
HOUSE BILL 2228

State of Washington 60th Legislature 2007 Regular Session

By Representative McDonald

Read first time 02/14/2007. Referred to Committee on Transportation.

1 AN ACT Relating to requiring motor vehicle liability insurance;
2 amending RCW 46.30.020; adding new sections to chapter 46.16 RCW;
3 prescribing penalties; and providing an effective date.

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

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

7 To renew a vehicle license an applicant must provide proof of being
8 insured under a motor vehicle liability policy with liability limits of
9 at least the amounts provided in RCW 46.29.090, a self-insurance
10 certificate as provided in RCW 46.29.630, or proof of coverage under a
11 liability bond of at least the amounts provided in RCW 46.29.090.

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

14 (1) Whenever the motor vehicle liability insurance policy, self-
15 insurance certificate, or liability bond required under section 1 of
16 this act is not renewed or is canceled, whether the nonrenewal or
17 cancellation is initiated by the insured, the insurance company, or the
18 bonding company, the registered owner of the vehicle or vehicles shall

1 immediately notify the department. Failure to provide notice of
2 nonrenewal or cancellation of a self-insurance certificate or liability
3 bond under this subsection is a misdemeanor.

4 (2) Whenever a motor vehicle liability insurance policy is not
5 renewed or is canceled, the insurance company that provided the policy
6 shall immediately notify the department.

7 (3) Upon learning of or receiving notice that a registered owner no
8 longer carries a liability insurance policy, self-insurance
9 certificate, or liability bond, the department shall immediately notify
10 the registered owner of the vehicle or vehicles formerly covered under
11 the policy, certificate, or bond, that the registration for the vehicle
12 or vehicles will be canceled within thirty days from the date of the
13 notice unless the person in whose name the registration appears
14 furnishes proof to the department within that time that replacement
15 insurance has been obtained, or that the requirements of some other
16 method of proof of financial responsibility allowed under RCW 46.30.020
17 have been met. If that proof is not supplied within the thirty-day
18 period, the department shall immediately cancel the registration.

19 (4) The department shall not refund any part of a vehicle
20 registration fee if a vehicle registration is canceled under this
21 section.

22 **Sec. 3.** RCW 46.30.020 and 2003 c 221 s 1 are each amended to read
23 as follows:

24 (1)(a) No person may operate a motor vehicle subject to
25 registration under chapter 46.16 RCW in this state unless the person is
26 insured under a motor vehicle liability policy with liability limits of
27 at least the amounts provided in RCW 46.29.090, is self-insured as
28 provided in RCW 46.29.630, is covered by a certificate of deposit in
29 conformance with RCW 46.29.550, or is covered by a liability bond of at
30 least the amounts provided in RCW 46.29.090. Written proof of
31 financial responsibility for motor vehicle operation must be provided
32 on the request of a law enforcement officer in the format specified
33 under RCW 46.30.030.

34 (b) A person who drives a motor vehicle that is required to be
35 registered in another state that requires drivers and owners of
36 vehicles in that state to maintain insurance or financial

1 responsibility shall, when requested by a law enforcement officer,
2 provide evidence of financial responsibility or insurance as is
3 required by the laws of the state in which the vehicle is registered.

4 (c) When asked to do so by a law enforcement officer, failure to
5 display an insurance identification card as specified under RCW
6 46.30.030 creates a presumption that the person does not have motor
7 vehicle insurance.

8 (d)(i) Failure to provide proof of motor vehicle insurance is a
9 traffic infraction and is subject to penalties as set by the supreme
10 court under RCW 46.63.110 or community restitution.

11 (ii) If a driver fails to provide proof of financial responsibility
12 or motor vehicle insurance when requested by a law enforcement officer,
13 the law enforcement officer may issue a notice of traffic infraction
14 and shall impound the vehicle if the person cited is also a registered
15 owner of the vehicle. If the vehicle is impounded, a registered owner
16 of the vehicle must: Pay any and all costs associated with
17 impoundment, including costs for towing, removal, and storage of the
18 vehicle; pay any other fees and fines incurred; and provide proof of
19 financial responsibility or motor vehicle insurance before the vehicle
20 can be redeemed.

21 (2) If a person cited for a violation of subsection (1) of this
22 section appears in person before the court or a violations bureau and
23 provides written evidence that at the time the person was cited, he or
24 she was in compliance with the financial responsibility requirements of
25 subsection (1) of this section, the citation shall be dismissed and the
26 court or violations bureau may assess court administrative costs of
27 twenty-five dollars at the time of dismissal. In lieu of personal
28 appearance, a person cited for a violation of subsection (1) of this
29 section may, before the date scheduled for the person's appearance
30 before the court or violations bureau, submit by mail to the court or
31 violations bureau written evidence that at the time the person was
32 cited, he or she was in compliance with the financial responsibility
33 requirements of subsection (1) of this section, in which case the
34 citation shall be dismissed without cost, except that the court or
35 violations bureau may assess court administrative costs of twenty-five
36 dollars at the time of dismissal.

37 (3) The provisions of this chapter shall not govern:

1 (a) The operation of a motor vehicle registered under RCW
2 46.16.305(1), governed by RCW 46.16.020, or registered with the
3 Washington utilities and transportation commission as common or
4 contract carriers; or

5 (b) The operation of a motorcycle as defined in RCW 46.04.330, a
6 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined
7 in RCW 46.04.304.

8 (4) RCW 46.29.490 shall not be deemed to govern all motor vehicle
9 liability policies required by this chapter but only those certified
10 for the purposes stated in chapter 46.29 RCW.

11 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2008.

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