed to prevent any person entitled thereto from
22 securing a certificate of ownership upon a vehicle without securing a
23 certificate of license registration and a vehicle license ((plates))
24 plate, when, in the judgment of the director of licensing, it is proper
25 to do so.

26 **Sec. 5.** RCW 46.12.020 and 1989 c 337 s 22 are each amended to read
27 as follows:

28 No vehicle license number ((plates)) plate or certificate of
29 license registration, whether original issues or duplicates, may be
30 issued or furnished by the department unless the applicant, at the same
31 time, makes satisfactory application for a certificate of ownership or
32 presents satisfactory evidence that such a certificate of ownership
33 covering the vehicle has been previously issued.

34 **Sec. 6.** RCW 46.16.010 and 2003 c 353 s 8 and 2003 c 53 s 238 are
35 each reenacted and amended to read as follows:

1 (1) It is unlawful for a person to operate any vehicle over and
2 along a public highway of this state without first having obtained and
3 having in full force and effect a current and proper vehicle license
4 and display a vehicle license number (~~(plates)~~) plate therefor as by
5 this chapter provided.

6 (2) Failure to make initial registration before operation on the
7 highways of this state is a misdemeanor, and any person convicted
8 thereof must be punished by a fine of no less than three hundred thirty
9 dollars, no part of which may be suspended or deferred.

10 (3) Failure to renew an expired registration before operation on
11 the highways of this state is a traffic infraction.

12 (4) The licensing of a vehicle in another state by a resident of
13 this state, as defined in RCW 46.16.028, evading the payment of any tax
14 or license fee imposed in connection with registration, is a gross
15 misdemeanor punishable as follows:

16 (a) For a first offense, up to one year in the county jail and a
17 fine equal to twice the amount of delinquent taxes and fees, no part of
18 which may be suspended or deferred;

19 (b) For a second or subsequent offense, up to one year in the
20 county jail and a fine equal to four times the amount of delinquent
21 taxes and fees, no part of which may be suspended or deferred;

22 (c) For fines levied under (b) of this subsection, an amount equal
23 to the avoided taxes and fees owed will be deposited in the vehicle
24 licensing fraud account created in the state treasury;

25 (d) The avoided taxes and fees shall be deposited and distributed
26 in the same manner as if the taxes and fees were properly paid in a
27 timely fashion.

28 (5) These provisions shall not apply to the following vehicles:

29 (a) Motorized foot scooters;

30 (b) Electric-assisted bicycles;

31 (c) Farm vehicles if operated within a radius of fifteen miles of
32 the farm where principally used or garaged, farm tractors and farm
33 implements including trailers designed as cook or bunk houses used
34 exclusively for animal herding temporarily operating or drawn upon the
35 public highways, and trailers used exclusively to transport farm
36 implements from one farm to another during the daylight hours or at
37 night when such equipment has lights that comply with the law;

38 (d) Spray or fertilizer applicator rigs designed and used
39 exclusively for spraying or fertilization in the conduct of

1 agricultural operations and not primarily for the purpose of
2 transportation, and nurse rigs or equipment auxiliary to the use of and
3 designed or modified for the fueling, repairing, or loading of spray
4 and fertilizer applicator rigs and not used, designed, or modified
5 primarily for the purpose of transportation;

6 (e) Fork lifts operated during daylight hours on public highways
7 adjacent to and within five hundred feet of the warehouses which they
8 serve: PROVIDED FURTHER, That these provisions shall not apply to
9 vehicles used by the state parks and recreation commission exclusively
10 for park maintenance and operations upon public highways within state
11 parks;

12 (f) "Special highway construction equipment" defined as follows:
13 Any vehicle which is designed and used primarily for grading of
14 highways, paving of highways, earth moving, and other construction work
15 on highways and which is not designed or used primarily for the
16 transportation of persons or property on a public highway and which is
17 only incidentally operated or moved over the highway. It includes, but
18 is not limited to, road construction and maintenance machinery so
19 designed and used such as portable air compressors, air drills, asphalt
20 spreaders, bituminous mixers, bucket loaders, track laying tractors,
21 ditchers, leveling graders, finishing machines, motor graders, paving
22 mixers, road rollers, scarifiers, earth moving scrapers and carryalls,
23 lighting plants, welders, pumps, power shovels and draglines, self-
24 propelled and tractor-drawn earth moving equipment and machinery,
25 including dump trucks and tractor-dump trailer combinations which
26 either (i) are in excess of the legal width, or (ii) which, because of
27 their length, height, or unladen weight, may not be moved on a public
28 highway without the permit specified in RCW 46.44.090 and which are not
29 operated laden except within the boundaries of the project limits as
30 defined by the contract, and other similar types of construction
31 equipment, or (iii) which are driven or moved upon a public highway
32 only for the purpose of crossing such highway from one property to
33 another, provided such movement does not exceed five hundred feet and
34 the vehicle is equipped with wheels or pads which will not damage the
35 roadway surface.

36 Exclusions:

37 "Special highway construction equipment" does not include any of
38 the following:

1 Dump trucks originally designed to comply with the legal size and
2 weight provisions of this code notwithstanding any subsequent
3 modification which would require a permit, as specified in RCW
4 46.44.090, to operate such vehicles on a public highway, including
5 trailers, truck-mounted transit mixers, cranes and shovels, or other
6 vehicles designed for the transportation of persons or property to
7 which machinery has been attached.

8 (6) The following vehicles, whether operated solo or in
9 combination, are exempt from license registration and displaying a
10 license (~~(plates)~~) plate as required by this chapter:

11 (a) A converter gear used to convert a semitrailer into a trailer
12 or a two-axle truck or tractor into a three or more axle truck or
13 tractor or used in any other manner to increase the number of axles of
14 a vehicle. Converter gear includes an auxiliary axle, booster axle,
15 dolly, and jeep axle.

16 (b) A tow dolly that is used for towing a motor vehicle behind
17 another motor vehicle. The front or rear wheels of the towed vehicle
18 are secured to and rest on the tow dolly that is attached to the towing
19 vehicle by a tow bar.

20 **Sec. 7.** RCW 46.16.020 and 1986 c 30 s 1 are each amended to read
21 as follows:

22 Any vehicle owned, rented, or leased by the state of Washington, or
23 by any county, city, town, school district, or other political
24 subdivision of the state of Washington and used exclusively by them,
25 and all vehicles owned or leased with an option to purchase by the
26 United States government, or by the government of foreign countries, or
27 by international bodies to which the United States government is a
28 signatory by treaty, or owned or leased by the governing body of an
29 Indian tribe located within this state and recognized as a governmental
30 entity by the United States department of the interior, and used
31 exclusively in its or their service shall be exempt from the payment of
32 license fees for the licensing thereof as in this chapter provided:
33 PROVIDED, HOWEVER, That such vehicles, except those owned and used
34 exclusively by the United States government and which are identified by
35 clearly exhibited registration numbers or license plates assigned by an
36 instrumentality of that government, shall be registered as prescribed
37 for the license registration of other vehicles and shall display the
38 vehicle license number plates assigned to (~~(it)~~) them. The department

1 shall assign a plate (~~or plates~~) to each vehicle or may assign a
2 block of plates to an agency or political subdivision for further
3 assignment by the agency or political subdivision to individual
4 vehicles registered to it pursuant to this section. The agency,
5 political subdivision, or Indian tribe, except a foreign government or
6 international body, shall pay a fee of two dollars for the plate (~~or
7 plates~~) for each vehicle. An Indian tribe is not entitled to license
8 and register any tribal government service vehicle under this section
9 if that tribe itself licenses or registers any tribal government
10 service vehicles under tribal law. No vehicle license or license
11 number (~~plates~~) plate shall be issued to any such vehicle under the
12 provisions of this section for the transportation of school children
13 unless and until such vehicle shall have been first personally
14 inspected by the director or the director's duly authorized
15 representative.

16 **Sec. 8.** RCW 46.16.023 and 2004 c 223 s 2 are each amended to read
17 as follows:

18 (1) Every owner or lessee of a vehicle seeking to apply for an
19 excise tax exemption under RCW 82.08.0287, 82.12.0282, or 82.44.015
20 shall apply to the director for, and upon satisfactory showing of
21 eligibility, receive in lieu of the regular motor vehicle license
22 (~~plates~~) plate for that vehicle, a special (~~plates~~) plate of a
23 distinguishing separate numerical series or design, as the director
24 shall prescribe. In addition to paying all other initial fees required
25 by law, each applicant for the special license (~~plates~~) plate shall
26 pay an additional license fee of twenty-five dollars upon the issuance
27 of such (~~plates~~) plate. The special fee shall be deposited in the
28 motor vehicle fund. Application for renewal of the license (~~plates~~)
29 plate shall be as prescribed for the renewal of other vehicle licenses.
30 No renewal is required for vehicles exempted under RCW 46.16.020.

31 (2) Whenever the ownership of a vehicle receiving a special
32 (~~plates~~) plate under subsection (1) of this section is transferred or
33 assigned, the (~~plates~~) plate shall be removed from the motor vehicle,
34 and if another vehicle qualifying for a special (~~plates~~) plate is
35 acquired, the (~~plates~~) plate shall be transferred to that vehicle for
36 a fee of ten dollars, and the director shall be immediately notified of
37 the transfer of the (~~plates~~) plate. Otherwise the removed (~~plates~~)
38 plate shall be immediately forwarded to the director to be canceled.

1 Whenever the owner or lessee of a vehicle receiving a special
2 (~~plates~~) plate under subsection (1) of this section is for any reason
3 relieved of the tax-exempt status, the special (~~plates~~) plate shall
4 immediately be forwarded to the director along with an application for
5 replacement plates and the required fee. Upon receipt the director
6 shall issue the license (~~plates~~) plate that (~~are~~) is otherwise
7 provided by law.

8 (3) Any person who knowingly makes any false statement of a
9 material fact in the application for a special plate under subsection
10 (1) of this section is guilty of a gross misdemeanor.

11 **Sec. 9.** RCW 46.16.029 and 1987 c 142 s 2 are each amended to read
12 as follows:

13 It is unlawful to purchase a vehicle bearing a foreign license
14 (~~plates~~) plate without removing and destroying the (~~plates~~) plate
15 unless (1) the out-of-state vehicle is sold to a Washington resident by
16 a resident of a jurisdiction where the license (~~plates~~) plate follows
17 the owner or (2) the out-of-state (~~plates~~) plate may be returned to
18 the jurisdiction of issuance by the owner for refund purposes or (3)
19 for such other reasons as the department may deem appropriate by rule.

20 **Sec. 10.** RCW 46.16.047 and 1961 c 12 s 46.16.047 are each amended
21 to read as follows:

22 Forms for such temporary permits shall be prescribed and furnished
23 by the department. Temporary permits shall bear consecutive numbers,
24 shall show the name and address of the applicant, trade name of the
25 vehicle, model, year, type of body, identification number, and date of
26 application, and shall be such as may be affixed to the vehicle at the
27 time of issuance, and remain on such vehicle only during the period of
28 such registration and until the receipt of the permanent license
29 (~~plates~~) plate. The application shall be registered in the office of
30 the person issuing the permit and shall be forwarded by him to the
31 department each day together with the fee accompanying it.

