

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5167**

54th Legislature  
1996 Regular Session

Passed by the Senate March 4, 1996  
YEAS 46 NAYS 1

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**President of the Senate**

Passed by the House February 29, 1996  
YEAS 96 NAYS 0

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5167** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5167**

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AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

**State of Washington                      54th Legislature                      1995 Regular Session**

**By Senate Committee on Law & Justice (originally sponsored by Senator Smith)**

Read first time 02/02/95.

1            AN ACT Relating to service of process; and amending RCW 4.28.080.  
2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3            **Sec. 1.** RCW 4.28.080 and 1991 sp.s. c 30 s 28 are each amended to  
4 read as follows:

5            Service made in the modes provided in this section shall be taken  
6 and held to be personal service. The summons shall be served by  
7 delivering a copy thereof, as follows:

8            (1) If the action be against any county in this state, to the  
9 county auditor or, during normal office hours, to the deputy auditor,  
10 or in the case of a charter county, summons may be served upon the  
11 agent, if any, designated by the legislative authority.

12            (2) If against any town or incorporated city in the state, to the  
13 mayor, city manager, or, during normal office hours, to the mayor's or  
14 city manager's designated agent or the city clerk thereof.

15            (3) If against a school or fire district, to the superintendent or  
16 commissioner thereof or by leaving the same in his or her office with  
17 an assistant superintendent, deputy commissioner, or business manager  
18 during normal business hours.

19            (4) If against a railroad corporation, to any station, freight,  
20 ticket or other agent thereof within this state.

1 (5) If against a corporation owning or operating sleeping cars, or  
2 hotel cars, to any person having charge of any of its cars or any agent  
3 found within the state.

4 (6) If against a domestic insurance company, to any agent  
5 authorized by such company to solicit insurance within this state.

6 (7) If against a foreign or alien insurance company, as provided in  
7 chapter 48.05 RCW.

8 (8) If against a company or corporation doing any express business,  
9 to any agent authorized by said company or corporation to receive and  
10 deliver express matters and collect pay therefor within this state.

11 (9) If the suit be against a company or corporation other than  
12 those designated in the preceding subdivisions of this section, to the  
13 president or other head of the company or corporation, the registered  
14 agent, secretary, cashier or managing agent thereof or to the  
15 secretary, stenographer or office assistant of the president or other  
16 head of the company or corporation, registered agent, secretary,  
17 cashier or managing agent.

18 (10) If the suit be against a foreign corporation or nonresident  
19 joint stock company, partnership or association doing business within  
20 this state, to any agent, cashier or secretary thereof.

21 (11) If against a minor under the age of fourteen years, to such  
22 minor personally, and also to his or her father, mother, guardian, or  
23 if there be none within this state, then to any person having the care  
24 or control of such minor, or with whom he or she resides, or in whose  
25 service he or she is employed, if such there be.

26 (12) If against any person for whom a guardian has been appointed  
27 for any cause, then to such guardian.

28 (13) If against a foreign or alien steamship company or steamship  
29 charterer, to any agent authorized by such company or charterer to  
30 solicit cargo or passengers for transportation to or from ports in the  
31 state of Washington.

32 (14) If against a self-insurance program regulated by chapter 48.62  
33 RCW, as provided in chapter 48.62 RCW.

34 (15) In all other cases, to the defendant personally, or by leaving  
35 a copy of the summons at the house of his or her usual abode with some  
36 person of suitable age and discretion then resident therein.

37 (~~Service made in the modes provided in this section shall be taken~~  
38 ~~and held to be personal service.~~)

1       (16) In lieu of service under subsection (15) of this section,  
2 where the person cannot with reasonable diligence be served as  
3 described, the summons may be served as provided in this subsection,  
4 and shall be deemed complete on the tenth day after the required  
5 mailing:

6       (a) By leaving a copy at his or her usual mailing address other  
7 than a United States postal service post office box with a person of  
8 suitable age and discretion then resident therein or, if the address is  
9 a place of business, with the secretary, office manager, vice-  
10 president, president, or other head of the company, or with the  
11 secretary or office assistant to such secretary, office manager, vice-  
12 president, president, or other head of the company, and by thereafter  
13 mailing a copy by first class mail, postage prepaid, to the person to  
14 be served at his or her usual mailing address other than a United  
15 States postal service post office box; or

16       (b) By leaving a copy at his or her place of employment, during  
17 usual business hours, with the secretary, office manager, vice-  
18 president, president, or other head of the company, or with the  
19 secretary or office assistant to such secretary, office manager, vice-  
20 president, president, or other head of the company, and by thereafter  
21 mailing a copy by first class mail, postage prepaid, to the person to  
22 be served at his or her place of employment.

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