
HOUSE BILL 2749

State of Washington

54th Legislature

1996 Regular Session

By Representatives Clements, L. Thomas and Silver

Read first time 01/18/96. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to vehicle liability insurance; and amending RCW
2 46.30.020.

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

4 **Sec. 1.** RCW 46.30.020 and 1991 sp.s. c 25 s 1 are each amended to
5 read as follows:

6 (1)(a) No person may operate a motor vehicle subject to
7 registration under chapter 46.16 RCW in this state unless the person is
8 insured under a motor vehicle liability policy with liability limits of
9 at least the amounts provided in RCW 46.29.090, is self-insured as
10 provided in RCW 46.29.630, is covered by a certificate of deposit in
11 conformance with RCW 46.29.550, or is covered by a liability bond of at
12 least the amounts provided in RCW 46.29.090. Written proof of
13 financial responsibility for motor vehicle operation must be provided
14 on the request of a law enforcement officer in the format specified
15 under RCW 46.30.030.

16 (b) A person who drives a motor vehicle that is required to be
17 registered in another state that requires drivers and owners of
18 vehicles in that state to maintain insurance or financial
19 responsibility shall, when requested by a law enforcement officer,

1 provide evidence of financial responsibility or insurance as is
2 required by the laws of the state in which the vehicle is registered.

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

7 (d)(i) Failure to provide proof of motor vehicle insurance is a
8 traffic infraction and is subject to penalties as set by the supreme
9 court under RCW 46.63.110 or community service. The court shall waive
10 the penalty for an infraction under this subsection if the person cited
11 for the violation proves to the court that the person has obtained the
12 required motor vehicle insurance since the notice of infraction was
13 issued and the amount paid for this insurance was at least the amount
14 of the monetary penalty.

15 (ii) If a person fails to provide proof of motor vehicle insurance
16 more than one time during a twenty-four-month period, and the previous
17 citation or citations have not been dismissed under subsection (2) of
18 this section, the sentencing court shall order the surrender of the
19 vehicle registration and license plates for the vehicle operated at the
20 time of the citation if that vehicle was operated by a registered
21 owner, by a member of the registered owner's immediate family, or by a
22 person who was authorized by a registered owner to operate the vehicle.
23 The court shall send the registration and license plates and a copy of
24 the disposition order to the department, which shall immediately
25 suspend the registration and license plates until a registered owner
26 provides proof that a one-year, nonrefundable vehicle insurance policy
27 has been obtained to meet the required motor vehicle insurance
28 coverage, or until one year has passed since the registration and
29 license plates were suspended, whichever occurs first. If the vehicle
30 is transferred to a new owner, the new owner may register the vehicle.
31 The department may charge reasonable fees to suspend and reinstate the
32 registration and license plates.

33 (2) If a person cited for a violation of subsection (1) of this
34 section appears in person before the court and provides written
35 evidence that at the time the person was cited, he or she was in
36 compliance with the financial responsibility requirements of subsection
37 (1) of this section, the citation shall be dismissed. In lieu of
38 personal appearance, a person cited for a violation of subsection (1)
39 of this section may, before the date scheduled for the person's

1 appearance before the court, submit by mail to the court written
2 evidence that at the time the person was cited, he or she was in
3 compliance with the financial responsibility requirements of subsection
4 (1) of this section, in which case the citation shall be dismissed
5 without cost, except that the court may assess court administrative
6 costs of twenty-five dollars at the time of dismissal.

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

8 (a) The operation of a motor vehicle registered under RCW
9 46.16.305(1), governed by RCW 46.16.020, or registered with the
10 Washington utilities and transportation commission as common or
11 contract carriers; or

12 (b) The operation of a motorcycle as defined in RCW 46.04.330, a
13 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined
14 in RCW 46.04.304.

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

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