32 A fee of fifty cents shall be charged by the person authorized to
33 issue such permit which shall be accounted for in the same manner as
34 the other fees collected by such officers, provided that such fees
35 collected by county auditors or their agents shall be paid to the
36 county treasurer in the same manner as other fees collected by the
37 county auditor and credited to the county current expense fund.

1 **Sec. 11.** RCW 46.16.088 and 1986 c 18 s 9 are each amended to read
2 as follows:

3 Except as provided in RCW 46.16.290, the transfer of a license
4 (~~(plates)~~) plate issued pursuant to this chapter between two or more
5 vehicles is a traffic infraction subject to a fine not to exceed five
6 hundred dollars. Any law enforcement agency that determines that a
7 license plate has been transferred between two or more vehicles shall
8 confiscate the license (~~(plates)~~) plate and return (~~(them)~~) it to the
9 department for nullification along with full details of the reasons for
10 confiscation. Each vehicle identified in the transfer will be issued
11 a new license plate upon application by the owner or owners thereof and
12 payment of the full fees and taxes.

13 **Sec. 12.** RCW 46.16.210 and 2001 c 206 s 1 are each amended to read
14 as follows:

15 (1) Upon receipt of the application and proper fee for original
16 vehicle license, the director shall make a recheck of the application
17 and in the event that there is any error in the application it may be
18 returned to the county auditor or other agent to effectively secure the
19 correction of such error, who shall return the same corrected to the
20 director.

21 (2) Application for the renewal of a vehicle license shall be made
22 to the director or his agents, including county auditors, by the
23 registered owner on a form prescribed by the director. The application
24 must be accompanied by the payment of such license fees and excise tax
25 as may be required by law. Such application shall be handled in the
26 same manner and the fees transmitted to the state treasurer in the same
27 manner as in the case of an original application. Any such application
28 which upon validation becomes a renewal certificate need not have
29 entered upon it the name of the lien holder, if any, of the vehicle
30 concerned.

31 (3) Persons expecting to be out of the state during the normal
32 renewal period of a vehicle license may secure renewal of such vehicle
33 license and have the license (~~(plates or tabs)~~) plate or tab preissued
34 by making application to the director or his agents upon forms
35 prescribed by the director. The application must be accompanied by
36 such license fees, and excise tax as may be required by law.

37 (4) Application for the annual renewal of a vehicle license number
38 plate to the director or the director's agents shall not be required

1 for those vehicles owned, rented, or leased by the state of Washington,
2 or by any county, city, town, school district, or other political
3 subdivision of the state of Washington or a governing body of an Indian
4 tribe located within this state and recognized as a governmental entity
5 by the United States department of the interior.

6 **Sec. 13.** RCW 46.16.230 and 1992 c 7 s 41 are each amended to read
7 as follows:

8 The director shall furnish to all persons making satisfactory
9 application for vehicle license as provided by law, (~~two identical~~)
10 one vehicle license number (~~plates each~~) plate containing the vehicle
11 license number to be displayed on such vehicle as by law required(~~+~~
12 ~~PROVIDED, That if the vehicle to be licensed is a trailer, semitrailer~~
13 ~~or motorcycle only one vehicle license number plate shall be issued for~~
14 ~~each thereof~~). The number and plate shall be of such size and color
15 and shall contain such symbols indicative of the registration period
16 for which the same is issued and of the state of Washington, as shall
17 be determined and prescribed by the director. Any vehicle license
18 number plate (~~or plates~~) issued to a dealer shall contain thereon a
19 sufficient and satisfactory indication that such (~~plates have~~) plate
20 has been issued to a dealer in vehicles. All vehicle license number
21 plates may be obtained by the director from the metal working plant of
22 a state correctional facility or from any source in accordance with
23 existing state of Washington purchasing procedures.

24 Notwithstanding the foregoing provisions of this section, the
25 director may, in his discretion and under such rules and regulations as
26 he may prescribe, adopt a type of vehicle license number plates whereby
27 the same shall be used as long as legible on the vehicle for which
28 issued, with provision for tabs or emblems to be attached thereto or
29 elsewhere on the vehicle to signify renewals, in which event the term
30 "vehicle license number plate" as used in any enactment shall be deemed
31 to include in addition to such plate the tab or emblem signifying
32 renewal except when such plate contains the designation of the current
33 year without reference to any tab or emblem. Renewals shall be
34 effected by the issuance and display of such tab or emblem.

35 **Sec. 14.** RCW 46.16.240 and 1987 c 330 s 704 and 1987 c 142 s 3 are
36 each reenacted and amended to read as follows:

1 The vehicle license number (~~((plates))~~) plate shall be attached
2 conspicuously at the (~~((front and))~~) rear of each vehicle for which (~~((the~~
3 ~~same are))~~) it is issued and in such a manner that (~~((they))~~) it can be
4 plainly seen and read at all times(~~((: PROVIDED, That if only one~~
5 ~~license number plate is legally issued for any vehicle such plate shall~~
6 ~~be conspicuously attached to the rear of such vehicle))~~). Each vehicle
7 license number plate shall be placed or hung in a horizontal position
8 at a distance of not less than one foot nor more than four feet from
9 the ground and shall be kept clean so as to be plainly seen and read at
10 all times: PROVIDED, HOWEVER, That in cases where the body
11 construction of the vehicle is such that compliance with this section
12 is impossible, permission to deviate therefrom may be granted by the
13 state patrol. It shall be unlawful to display upon the (~~((front or))~~)
14 rear of any vehicle, a vehicle license number plate (~~((or plates))~~) other
15 than (~~((those))~~) that furnished by the director for such vehicle or to
16 display upon any vehicle any vehicle license number plate (~~((or plates~~
17 ~~which have))~~) that has been in any manner changed, altered, disfigured,
18 or (~~((have))~~) become illegible. License plate frames may be used on
19 vehicle license number plates only if the frames do not obscure license
20 tabs or identifying letters or numbers on the plates and the plates can
21 be plainly seen and read at all times. It is unlawful to use any
22 holders, frames, or any materials that in any manner change, alter, or
23 make the vehicle license number plates illegible. It shall be unlawful
24 for any person to operate any vehicle unless there shall be displayed
25 thereon a valid vehicle license number (~~((plates))~~) plate attached as
26 herein provided.

27 **Sec. 15.** RCW 46.16.260 and 1986 c 18 s 16 are each amended to read
28 as follows:

29 A certificate of license registration to be valid must have
30 endorsed thereon the signature of the registered owner (if a firm or
31 corporation, the signature of one of its officers or other duly
32 authorized agent) and must be carried in the vehicle for which it is
33 issued, at all times in the manner prescribed by the department. It
34 shall be unlawful for any person to operate or have in his possession
35 a vehicle without carrying thereon such certificate of license
36 registration. Any person in charge of such vehicle shall, upon demand
37 of any of the local authorities or of any police officer or of any
38 representative of the department, permit an inspection of such

1 certificate of license registration. This section does not apply to a
2 vehicle for which annual renewal of its license (~~((plates))~~) plate is not
3 required and which is marked in accordance with the provisions of RCW
4 46.08.065.

5 **Sec. 16.** RCW 46.16.270 and 1997 c 291 s 3 are each amended to read
6 as follows:

7 The total replacement plate fee shall be deposited in the motor
8 vehicle fund.

9 Upon the loss, defacement, or destruction of (~~((one or both of))~~) the
10 vehicle license number (~~((plates))~~) plate issued for any vehicle (~~((where~~
11 ~~more than one plate was originally issued))~~) or where (~~((one or both~~
12 ~~have))~~) it has become so illegible or in such a condition as to be
13 difficult to distinguish, or upon the owner's option, the owner of the
14 vehicle shall make application for a new vehicle license number
15 (~~((plates))~~) plate upon a form furnished by the director. The
16 application shall be filed with the director or the director's
17 authorized agent, accompanied by the certificate of license
18 registration of the vehicle and a fee in the amount of three dollars
19 (~~((per plate))~~), whereupon the director, or the director's authorized
20 agent, shall issue a new vehicle license number (~~((plates))~~) plate to the
21 applicant. It shall be accompanied by a fee of two dollars for a new
22 motorcycle license number plate. In the event the director has issued
23 a license period (~~((tabs))~~) tab or a windshield emblem instead of a
24 vehicle license number (~~((plates))~~) plate, and upon the loss, defacement,
25 or destruction of the (~~((tabs))~~) tab or windshield emblem, application
26 shall be made on a form provided by the director and in the same manner
27 as above described, and shall be accompanied by a fee of one dollar for
28 each (~~((pair of tabs or for each))~~) tab or windshield emblem, whereupon
29 the director shall issue to the applicant a duplicate (~~((pair of tabs))~~)
30 tab, year (~~((tabs))~~) tab, and when necessary a month (~~((tabs))~~) tab or a
31 windshield emblem to replace those lost, defaced, or destroyed. For
32 vehicles owned, rented, or leased by the state of Washington or by any
33 county, city, town, school district, or other political subdivision of
34 the state of Washington or United States government, or owned or leased
35 by the governing body of an Indian tribe as defined in RCW 46.16.020,
36 a fee shall be charged for replacement of a vehicle license number
37 plate only to the extent required by the provisions of RCW 46.16.020,
38 (~~((46.16.061))~~) 46.16.0621, 46.16.237, and 46.01.140. For vehicles

1 owned, rented, or leased by foreign countries or international bodies
2 to which the United States government is a signatory by treaty, the
3 payment of any fee for the replacement of a vehicle license number
4 plate shall not be required.

5 **Sec. 17.** RCW 46.16.280 and 1987 c 244 s 7 are each amended to read
6 as follows:

7 In case of loss, destruction, sale, or transfer of any motor
8 vehicle with a registered gross weight in excess of twelve thousand
9 pounds and subject to the license fees under RCW 46.16.070, the
10 registered owner thereof may, under the following conditions, obtain
11 credit for the unused portion of the licensing fee paid for the vehicle
12 or may transfer such credit to the new owner if desired:

13 (1) The licensing fee paid for the motor vehicle will be reduced by
14 one-twelfth for each calendar month and fraction thereof elapsing
15 between the first month of the current registration year in which the
16 motor vehicle was registered and the month the registrant surrenders
17 the vehicle's registration certificate for the registration year to the
18 department or an authorized agent of the department.

19 (2) If any such credit is less than fifteen dollars, no credit may
20 be given.

21 (3) The credit may only be applied against the licensing fee
22 liability due under RCW 46.16.070 for the replacement motor vehicle or
23 if such credit was transferred to the new owner, it shall remain with
24 the vehicle. The credit may only be used during the registration year
25 from which it was obtained.

26 (4) In no event is such credit subject to refund.

27 Whenever any vehicle has been so altered as to change its license
28 classification in such a manner that the vehicle license number
29 (~~plates are~~) plate is rendered improper, the current license
30 (~~plates~~) plate shall be surrendered to the department. A new license
31 (~~plates~~) plate shall be issued upon application accompanied by a one
32 dollar fee in addition to any other or different charge by reason of
33 licensing under a new classification. Such application shall be on
34 forms prescribed by the department and forwarded with the proper fee to
35 the department or the office of a duly authorized agent of the
36 department.

1 **Sec. 18.** RCW 46.16.290 and 2004 c 223 s 3 are each amended to read
2 as follows:

3 (1) In any case of a valid sale or transfer of the ownership of any
4 vehicle, the right to the certificates properly transferable therewith,
5 except as provided in RCW 46.16.280, and to the vehicle license
6 ((~~plates~~)) plate passes to the purchaser or transferee. It is unlawful
7 for the holder of such certificates, except as provided in RCW
8 46.16.280, or vehicle license ((~~plates~~)) plate to fail, neglect, or
9 refuse to endorse the certificates and deliver the vehicle license
10 ((~~plates~~)) plate to the purchaser or transferee.

11 (2)(a) If the sale or transfer is of a vehicle licensed with a
12 current standard issue license ((~~plates~~)) plate, the vehicle license
13 ((~~plates~~)) plate may be retained and displayed upon a vehicle obtained
14 in replacement of the vehicle so sold or transferred. If a person
15 applies for a transfer of the plate ((~~or plates~~)) to another eligible
16 vehicle, the ((~~plates~~)) plate must be transferred to a vehicle
17 requiring the same type of plate. A transfer fee of ten dollars must
18 be charged in addition to all other applicable fees. The transfer fees
19 must be deposited in the motor vehicle fund.

20 (b) If the sale or transfer is of a vehicle licensed by the state
21 or any county, city, town, school district, or other political
22 subdivision entitled to exemption as provided by law, or, if the
23 vehicle is licensed with a personalized ((~~plates~~)) plate, amateur radio
24 operator ((~~plates~~)) plate, Medal of Honor ((~~plates~~)) plate, disabled
25 person ((~~plates~~)) plate, disabled veteran ((~~plates~~)) plate, prisoner of
26 war ((~~plates~~)) plate, or other special license ((~~plates~~)) plate issued
27 under RCW 46.16.301 as it existed before amendment by section 5,
28 chapter 291, Laws of 1997, the vehicle license ((~~plates~~)) plate
29 therefor shall be retained and may be displayed upon a vehicle obtained
30 in replacement of the vehicle so sold or transferred.

31 **Sec. 19.** RCW 46.16.301 and 1997 c 291 s 5 are each amended to read
32 as follows:

33 The department shall create, design, and issue a special baseball
34 stadium license plate that may be used in lieu of a regular or
35 personalized license ((~~plates~~)) plate for all motor vehicles ((~~required~~
36 ~~to display two motor vehicle license plates~~)), excluding vehicles
37 registered under chapter 46.87 RCW, upon terms and conditions
38 established by the department. The special ((~~plates~~)) plate shall

1 commemorate the construction of a baseball stadium, as defined in RCW
2 82.14.0485. The department shall also issue to each recipient of a
3 special baseball stadium license plate a certificate of participation
4 in the construction of the baseball stadium.

5 **Sec. 20.** RCW 46.16.305 and 1997 c 291 s 6 and 1997 c 241 s 10 are
6 each reenacted and amended to read as follows:

7 The department shall continue to issue the categories of special
8 plates issued by the department under the sections repealed under
9 section 12 (1) through (7), chapter 250, Laws of 1990. Special license
10 plates issued under those repealed sections before January 1, 1991, are
11 valid to the extent and under the conditions provided in those repealed
12 sections. The following conditions, limitations, or requirements apply
13 to certain special license plates issued after January 1, 1991:

14 (1) A horseless carriage plate and a plate (~~(or plates)~~) issued for
15 collectors' vehicles more than thirty years old, upon payment of the
16 initial fees required by law and the additional special license plate
17 fee established by the department, are valid for the life of the
18 vehicle for which application is approved by the department. (~~When a~~
19 ~~single plate is issued, it shall be displayed on the rear of the~~
20 ~~vehicle.~~)

21 (2) The department may issue special license plates denoting
22 amateur radio operator status only to persons having a valid official
23 radio operator license issued by the Federal Communications Commission.

24 (3) The department shall issue one (~~set of~~) special license
25 (~~plates~~) plate to each resident of this state who has been awarded
26 the Congressional Medal of Honor for use on a passenger vehicle
27 registered to that person. The department shall issue the plate
28 without the payment of licensing fees and motor vehicle excise tax.

29 (4) The department may issue for use on only one motor vehicle
30 owned by the qualified applicant a special license (~~(plates)~~) plate
31 denoting that the recipient of the plate is a survivor of the attack on
32 Pearl Harbor on December 7, 1941, to persons meeting all of the
33 following criteria:

34 (a) Is a resident of this state;

35 (b) Was a member of the United States Armed Forces on December 7,
36 1941;

1 (c) Was on station on December 7, 1941, during the hours of 7:55
2 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or
3 offshore at a distance not to exceed three miles;

4 (d) Received an honorable discharge from the United States Armed
5 Forces; and

6 (e) Is certified by a Washington state chapter of the Pearl Harbor
7 Survivors Association as satisfying the qualifications in (c) of this
8 subsection.

9 The department may issue such (~~(plates)~~) plate to the surviving
10 spouse of any deceased Pearl Harbor survivor who met the requirements
11 of this subsection. If the surviving spouse remarries, he or she shall
12 return the special (~~(plates)~~) plate to the department within fifteen
13 days and apply for a regular (~~(plates)~~) plate. The surviving spouse
14 must be a resident of this state.

15 The department shall issue (~~(these plates)~~) the plate upon payment
16 by the applicant of all other license fees, but the department may not
17 set or charge an additional fee for (~~(these)~~) the special license
18 (~~(plates)~~) plate.

19 (5) The department shall replace, free of charge, special license
20 plates issued under subsections (3) and (4) of this section if they are
21 lost, stolen, damaged, defaced, or destroyed. Such (~~(plates)~~) plate
22 shall remain with the (~~(persons)~~) person upon transfer or other
23 disposition of the vehicle for which (~~(they were)~~) it was initially
24 issued, and may be used on another vehicle registered to the recipient
25 in accordance with the provisions of RCW 46.16.316(1).

26 **Sec. 21.** RCW 46.16.309 and 1997 c 291 s 7 are each amended to read
27 as follows:

28 Persons applying to the department for special license plates shall
29 apply on forms obtained from the department and in accordance with RCW
30 46.16.040. The applicant shall provide all information as is required
31 by the department in order to determine the applicant's eligibility for
32 the special license (~~(plates)~~) plate.

33 **Sec. 22.** RCW 46.16.30901 and 2004 c 35 s 1 are each amended to
34 read as follows:

35 The department shall issue a special license plate displaying a
36 symbol, approved by the special license plate review board, for
37 professional fire fighters and paramedics who are members of the

1 Washington State Council of Fire Fighters. Upon initial application
2 and subsequent renewals, applicants must show proof of eligibility by
3 providing a certificate of current membership from the Washington State
4 Council of Fire Fighters. The special license plate may be used in
5 lieu of regular or personalized license plates for all vehicles
6 (~~((required to display one or two vehicle license plates))~~), excluding
7 vehicles registered under chapter 46.87 RCW, upon the terms and
8 conditions established by the department.

9 **Sec. 23.** RCW 46.16.30903 and 2004 c 48 s 1 are each amended to
10 read as follows:

11 (1) The legislature recognizes the Helping Kids Speak license plate
12 has been reviewed by the special license plate review board under RCW
13 46.16.725, and found to fully comply with all provisions of RCW
14 46.16.715 through 46.16.775.

15 (2) The department shall issue a special license plate displaying
16 a symbol, approved by the special license plate review board,
17 recognizing an organization that supports programs that provide no-cost
18 speech pathology programs to children. The special license plate may
19 be used in lieu of a regular or personalized license (~~((plates))~~) plate
20 for all vehicles (~~((required to display one or two vehicle license~~
21 ~~plates))~~), excluding vehicles registered under chapter 46.87 RCW, upon
22 terms and conditions established by the department. The special plates
23 will commemorate an organization that supports programs that provide
24 free diagnostic and therapeutic services to children who have a severe
25 delay in language or speech development.

26 **Sec. 24.** RCW 46.16.30905 and 2004 c 221 s 1 are each amended to
27 read as follows:

28 (1) The legislature recognizes that the law enforcement memorial
29 license plate has been reviewed by the special license plate review
30 board as specified in chapter 196, Laws of 2003, and was found to fully
31 comply with all provisions of chapter 196, Laws of 2003.

32 (2) The department shall issue a special license plate displaying
33 a symbol, approved by the special license plate review board, honoring
34 law enforcement officers in Washington killed in the line of duty. The
35 special license plate may be used in lieu of a regular or personalized
36 license (~~((plates))~~) plate for all vehicles (~~((required to display one or~~
37 ~~two vehicle license plates))~~), excluding vehicles registered under

1 chapter 46.87 RCW, upon the terms and conditions established by the
2 department.

3 **Sec. 25.** RCW 46.16.316 and 2004 c 223 s 4, 2004 c 221 s 5, 2004 c
4 48 s 5, and 2004 c 35 s 5 are each reenacted and amended to read as
5 follows:

6 Except as provided in RCW 46.16.305:

7 (1) When a person who has been issued a special license plate (~~or~~
8 ~~plates~~): (a) Under RCW 46.16.30901, 46.16.30903, 46.16.30905, or
9 46.16.301 as it existed before amendment by section 5, chapter 291,
10 Laws of 1997, or under RCW 46.16.305(2) or 46.16.324; or (b) approved
11 by the special license plate review board under RCW 46.16.715 through
12 46.16.775 sells, trades, or otherwise transfers or releases ownership
13 of the vehicle upon which the special license plate (~~or plates have~~)
14 has been displayed, he or she shall immediately report the transfer of
15 such plate (~~or plates~~) to an acquired vehicle or vehicle eligible for
16 such (~~plates~~) plate pursuant to departmental rule, or he or she shall
17 surrender such (~~plates~~) plate to the department immediately if such
18 surrender is required by departmental rule. If a person applies for a
19 transfer of the plate (~~or plates~~) to another eligible vehicle, a
20 transfer fee of ten dollars shall be charged in addition to all other
21 applicable fees. Such transfer fees shall be deposited in the motor
22 vehicle fund. Failure to surrender the (~~plates~~) plate when required
23 is a traffic infraction.

24 (2) If the special license plate (~~or plates~~) issued by the
25 department become lost, defaced, damaged, or destroyed, application for
26 a replacement special license plate (~~or plates~~) shall be made and
27 fees paid as provided by law for the replacement of a regular license
28 (~~plates~~) plate.

29 **Sec. 26.** RCW 46.16.327 and 1990 c 250 s 8 are each amended to read
30 as follows:

31 Vehicle license plate emblems and veteran remembrance emblems shall
32 use fully reflectorized materials designed to provide visibility at
33 night. Emblems shall be designed to be affixed to a vehicle license
34 number plate by pressure-sensitive adhesive so as not to obscure the
35 plate identification numbers or letters.

1 (~~Emblems will be issued for display on the front and rear license~~
2 ~~number plates. Single emblems will be issued for vehicles authorized~~
3 ~~to display one license number plate.~~)

4 **Sec. 27.** RCW 46.16.333 and 2002 c 264 s 3 are each amended to read
5 as follows:

6 In cooperation with the Washington state patrol and the department
7 of licensing, the traffic safety commission shall create and design,
8 and the department shall issue, Cooper Jones license plate emblems
9 displaying a symbol of bicycle safety that may be used on all motor
10 vehicles (~~required to display two motor vehicle license plates~~),
11 excluding vehicles registered under chapter 46.87 RCW, upon terms and
12 conditions established by the department. These license plate emblems
13 will fund the Cooper Jones act and provide funding for bicyclist and
14 pedestrian safety education, enforcement, and encouragement.

15 Any person may purchase a Cooper Jones license plate (~~emblems~~)
16 emblem. The (~~emblems are~~) emblem is to be displayed on the vehicle
17 license (~~plates~~) plate in the manner described by the department,
18 existing vehicular licensing procedures, and current laws. The fee for
19 a Cooper Jones (~~emblems shall be~~) emblem is twenty-five dollars. All
20 moneys collected shall first go to the department to be deposited into
21 the motor vehicle fund until all expenses of designing and producing
22 the emblems are recovered. Thereafter, the department shall deduct an
23 amount not to exceed five dollars of each fee collected for Cooper
24 Jones emblems for administration and collection expenses. The
25 remaining proceeds shall be remitted to the custody of the state
26 treasurer with a proper identifying detailed report. The state
27 treasurer shall credit the proceeds to the bicycle and pedestrian
28 safety account as established in RCW 43.59.150.

29 **Sec. 28.** RCW 46.16.371 and 1987 c 237 s 1 are each amended to read
30 as follows:

31 (1) Every honorary consul or official representative of any foreign
32 government who is a citizen or resident of the United States of
33 America, duly licensed and holding an exequatur issued by the
34 department of state of the United States of America is entitled to
35 apply to the director for, and upon satisfactory showing, and upon
36 payment of regular license fees and excise tax, to receive, in lieu of
37 the regular motor vehicle license (~~plates~~) plate, such special

1 ((plates)) plate of a distinguishing color and running in a separate
2 numerical series, as the director shall prescribe. Application for
3 renewal of the license ((plates)) plate shall be as prescribed for the
4 license renewal of other vehicles.

5 (2) Whenever the owner or lessee as provided in subsection (1) of
6 this section transfers or assigns his interest or title in the motor
7 vehicle to which the special ((plates were)) plate was attached, the
8 ((plates)) plate shall be removed from the motor vehicle, and if
9 another vehicle is acquired, attached thereto, and the director shall
10 be immediately notified of the transfer of the ((plates)) plate;
11 otherwise the removed ((plates)) plate shall be immediately forwarded
12 to the director to be destroyed. Whenever the owner or lessee as
13 provided in subsection (1) of this section is for any reason relieved
14 of his duties as an honorary consul or official representative of a
15 foreign government, he shall immediately forward the special ((plates))
16 plate to the director, who shall upon receipt thereof provide such
17 ((plates as are)) plate as is otherwise provided by law.

18 **Sec. 29.** RCW 46.16.374 and 2001 c 64 s 5 are each amended to read
19 as follows:

20 (1) If the eligible applicant bears the entire cost of plate
21 production, the department shall provide for the issuance of special
22 license plates, in lieu of regular motor vehicle license plates, for
23 passenger vehicles having manufacturers' rated carrying capacities of
24 one ton or less that are owned or leased by an officer of the Taipei
25 Economic and Cultural Office. The department shall issue the special
26 license plates in a distinguishing color, running in a separate
27 numerical series, and bearing the words "Foreign Organization." A
28 vehicle for which a special license ((plates are)) plate is issued
29 under this section is exempt from regular license fees under RCW
30 46.16.0621 ((and any additional vehicle license fees imposed under RCW
31 82.80.020)).

32 (2) Whenever the owner or lessee as provided in subsection (1) of
33 this section transfers or assigns the interest or title in the motor
34 vehicle for which the special ((plates were)) plate was issued, the
35 ((plates)) plate must be removed from the motor vehicle, and if another
36 qualified vehicle is acquired, attached to that vehicle, and the
37 director must be immediately notified of the transfer of the ((plates))
38 plate; otherwise the removed ((plates)) plate must be immediately

1 forwarded to the director to be destroyed. Whenever the owner or
2 lessee as provided in subsection (1) of this section is for any reason
3 relieved of his or her duties as a representative of a recognized
4 foreign organization, he or she shall immediately forward the special
5 ((plates)) plate to the director, who shall upon receipt dispose of the
6 ((plates)) plate as otherwise provided by law.

7 **Sec. 30.** RCW 46.16.565 and 1985 c 173 s 1 are each amended to read
8 as follows:

9 Any person who is the registered owner of a passenger motor
10 vehicle, a motor truck, a trailer, a camper, a private bus, or a
11 motorcycle registered with the department, excluding proportionally
12 registered vehicles, or who makes application for an original
13 registration or renewal registration of such vehicle or camper may,
14 upon payment of the fee prescribed in RCW 46.16.585, apply to the
15 department for a personalized license ((plates)) plate, in the manner
16 described in RCW 46.16.580, which ((plates)) plate shall be affixed to
17 the vehicle or camper for which registration is sought in lieu of the
18 regular license ((plates)) plate.

19 **Sec. 31.** RCW 46.16.575 and 1973 1st ex.s. c 200 s 5 are each
20 amended to read as follows:

21 A personalized license ((plates)) plate shall be issued only to the
22 registered owner of a vehicle on which ((they are)) it is to be
23 displayed.

24 **Sec. 32.** RCW 46.16.580 and 1973 1st ex.s. c 200 s 6 are each
25 amended to read as follows:

26 An applicant for issuance of a personalized license ((plates))
27 plate or renewal of such ((plates)) plate in the subsequent year
28 pursuant to this chapter shall file an application therefor in such
29 form and by such date as the department may require, indicating thereon
30 the combination of letters or numbers, or both, requested as a vehicle
31 license plate number. There shall be no duplication or conflict with
32 existing or projected vehicle license plate series or other numbering
33 systems for records kept by the department, and the department may
34 refuse to issue any combination of letters or numbers, or both, that
35 may carry connotations offensive to good taste and decency or which

1 would be misleading or a duplication of license plates provided for in
2 chapter 46.16 RCW.

3 **Sec. 33.** RCW 46.16.585 and 1979 ex.s. c 136 s 51 are each amended
4 to read as follows:

5 In addition to the regular registration fee, and any other fees and
6 taxes required to be paid upon registration, the applicant shall be
7 charged a fee of thirty dollars. In addition to the regular renewal
8 fee, and in addition to any other fees and taxes required to be paid,
9 the applicant for a renewal of such (~~(plates)~~) plate shall be charged
10 an additional fee of twenty dollars: PROVIDED, That any person who
11 purchased personalized license plates containing three letters and
12 three digits on or between the dates of August 9, 1971, and November 6,
13 1973, shall not be required to pay the additional annual renewal fee of
14 twenty dollars commencing with the year 1976. All personalized license
15 plates must be renewed on an annual basis, regardless of whether a
16 vehicle on which they are displayed will not be driven on public
17 highways or may also be eligible to display a permanent license
18 (~~(plates)~~) plate valid for the life of such vehicle without annual
19 renewal. Personalized license plates that are not renewed must be
20 surrendered to the department, and failure to do so is a traffic
21 infraction.

22 **Sec. 34.** RCW 46.16.590 and 2004 c 223 s 5 are each amended to read
23 as follows:

24 Whenever any person who has been issued a personalized license
25 (~~(plates)~~) plate applies to the department for transfer of such
26 (~~(plates)~~) plate to a subsequently acquired vehicle or camper eligible
27 for a personalized license (~~(plates)~~) plate, a transfer fee of ten
28 dollars shall be charged in addition to all other appropriate fees.
29 Such transfer fees shall be deposited in the motor vehicle fund.

30 **Sec. 35.** RCW 46.16.595 and 1979 ex.s. c 136 s 52 are each amended
31 to read as follows:

32 When any person who has been issued a personalized license
33 (~~(plates)~~) plate sells, trades, or otherwise releases ownership of the
34 vehicle upon which the personalized license (~~(plates have)~~) plate has
35 been displayed, he or she shall immediately report the transfer of such
36 (~~(plates)~~) plate to an acquired vehicle or camper eligible for a

1 personalized license ((~~plates~~)) plate, pursuant to RCW 46.16.590, or he
2 or she shall surrender such ((~~plates~~)) plate to the department
3 forthwith and release his or her priority to the letters or numbers, or
4 combination thereof, displayed on the personalized license ((~~plates~~))
5 plate. Failure to surrender such ((~~plates~~)) plate is a traffic
6 infraction.

7 **Sec. 36.** RCW 46.16.606 and 1991 sp.s. c 7 s 13 are each amended to
8 read as follows:

9 In addition to the fees imposed in RCW 46.16.585 for application
10 and renewal of a personalized license ((~~plates~~)) plate an additional
11 fee of ten dollars shall be charged. The revenue from the additional
12 fee shall be deposited in the state wildlife fund and used for the
13 management of resources associated with the nonconsumptive use of
14 wildlife.

15 **Sec. 37.** RCW 46.29.605 and 1981 c 309 s 6 are each amended to read
16 as follows:

17 (1) Whenever the involvement in a motor vehicle accident in this
18 state results in the driving privilege of a person being suspended for
19 failure to pay a judgment or deposit security, the department shall
20 suspend the Washington registration of the motor vehicle if the person
21 driving at the time of the accident was also the registered owner of
22 the motor vehicle.

23 (2) A notice of suspension shall be mailed by first class mail to
24 the owner's last known address of record in the department and shall be
25 effective notwithstanding the owner's failure to receive the notice.

26 (3) Upon suspension of the registration of a motor vehicle, the
27 registered owner shall surrender ((~~all~~)) the vehicle license ((~~plates~~))
28 plate registered to the vehicle. The department shall destroy the
29 license ((~~plates~~)) plate and, upon reinstatement of the registration,
30 shall issue a new vehicle license ((~~plates~~)) plate as provided in RCW
31 46.16.270.

32 (4) Failure to surrender a license ((~~plates~~)) plate under
33 subsection (3) of this section is a misdemeanor punishable by
34 imprisonment for not less than one day nor more than five days and by
35 a fine of not less than fifty dollars nor more than two hundred fifty
36 dollars.

1 (5) No vehicle license (~~(plates)~~) plate or certificate of ownership
2 or registration for a motor vehicle may be issued and no vehicle
3 license may be renewed during the time the registration of the motor
4 vehicle is suspended.

5 (6) Any person who operates a vehicle in this state while the
6 registration of the vehicle is suspended is guilty of a gross
7 misdemeanor and upon conviction thereof shall be imprisoned for not
8 less than two days nor more than five days and fined not less than one
9 hundred dollars nor more than five hundred dollars.

10 **Sec. 38.** RCW 46.32.010 and 1993 c 403 s 2 are each amended to read
11 as follows:

12 (1) The chief of the Washington state patrol may operate, maintain,
13 or designate, throughout the state of Washington, stations for the
14 inspection of school buses and private carrier buses, with respect to
15 vehicle equipment, drivers' qualifications, and hours of service and to
16 set reasonable times when inspection of vehicles shall be performed.

17 (2) The state patrol may inspect a commercial motor vehicle while
18 the vehicle is operating on the public highways of this state with
19 respect to vehicle equipment, hours of service, and driver
20 qualifications.

21 (3) It is unlawful for any vehicle required to be inspected to be
22 operated over the public highways of this state unless and until it has
23 been approved periodically as to equipment.

24 (4) Inspections shall be performed by a responsible employee of the
25 chief of the Washington state patrol, who shall be duly authorized and
26 who shall have authority to secure and withhold, with written notice to
27 the director of licensing, the certificate of license registration and
28 license (~~(plates)~~) plate of any vehicle found to be defective in
29 equipment so as to be unsafe or unfit to be operated upon the highways
30 of this state, and it shall be unlawful for any person to operate such
31 vehicle unless and until it has been placed in a condition satisfactory
32 to pass a subsequent equipment inspection. The police officer in
33 charge of such vehicle equipment inspection shall grant to the operator
34 of such defective vehicle the privilege to move such vehicle to a place
35 for repair under such restrictions as may be reasonably necessary.

36 (5) In the event any insignia, sticker, or other marker is adopted
37 to be displayed upon vehicles in connection with the inspection of
38 vehicle equipment, it shall be displayed as required by the rules of

1 the chief of the Washington state patrol, and it is a traffic
2 infraction for any person to mutilate, destroy, remove, or otherwise
3 interfere with the display thereof.

4 (6) It is a traffic infraction for any person to refuse to have his
5 motor vehicle examined as required by the chief of the Washington state
6 patrol, or, after having had it examined, to refuse to place an
7 insignia, sticker, or other marker, if issued, upon the vehicle, or
8 fraudulently to obtain any such insignia, sticker, or other marker, or
9 to refuse to place his motor vehicle in proper condition after having
10 had it examined, or in any manner, to fail to conform to the provisions
11 of this chapter.

12 (7) It is a traffic infraction for any person to perform false or
13 improvised repairs, or repairs in any manner not in accordance with
14 acceptable and customary repair practices, upon a motor vehicle.

15 **Sec. 39.** RCW 46.44.170 and 2004 c 79 s 4 are each amended to read
16 as follows:

17 (1) Any person moving a mobile home as defined in RCW 46.04.302 or
18 a park model trailer as defined in RCW 46.04.622 upon public highways
19 of the state must obtain a special permit from the department of
20 transportation and local authorities pursuant to RCW 46.44.090 and
21 46.44.093 and shall pay the proper fee as prescribed by RCW 46.44.0941
22 and 46.44.096.

23 (2) A special permit issued as provided in subsection (1) of this
24 section for the movement of any mobile home or a park model trailer
25 that is assessed for purposes of property taxes shall not be valid
26 until the county treasurer of the county in which the mobile home or
27 park model trailer is located shall endorse or attach his or her
28 certificate that all property taxes which are a lien or which are
29 delinquent, or both, upon the mobile home or park model trailer being
30 moved have been satisfied. Further, any mobile home or park model
31 trailer required to have a special movement permit under this section
32 shall display an easily recognizable decal. However, endorsement or
33 certification by the county treasurer and the display of the decal is
34 not required:

35 (a) When a mobile home or park model trailer is to enter the state
36 or is being moved from a manufacturer or distributor to a retail sales
37 outlet or directly to the purchaser's designated location or between
38 retail and sales outlets;

1 (b) When a signed affidavit of destruction is filed with the county
2 assessor and the mobile home or park model trailer is being moved to a
3 disposal site by a landlord as defined in RCW 59.20.030 after (i) the
4 mobile home or park model trailer has been abandoned as defined in RCW
5 59.20.030; or (ii) a final judgment for restitution of the premises
6 under RCW 59.18.410 has been executed in favor of the landlord with
7 regard to the mobile home or park model trailer. The mobile home or
8 park model trailer will be removed from the tax rolls and, upon
9 notification by the assessor, any outstanding taxes on the destroyed
10 mobile home or park model trailer will be removed by the county
11 treasurer; or

12 (c) When a signed affidavit of destruction is filed with the county
13 assessor by any mobile home or park model trailer owner or any property
14 owner with an abandoned mobile home or park model trailer, the same
15 shall be removed from the tax rolls and upon notification by the
16 assessor, any outstanding taxes on the destroyed mobile home or park
17 model trailer shall be removed by the county treasurer.

18 (3) If the landlord of a mobile home park takes ownership of a
19 mobile home or park model trailer with the intent to resell or rent the
20 same under RCW 59.20.030 after (a) the mobile home or park model
21 trailer has been abandoned as defined in RCW 59.20.030; or (b) a final
22 judgment for restitution of the premises under RCW 59.18.410 has been
23 executed in favor of the landlord with regard to the mobile home or
24 park model trailer, the outstanding taxes become the responsibility of
25 the landlord.

26 (4) It is the responsibility of the owner of the mobile home or
27 park model trailer subject to property taxes or the agent to obtain the
28 endorsement and decal from the county treasurer before a mobile home or
29 park model trailer is moved.

30 (5) This section does not prohibit the issuance of a vehicle
31 license (~~((plates))~~) plate for a mobile home or park model trailer
32 subject to property taxes, but (~~((plates))~~) a plate shall not be issued
33 unless the mobile home or park model trailer subject to property taxes
34 for which (~~((plates are))~~) the plate is sought has been listed for
35 property tax purposes in the county in which it is principally located
36 and the appropriate fee for the license has been paid.

37 (6) The department of transportation and local authorities are
38 authorized to adopt reasonable rules for implementing the provisions of
39 this section. The department of transportation shall adopt rules

1 specifying the design, reflective characteristics, annual coloration,
2 and for the uniform implementation of the decal required by this
3 section.

4 **Sec. 40.** RCW 46.61.725 and 2003 c 353 s 3 are each amended to read
5 as follows:

6 (1) Absent prohibition by local authorities authorized under this
7 section and except as prohibited elsewhere in this section, a person
8 may operate a neighborhood electric vehicle upon a highway of this
9 state having a speed limit of thirty-five miles per hour or less if:

10 (a) The person does not operate a neighborhood electric vehicle
11 upon state highways that are listed in chapter 47.17 RCW;

12 (b) The person does not operate a neighborhood electric vehicle
13 upon a highway of this state without first having obtained and having
14 in full force and effect a current and proper vehicle license and
15 display a vehicle license number (~~(plates)~~) plate in compliance with
16 chapter 46.16 RCW;

17 (c) The person does not operate a neighborhood electric vehicle
18 upon a highway of this state without first obtaining a valid driver's
19 license issued to Washington residents in compliance with chapter 46.20
20 RCW;

21 (d) The person does not operate a neighborhood electric vehicle
22 subject to registration under chapter 46.16 RCW on a highway of this
23 state unless the person is insured under a motor vehicle liability
24 policy in compliance with chapter 46.30 RCW; and

25 (e) The person operating a neighborhood electric vehicle does not
26 cross a roadway with a speed limit in excess of thirty-five miles per
27 hour, unless the crossing begins and ends on a roadway with a speed
28 limit of thirty-five miles per hour or less and occurs at an
29 intersection of approximately ninety degrees, except that the operator
30 of a neighborhood electric vehicle must not cross an uncontrolled
31 intersection of streets and highways that are part of the state highway
32 system subject to Title 47 RCW unless that intersection has been
33 authorized by local authorities provided elsewhere in this section.

34 (2) Any person who violates this section commits a traffic
35 infraction.

36 (3) This section does not prevent local authorities, with respect
37 to streets and highways under their jurisdiction and within the
38 reasonable exercise of their police power, from regulating the

1 operation of neighborhood electric vehicles on streets and highways
2 under their jurisdiction by resolution or ordinance of the governing
3 body, if the regulation is consistent with the provisions of this
4 title, except that:

5 (a) Local authorities may not authorize the operation of
6 neighborhood electric vehicles on streets and highways that are part of
7 the state highway system subject to the provisions of Title 47 RCW;

8 (b) Local authorities may not prohibit the operation of
9 neighborhood electric vehicles upon highways of this state having a
10 speed limit of twenty-five miles per hour or less; and

11 (c) Local authorities are prohibited from establishing any
12 requirements for the registration and licensing of neighborhood
13 electric vehicles.

14 **Sec. 41.** RCW 46.70.120 and 2001 c 272 s 7 are each amended to read
15 as follows:

16 A dealer shall complete and maintain for a period of at least five
17 years a record of the purchase and sale or lease of all vehicles
18 purchased, sold, or leased by him or her. The records shall consist
19 of:

- 20 (1) The license and title numbers of the state in which the last
21 license was issued;
 - 22 (2) A description of the vehicle;
 - 23 (3) The name and address of the person from whom purchased;
 - 24 (4) The name of the legal owner, if any;
 - 25 (5) The name and address of the purchaser or lessee;
 - 26 (6) If purchased from a dealer, the name, business address, dealer
27 license number, and resale tax number of the dealer;
 - 28 (7) The price paid for the vehicle and the method of payment;
 - 29 (8) The vehicle odometer disclosure statement given by the seller
30 to the dealer, and the vehicle odometer disclosure statement given by
31 the dealer to the purchaser or lessee;
 - 32 (9) The written agreement to allow a dealer to sell between the
33 dealer and the consignor, or the listing dealer and the seller;
 - 34 (10) Trust account records of receipts, deposits, and withdrawals;
 - 35 (11) All sale documents, which shall show the full name of dealer
36 employees involved in the sale or lease; and
 - 37 (12) Any additional information the department may require.
- 38 However, the department may not require a dealer to collect or retain

1 the hardback copy of a temporary license permit after the permanent
2 license (~~((plates))~~) plate for a vehicle (~~((have))~~) has been provided to
3 the purchaser or lessee, if the dealer maintains some other copy of the
4 temporary license permit together with a log of the permits issued.

5 Such records shall be maintained separate from all other business
6 records of the dealer. Records older than two years may be kept at a
7 location other than the dealer's place of business if those records are
8 made available in hard copy for inspection within three calendar days,
9 exclusive of Saturday, Sunday, or a legal holiday, after a request by
10 the director or the director's authorized agent. Records kept at the
11 vehicle dealer's place of business must be available for inspection by
12 the director or the director's authorized agent during normal business
13 hours.

14 Dealers may maintain their recordkeeping and filing systems in
15 accordance with their own particular business needs and practices.
16 Nothing in this chapter requires dealers to maintain their records in
17 any particular order or manner, as long as the records identified in
18 this section are maintained in the dealership's recordkeeping system.

19 **Sec. 42.** RCW 46.70.180 and 2003 c 368 s 1 are each amended to read
20 as follows:

21 Each of the following acts or practices is unlawful:

22 (1) To cause or permit to be advertised, printed, displayed,
23 published, distributed, broadcasted, televised, or disseminated in any
24 manner whatsoever, any statement or representation with regard to the
25 sale, lease, or financing of a vehicle which is false, deceptive, or
26 misleading, including but not limited to the following:

27 (a) That no down payment is required in connection with the sale of
28 a vehicle when a down payment is in fact required, or that a vehicle
29 may be purchased for a smaller down payment than is actually required;

30 (b) That a certain percentage of the sale price of a vehicle may be
31 financed when such financing is not offered in a single document
32 evidencing the entire security transaction;

33 (c) That a certain percentage is the amount of the service charge
34 to be charged for financing, without stating whether this percentage
35 charge is a monthly amount or an amount to be charged per year;

36 (d) That a new vehicle will be sold for a certain amount above or
37 below cost without computing cost as the exact amount of the factory
38 invoice on the specific vehicle to be sold;

1 (e) That a vehicle will be sold upon a monthly payment of a certain
2 amount, without including in the statement the number of payments of
3 that same amount which are required to liquidate the unpaid purchase
4 price.

5 (2)(a) To incorporate within the terms of any purchase and sale or
6 lease agreement any statement or representation with regard to the
7 sale, lease, or financing of a vehicle which is false, deceptive, or
8 misleading, including but not limited to terms that include as an added
9 cost to the selling price or capitalized cost of a vehicle an amount
10 for licensing or transfer of title of that vehicle which is not
11 actually due to the state, unless such amount has in fact been paid by
12 the dealer prior to such sale. However, an amount not to exceed
13 thirty-five dollars per vehicle sale or lease may be charged by a
14 dealer to recover administrative costs for collecting motor vehicle
15 excise taxes, licensing and registration fees and other agency fees,
16 verifying and clearing titles, transferring titles, perfecting,
17 releasing, or satisfying liens or other security interests, and other
18 administrative and documentary services rendered by a dealer in
19 connection with the sale or lease of a vehicle and in carrying out the
20 requirements of this chapter or any other provisions of state law.

21 (b) A dealer may charge the documentary service fee in (a) of this
22 subsection under the following conditions:

23 (i) The documentary service fee is disclosed in writing to a
24 prospective purchaser or lessee before the execution of a purchase and
25 sale or lease agreement;

26 (ii) The documentary service fee is not represented to the
27 purchaser or lessee as a fee or charge required by the state to be paid
28 by either the dealer or prospective purchaser or lessee;

29 (iii) The documentary service fee is separately designated from the
30 selling price or capitalized cost of the vehicle and from any other
31 taxes, fees, or charges; and

32 (iv) Dealers disclose in any advertisement that a documentary
33 service fee in an amount up to thirty-five dollars may be added to the
34 sale price or the capitalized cost.

35 For the purposes of this subsection (2), the term "documentary
36 service fee" means the optional amount charged by a dealer to provide
37 the services specified in (a) of this subsection.

38 (3) To set up, promote, or aid in the promotion of a plan by which
39 vehicles are to be sold or leased to a person for a consideration and

1 upon further consideration that the purchaser or lessee agrees to
2 secure one or more persons to participate in the plan by respectively
3 making a similar purchase and in turn agreeing to secure one or more
4 persons likewise to join in said plan, each purchaser or lessee being
5 given the right to secure money, credits, goods, or something of value,
6 depending upon the number of persons joining the plan.

7 (4) To commit, allow, or ratify any act of "bushing" which is
8 defined as follows: Taking from a prospective buyer or lessee of a
9 vehicle a written order or offer to purchase or lease, or a contract
10 document signed by the buyer or lessee, which:

11 (a) Is subject to the dealer's, or his or her authorized
12 representative's future acceptance, and the dealer fails or refuses
13 within three calendar days, exclusive of Saturday, Sunday, or legal
14 holiday, and prior to any further negotiations with said buyer or
15 lessee, either (i) to deliver to the buyer or lessee the dealer's
16 signed acceptance, or (ii) to void the order, offer, or contract
17 document and tender the return of any initial payment or security made
18 or given by the buyer or lessee, including but not limited to money,
19 check, promissory note, vehicle keys, a trade-in, or certificate of
20 title to a trade-in; or

21 (b) Permits the dealer to renegotiate a dollar amount specified as
22 trade-in allowance on a vehicle delivered or to be delivered by the
23 buyer or lessee as part of the purchase price or lease, for any reason
24 except:

25 (i) Failure to disclose that the vehicle's certificate of ownership
26 has been branded for any reason, including, but not limited to, status
27 as a rebuilt vehicle as provided in RCW 46.12.050 and 46.12.075; or

28 (ii) Substantial physical damage or latent mechanical defect
29 occurring before the dealer took possession of the vehicle and which
30 could not have been reasonably discoverable at the time of the taking
31 of the order, offer, or contract; or

32 (iii) Excessive additional miles or a discrepancy in the mileage.
33 "Excessive additional miles" means the addition of five hundred miles
34 or more, as reflected on the vehicle's odometer, between the time the
35 vehicle was first valued by the dealer for purposes of determining its
36 trade-in value and the time of actual delivery of the vehicle to the
37 dealer. "A discrepancy in the mileage" means (A) a discrepancy between
38 the mileage reflected on the vehicle's odometer and the stated mileage
39 on the signed odometer statement; or (B) a discrepancy between the

1 mileage stated on the signed odometer statement and the actual mileage
2 on the vehicle; or

3 (c) Fails to comply with the obligation of any written warranty or
4 guarantee given by the dealer requiring the furnishing of services or
5 repairs within a reasonable time.

6 (5) To commit any offense relating to odometers, as such offenses
7 are defined in RCW 46.37.540, 46.37.550, 46.37.560, and 46.37.570. A
8 violation of this subsection is a class C felony punishable under
9 chapter 9A.20 RCW.

10 (6) For any vehicle dealer or vehicle salesperson to refuse to
11 furnish, upon request of a prospective purchaser or lessee, for
12 vehicles previously registered to a business or governmental entity,
13 the name and address of the business or governmental entity.

14 (7) To commit any other offense under RCW 46.37.423, 46.37.424, or
15 46.37.425.

16 (8) To commit any offense relating to a dealer's temporary license
17 permit, including but not limited to failure to properly complete each
18 such permit, or the issuance of more than one such permit on any one
19 vehicle. However, a dealer may issue a second temporary permit on a
20 vehicle if the following conditions are met:

21 (a) The lienholder fails to deliver the vehicle title to the dealer
22 within the required time period;

23 (b) The dealer has satisfied the lien; and

24 (c) The dealer has proof that payment of the lien was made within
25 two calendar days, exclusive of Saturday, Sunday, or a legal holiday,
26 after the sales contract has been executed by all parties and all
27 conditions and contingencies in the sales contract have been met or
28 otherwise satisfied.

29 (9) For a dealer, salesperson, or mobile home manufacturer, having
30 taken an instrument or cash "on deposit" from a purchaser or lessee
31 prior to the delivery of the bargained-for vehicle, to commingle the
32 "on deposit" funds with assets of the dealer, salesperson, or mobile
33 home manufacturer instead of holding the "on deposit" funds as trustee
34 in a separate trust account until the purchaser or lessee has taken
35 delivery of the bargained-for vehicle. Delivery of a manufactured home
36 shall be deemed to occur in accordance with RCW 46.70.135(5). Failure,
37 immediately upon receipt, to endorse "on deposit" instruments to such
38 a trust account, or to set aside "on deposit" cash for deposit in such
39 trust account, and failure to deposit such instruments or cash in such

1 trust account by the close of banking hours on the day following
2 receipt thereof, shall be evidence of intent to commit this unlawful
3 practice: PROVIDED, HOWEVER, That a motor vehicle dealer may keep a
4 separate trust account which equals his or her customary total customer
5 deposits for vehicles for future delivery. For purposes of this
6 section, "on deposit" funds received from a purchaser of a manufactured
7 home means those funds that a seller requires a purchaser to advance
8 before ordering the manufactured home, but does not include any loan
9 proceeds or moneys that might have been paid on an installment
10 contract.

11 (10) For a dealer or manufacturer to fail to comply with the
12 obligations of any written warranty or guarantee given by the dealer or
13 manufacturer requiring the furnishing of goods and services or repairs
14 within a reasonable period of time, or to fail to furnish to a
15 purchaser or lessee, all parts which attach to the manufactured unit
16 including but not limited to the undercarriage, and all items specified
17 in the terms of a sales or lease agreement signed by the seller and
18 buyer or lessee.

19 (11) For a vehicle dealer to pay to or receive from any person,
20 firm, partnership, association, or corporation acting, either directly
21 or through a subsidiary, as a buyer's agent for consumers, any
22 compensation, fee, purchase moneys or funds that have been deposited
23 into or withdrawn out of any account controlled or used by any buyer's
24 agent, gratuity, or reward in connection with the purchase, sale, or
25 lease of a new motor vehicle.

26 (12) For a buyer's agent, acting directly or through a subsidiary,
27 to pay to or to receive from any motor vehicle dealer any compensation,
28 fee, gratuity, or reward in connection with the purchase, sale, or
29 lease of a new motor vehicle. In addition, it is unlawful for any
30 buyer's agent to engage in any of the following acts on behalf of or in
31 the name of the consumer:

32 (a) Receiving or paying any purchase moneys or funds into or out of
33 any account controlled or used by any buyer's agent;

34 (b) Signing any vehicle purchase orders, sales contracts, leases,
35 odometer statements, or title documents, or having the name of the
36 buyer's agent appear on the vehicle purchase order, sales contract,
37 lease, or title; or

38 (c) Signing any other documentation relating to the purchase, sale,
39 lease, or transfer of any new motor vehicle.

1 It is unlawful for a buyer's agent to use a power of attorney
2 obtained from the consumer to accomplish or effect the purchase, sale,
3 lease, or transfer of ownership documents of any new motor vehicle by
4 any means which would otherwise be prohibited under (a) through (c) of
5 this subsection. However, the buyer's agent may use a power of
6 attorney for physical delivery of a motor vehicle license (~~((plates))~~)
7 plate to the consumer.

8 Further, it is unlawful for a buyer's agent to engage in any false,
9 deceptive, or misleading advertising, disseminated in any manner
10 whatsoever, including but not limited to making any claim or statement
11 that the buyer's agent offers, obtains, or guarantees the lowest price
12 on any motor vehicle or words to similar effect.

13 (13) For a buyer's agent to arrange for or to negotiate the
14 purchase, or both, of a new motor vehicle through an out-of-state
15 dealer without disclosing in writing to the customer that the new
16 vehicle would not be subject to chapter 19.118 RCW. This subsection
17 also applies to leased vehicles. In addition, it is unlawful for any
18 buyer's agent to fail to have a written agreement with the customer
19 that: (a) Sets forth the terms of the parties' agreement; (b)
20 discloses to the customer the total amount of any fees or other
21 compensation being paid by the customer to the buyer's agent for the
22 agent's services; and (c) further discloses whether the fee or any
23 portion of the fee is refundable.

24 (14) Being a manufacturer, other than a (~~((motorcycle))~~) motorsports
25 vehicle manufacturer governed by chapter (~~((46.94))~~) 46.93 RCW, to:

26 (a) Coerce or attempt to coerce any vehicle dealer to order or
27 accept delivery of any vehicle or vehicles, parts or accessories, or
28 any other commodities which have not been voluntarily ordered by the
29 vehicle dealer: PROVIDED, That recommendation, endorsement,
30 exposition, persuasion, urging, or argument are not deemed to
31 constitute coercion;

32 (b) Cancel or fail to renew the franchise or selling agreement of
33 any vehicle dealer doing business in this state without fairly
34 compensating the dealer at a fair going business value for his or her
35 capital investment which shall include but not be limited to tools,
36 equipment, and parts inventory possessed by the dealer on the day he or
37 she is notified of such cancellation or termination and which are still
38 within the dealer's possession on the day the cancellation or
39 termination is effective, if: (i) The capital investment has been

1 entered into with reasonable and prudent business judgment for the
2 purpose of fulfilling the franchise; and (ii) the cancellation or
3 nonrenewal was not done in good faith. Good faith is defined as the
4 duty of each party to any franchise to act in a fair and equitable
5 manner towards each other, so as to guarantee one party freedom from
6 coercion, intimidation, or threats of coercion or intimidation from the
7 other party: PROVIDED, That recommendation, endorsement, exposition,
8 persuasion, urging, or argument are not deemed to constitute a lack of
9 good faith;

10 (c) Encourage, aid, abet, or teach a vehicle dealer to sell or
11 lease vehicles through any false, deceptive, or misleading sales or
12 financing practices including but not limited to those practices
13 declared unlawful in this section;

14 (d) Coerce or attempt to coerce a vehicle dealer to engage in any
15 practice forbidden in this section by either threats of actual
16 cancellation or failure to renew the dealer's franchise agreement;

17 (e) Refuse to deliver any vehicle publicly advertised for immediate
18 delivery to any duly licensed vehicle dealer having a franchise or
19 contractual agreement for the retail sale or lease of new and unused
20 vehicles sold or distributed by such manufacturer within sixty days
21 after such dealer's order has been received in writing unless caused by
22 inability to deliver because of shortage or curtailment of material,
23 labor, transportation, or utility services, or by any labor or
24 production difficulty, or by any cause beyond the reasonable control of
25 the manufacturer;

26 (f) To provide under the terms of any warranty that a purchaser or
27 lessee of any new or unused vehicle that has been sold or leased,
28 distributed for sale or lease, or transferred into this state for
29 resale or lease by the vehicle manufacturer may only make any warranty
30 claim on any item included as an integral part of the vehicle against
31 the manufacturer of that item.

32 Nothing in this section may be construed to impair the obligations
33 of a contract or to prevent a manufacturer, distributor,
34 representative, or any other person, whether or not licensed under this
35 chapter, from requiring performance of a written contract entered into
36 with any licensee hereunder, nor does the requirement of such
37 performance constitute a violation of any of the provisions of this
38 section if any such contract or the terms thereof requiring
39 performance, have been freely entered into and executed between the

1 contracting parties. This paragraph and subsection (14)(b) of this
2 section do not apply to new motor vehicle manufacturers governed by
3 chapter 46.96 RCW.

4 (15) Unlawful transfer of an ownership interest in a motor vehicle
5 as defined in RCW 19.116.050.

6 (16) To knowingly and intentionally engage in collusion with a
7 registered owner of a vehicle to repossess and return or resell the
8 vehicle to the registered owner in an attempt to avoid a suspended
9 license impound under chapter 46.55 RCW. However, compliance with
10 chapter 62A.9A RCW in repossessing, selling, leasing, or otherwise
11 disposing of the vehicle, including providing redemption rights to the
12 debtor, is not a violation of this section.

13 **Sec. 43.** RCW 46.76.030 and 1967 c 32 s 92 are each amended to read
14 as follows:

15 Upon receiving an application for transporter's license the
16 director, if satisfied that the applicant is entitled thereto, shall
17 issue a proper certificate of license registration and a distinctive
18 ~~((set of))~~ license ~~((plates))~~ plate and shall transmit the fees
19 obtained therefor with a proper identifying report to the state
20 treasurer, who shall deposit such fees in the motor vehicle fund. The
21 certificate of license registration and license ~~((plates))~~ plate issued
22 by the director shall authorize the holder of the license to drive or
23 tow any motor vehicle or trailers upon the public highways.

24 **Sec. 44.** RCW 46.76.040 and 1990 c 250 s 68 are each amended to
25 read as follows:

26 The fee for an original transporter's license is twenty-five
27 dollars. A transporter license number ~~((plates))~~ plate bearing an
28 appropriate symbol and serial number shall be attached to ~~((all~~
29 ~~vehicles))~~ each vehicle being delivered in the conduct of the business
30 licensed under this chapter. The ~~((plates))~~ plate may be obtained for
31 a fee of two dollars ~~((for each set))~~.

32 **Sec. 45.** RCW 46.79.060 and 1971 ex.s. c 110 s 6 are each amended
33 to read as follows:

34 The hulk hauler or scrap processor shall obtain a special ~~((set~~
35 ~~of))~~ license ~~((plates))~~ plate in addition to the regular licenses and
36 plates required for the operation of vehicles owned and/or operated by

1 him and used in the conduct of his business. Such special license
2 shall be displayed on the operational vehicles and shall be in lieu of
3 a trip permit or current license on any vehicle being transported. The
4 fee for (~~these plates~~) this plate shall be five dollars for the
5 original (~~plates~~) plate and two dollars for each additional (~~set of~~
6 ~~plates~~) plate bearing the same license number.

7 **Sec. 46.** RCW 46.80.060 and 1995 c 256 s 8 are each amended to read
8 as follows:

9 The vehicle wrecker shall obtain a special (~~set of~~) license
10 (~~plates~~) plate in addition to the regular licenses and plates
11 required for the operation of such vehicles. The special (~~plates~~)
12 plate must be displayed on (~~vehicles~~) each vehicle owned and/or
13 operated by the wrecker and used in the conduct of the business. The
14 fee for (~~these plates~~) the plate shall be five dollars for the
15 original (~~plates~~) plate and two dollars for each additional (~~set of~~
16 ~~plates~~) plate bearing the same license number. A wrecker with more
17 than one licensed location in the state may use a special (~~plates~~)
18 plate bearing the same license number for vehicles operated out of any
19 of the licensed locations.

20 **Sec. 47.** RCW 46.87.080 and 1998 c 115 s 1 are each amended to read
21 as follows:

22 (1) Upon making satisfactory application and payment of applicable
23 fees and taxes for proportional registration under this chapter, the
24 department shall issue a cab card and validation tab for each vehicle,
25 and to vehicles of Washington-based fleets, (~~two~~) one distinctive
26 apportionable license (~~plates~~) plate for each motor vehicle (~~and one~~
27 ~~such plate for each~~), trailer, semitrailer, pole trailer, or converter
28 gear listed on the application. License plates shall be displayed on
29 vehicles as required by RCW 46.16.240. The number and plate shall be
30 of a design, size, and color determined by the department. The plates
31 shall be treated with reflectorized material and clearly marked with
32 the words "WASHINGTON" and "APPORTIONED," both words to appear in full
33 and without abbreviation.

34 (2) The cab card serves as the certificate of registration for a
35 proportionally registered vehicle. The face of the cab card shall
36 contain the name and address of the registrant as contained in the
37 records of the department, the license plate number assigned to the

1 vehicle by the base jurisdiction, the vehicle identification number,
2 and such other description of the vehicle and data as the department
3 may require. The cab card shall be signed by the registrant, or a
4 designated person if the registrant is a business firm, and shall at
5 all times be carried in or on the vehicle to which it was issued. In
6 the case of nonpowered vehicles, the cab card may be carried in or on
7 the vehicle supplying the motive power instead of in or on the
8 nonpowered vehicle.

9 (3) The apportioned license (~~((plates are))~~) plate is not
10 transferrable from vehicle to vehicle unless otherwise determined by
11 rule and shall be used only on the vehicle to which (~~((they are))~~) it is
12 assigned by the department for as long as (~~((they are))~~) it is legible or
13 until such time as the department requires (~~((them))~~) it to be removed
14 and returned to the department.

15 (4) A distinctive validation (~~((tab(s)))~~) tab of a design, size, and
16 color determined by the department shall be affixed to the apportioned
17 license (~~((plate(s)))~~) plate as prescribed by the department to indicate
18 the month, if necessary, and year for which the vehicle is registered.
19 Foreign-based vehicles proportionally registered in this state under
20 the provisions of the Western Compact shall display the validation tab
21 on a backing plate or as otherwise prescribed by the department.

22 (5) Renewals shall be effected by the issuance and display of such
23 (~~((tab(s)))~~) tab after making satisfactory application and payment of
24 applicable fees and taxes.

25 (6) Fleet vehicles so registered and identified shall be deemed to
26 be fully licensed and registered in this state for any type of movement
27 or operation. However, in those instances in which a grant of
28 authority is required for interstate or intrastate movement or
29 operation, no such vehicle may be operated in interstate or intrastate
30 commerce in this state unless the owner has been granted interstate
31 operating authority by the Interstate Commerce Commission in the case
32 of interstate operations or intrastate operating authority by the
33 Washington utility and transportation commission in the case of
34 intrastate operations and unless the vehicle is being operated in
35 conformity with that authority.

36 (7) The department may issue temporary authorization permits (TAPs)
37 to qualifying operators for the operation of vehicles pending issuance
38 of license identification. A fee of one dollar plus a one dollar
39 filing fee shall be collected for each permit issued. The permit fee

1 shall be deposited in the motor vehicle fund, and the filing fee shall
2 be deposited in the highway safety fund. The department may adopt
3 rules for use and issuance of the permits.

4 (8) The department may refuse to issue any license or permit
5 authorized by subsection (1) or (7) of this section to any person: (a)
6 Who formerly held any type of license or permit issued by the
7 department pursuant to chapter 46.16, 46.85, 46.87, 82.36, or 82.38 RCW
8 that has been revoked for cause, which cause has not been removed; or
9 (b) who is a subterfuge for the real party in interest whose license or
10 permit issued by the department pursuant to chapter 46.16, 46.85,
11 46.87, 82.36, or 82.38 RCW and has been revoked for cause, which cause
12 has not been removed; or (c) who, as an individual licensee, or
13 officer, director, owner, or managing employee of a nonindividual
14 licensee, has had a license or permit issued by the department pursuant
15 to chapter 46.16, 46.85, 46.87, 82.36, or 82.38 RCW which has been
16 revoked for cause, which cause has not been removed; or (d) who has an
17 unsatisfied debt to the state assessed under either chapter 46.16,
18 46.85, 46.87, 82.36, 82.38, or 82.44 RCW.

19 (9) The department may revoke the license or permit authorized by
20 subsection (1) or (7) of this section issued to any person for any of
21 the grounds constituting cause for denial of licenses or permits set
22 forth in subsection (8) of this section.

23 (10) Before such refusal or revocation under subsection (8) or (9)
24 of this section, the department shall grant the applicant a hearing and
25 at least ten days written notice of the time and place of the hearing.

26 **Sec. 48.** RCW 46.87.140 and 2003 c 85 s 2 are each amended to read
27 as follows:

28 (1) Any owner engaged in interstate operations of one or more
29 fleets of apportionable or commercial vehicles may, in lieu of
30 registration of the vehicles under chapter 46.16 RCW, register and
31 license the vehicles of each fleet under this chapter by filing a
32 proportional registration application for each fleet with the
33 department. The nonmotor vehicles of Washington-based fleets which are
34 operated in IRP jurisdictions that require registration of such
35 vehicles may be proportionally registered for operation in those
36 jurisdictions as herein provided. The application shall contain the
37 following information and such other information pertinent to vehicle
38 registration as the department may require:

1 (a) A description and identification of each vehicle of the fleet.
2 Motor vehicles and nonpower units shall be placed in separate fleets.

3 (b) If registering under the provisions of the IRP, the registrant
4 shall also indicate member jurisdictions in which registration is
5 desired and furnish such other information as those member
6 jurisdictions require.

7 (c) An original or renewal application shall also be accompanied by
8 a mileage schedule for each fleet.

9 (d) The USDOT number issued to the registrant and the USDOT number
10 of the motor carrier responsible for the safety of the vehicle, if
11 different.

12 (e) A completed Motor Carrier Identification Report (MCS-150) at
13 the time of fleet renewal or at the time of vehicle registration, if
14 required by the department.

15 (f) The Taxpayer Identification Number of the registrant and the
16 motor carrier responsible for the safety of the vehicle, if different.

17 (2) Each application shall, at the time and in the manner required
18 by the department, be supported by payment of a fee computed as
19 follows:

20 (a) Divide the in-jurisdiction miles by the total miles and carry
21 the answer to the nearest thousandth of a percent (three places beyond
22 the decimal, e.g. 10.543%). This factor is known as the prorate
23 percentage.

24 (b) Determine the total proratable fees and taxes required for each
25 vehicle in the fleet for which registration is requested, based on the
26 regular annual fees and taxes or applicable fees and taxes for the
27 unexpired portion of the registration year under the laws of each
28 jurisdiction for which fees or taxes are to be calculated.

29 Washington-based nonmotor vehicles shall normally be fully licensed
30 under the provisions of chapter 46.16 RCW. If these vehicles are being
31 operated in jurisdictions that require the registration of such
32 vehicles, the applicable vehicles may be considered as apportionable
33 vehicles for the purpose of registration in those jurisdictions and
34 this state. The prorate percentage for which registration fees and
35 taxes were paid to such jurisdictions may be credited toward the one
36 hundred percent of registration fees and taxes due this state for full
37 licensing. Applicable fees and taxes for vehicles of Washington-based
38 fleets are those prescribed under RCW 46.16.070, 46.16.085, and
39 82.38.075, as applicable. If, during the registration period, the

1 lessor of an apportioned vehicle changes and the vehicle remains in the
2 fleet of the registrant, the department shall only charge those fees
3 prescribed for the issuance of a new apportioned license (~~(plates)~~)
4 plate, validation (~~(tabs)~~) tab, and cab card.

5 (c) Multiply the total, proratable fees or taxes for each motor
6 vehicle by the prorate percentage applicable to the desired
7 jurisdiction and round the results to the nearest cent. Fees and taxes
8 for nonmotor vehicles being prorated will be calculated as indicated in
9 (b) of this subsection.

10 (d) Add the total fees and taxes determined in (c) of this
11 subsection for each vehicle to the nonproratable fees required under
12 the laws of the jurisdiction for which fees are being calculated.
13 Nonproratable fees required for vehicles of Washington-based fleets are
14 the administrative fee required by RCW 82.38.075, if applicable, and
15 the vehicle transaction fee pursuant to the provisions of RCW
16 46.87.130.

17 (e) Add the total fees and taxes determined in (d) of this
18 subsection for each vehicle listed on the application. Assuming the
19 fees and taxes calculated were for Washington, this would be the amount
20 due and payable for the application under the provisions of the Western
21 Compact. Under the provisions of the IRP, the amount due and payable
22 for the application would be the sum of the fees and taxes referred to
23 in (d) of this subsection, calculated for each member jurisdiction in
24 which registration of the fleet is desired.

25 (3) All assessments for proportional registration fees are due and
26 payable in United States funds on the date presented or mailed to the
27 registrant at the address listed in the proportional registration
28 records of the department. The registrant may petition for
29 reassessment of the fees or taxes due under this section within thirty
30 days of the date of original service as provided for in this chapter.

31 **Sec. 49.** RCW 73.04.110 and 2004 c 223 s 6 and 2004 c 125 s 1 are
32 each reenacted and amended to read as follows:

33 Any person who is a veteran as defined in RCW 41.04.007 who submits
34 to the department of licensing satisfactory proof of a service-
35 connected disability rating from the veterans administration or the
36 military service from which the veteran was discharged and:

37 (1) Has lost the use of both hands or one foot;

1 (2) Was captured and incarcerated for more than twenty-nine days by
2 an enemy of the United States during a period of war with the United
3 States;

4 (3) Has become blind in both eyes as the result of military
5 service; or

6 (4) Is rated by the Veterans Administration or the military service
7 from which the veteran was discharged and is receiving service-
8 connected compensation at the one hundred percent rate that is expected
9 to exist for more than one year;

10 is entitled to a regular or special license (~~((plates))~~) plate issued by
11 the department of licensing. The special license (~~((plates))~~) plate
12 shall bear distinguishing marks, letters, or numerals indicating that
13 the motor vehicle is owned by a disabled veteran or former prisoner of
14 war. This license shall be issued annually for one personal use
15 vehicle without payment of any license fees or excise tax thereon.
16 Whenever any person who has been issued a license (~~((plates))~~) plate
17 under the provisions of this section applies to the department for
18 transfer of the (~~((plates))~~) plate to a subsequently acquired motor
19 vehicle, a transfer fee of ten dollars shall be charged in addition to
20 all other appropriate fees. The department may periodically verify the
21 one hundred percent rate as provided in subsection (4) of this section.

22 Any person who has been issued free motor vehicle license plates
23 under this section prior to July 1, 1983, shall continue to be eligible
24 for the annual free license (~~((plates))~~) plate.

25 For the purposes of this section, "blind" means the definition of
26 "blind" used by the state of Washington in determining eligibility for
27 financial assistance to the blind under Title 74 RCW.

28 Any unauthorized use of a special plate is a gross misdemeanor.

29 **Sec. 50.** RCW 73.04.115 and 1990 c 250 s 91 are each amended to
30 read as follows:

31 The department shall issue to the surviving spouse of any deceased
32 former prisoner of war described in RCW 73.04.110(2), one (~~((set of))~~)
33 regular or special license (~~((plates))~~) plate for use on a personal
34 passenger vehicle registered to that person.

35 The (~~((plates))~~) plate shall be issued without the payment of any
36 license fees or excise tax on the vehicle. Whenever any person who has
37 been issued a license (~~((plates))~~) plate under this section applies to
38 the department for transfer of the (~~((plates))~~) plate to a subsequently

1 acquired motor vehicle, a transfer fee of five dollars shall be charged
2 in addition to all other appropriate fees. If the surviving spouse
3 remarries, he or she shall return the special (~~((plates))~~) plate to the
4 department within fifteen days and apply for a regular license
5 (~~((plates))~~) plate.

6 **Sec. 51.** RCW 82.44.023 and 1998 c 321 s 38 and 1998 c 145 s 1 are
7 each reenacted and amended to read as follows:

8 (~~((Rental cars as defined in RCW 46.04.465 are exempt from the taxes
9 imposed in RCW 82.44.020(1).))~~) When a rental car ceases to be used for
10 rental car purposes the year and month tabs on the license (~~((plates))~~)
11 plate shall be altered by the rental car company in such a manner as to
12 render the plate void of any designation of month and year. The
13 department of licensing shall, by rule, set forth the process of
14 alteration and shall provide at no cost to the rental car company, any
15 materials necessary to render the plate void of any designation of the
16 month and year tabs. At the time of retail sale, (~~((motor vehicle
17 excise tax and))~~) applicable licensing fees will be collected for a full
18 twelve months.

19 **Sec. 52.** RCW 82.44.060 and 1990 c 42 s 304 are each amended to
20 read as follows:

21 The excise tax hereby imposed shall be due and payable to the
22 department or its agents at the time of registration of a motor
23 vehicle. Whenever an application is made to the department or its
24 agents for a license for a motor vehicle there shall be collected, in
25 addition to the amount of the license fee or renewal license fee, the
26 amount of the excise tax imposed by this chapter, and no dealer's
27 license or license (~~((plates))~~) plate, and no license or license
28 (~~((plates))~~) plate for a motor vehicle shall be issued unless such tax is
29 paid in full. The excise tax hereby imposed shall be collected for
30 each registration year. The excise tax upon a motor vehicle licensed
31 for the first time in this state shall be levied for one full
32 registration year commencing on the date of the calendar year
33 designated by the department and ending on the same date of the next
34 succeeding calendar year. For vehicles registered under chapter 46.87
35 RCW, proportional registration, and for a vehicle dealer (~~((plates))~~)
36 plate issued under chapter 46.70 RCW, the registration year is the
37 period provided in those chapters: PROVIDED, That the tax shall in no

1 case be less than two dollars except for proportionally registered
2 vehicles.

3 A motor vehicle shall be deemed licensed for the first time in this
4 state when such vehicle was not previously licensed by this state for
5 the registration year immediately preceding the registration year in
6 which the application for license is made or when the vehicle has been
7 registered in another jurisdiction subsequent to any prior registration
8 in this state.

9 No additional tax shall be imposed under this chapter upon any
10 vehicle upon the transfer of ownership thereof if the tax imposed with
11 respect to such vehicle has already been paid for the registration year
12 or fraction of a registration year in which transfer of ownership
13 occurs.

14 **Sec. 53.** RCW 82.44.090 and 1961 c 15 s 82.44.090 are each amended
15 to read as follows:

16 It shall be unlawful for the county auditor or any other person to
17 issue a dealer's license or dealer's license (~~((plates))~~) plate or a
18 license or identification (~~((plates))~~) plate with respect to any motor
19 vehicle without collecting, with the required license fee, the amount
20 of the excise tax due thereon under the provisions of this chapter.
21 Any violation of this section shall constitute a gross misdemeanor.

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