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**HOUSE BILL 1391**

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**State of Washington****52nd Legislature****1991 Regular Session**

**By** Representatives Paris, Beck, Sheldon, Wood, Riley, Roland, R. Johnson, Franklin, Ludwig, Hochstatter, Chandler, Ballard, Forner, Casada, Brumsickle, Mielke, Padden, Mitchell, Morton, Broback, Betrozoff and Basich. Read first time January 28, 1991. Referred to Committee on Financial Institutions & Insurance.

1       AN ACT Relating to proof of insurance; amending RCW 46.30.020 and  
2 46.30.040; and prescribing penalties.

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

4       **Sec. 1.** RCW 46.30.020 and 1989 c 353 s 2 are each amended to read  
5 as follows:

6           (1) No person may operate a motor vehicle subject to registration  
7 under chapter 46.16 RCW in this state unless the person is insured  
8 under a motor vehicle liability policy with liability limits of at  
9 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.

13         (2) A violation of this section constitutes a traffic infraction  
14 ((punishable by a fine of two hundred and fifty dollars unless a court  
15 determines that in the interest of justice the fine should be reduced.

1 In lieu of the fine, a court may permit the defendant to perform  
2 community service designated by the court)). A person found to have  
3 committed such infraction shall be assessed a monetary penalty or  
4 community service in accordance with RCW 46.63.110 and 46.63.120.

5 (3) If a person cited for a violation of this section appears in  
6 person before the court and provides written evidence that at the time  
7 the person was cited, he or she was in compliance with this section,  
8 the citation shall be dismissed without cost. In lieu of personal  
9 appearance, a person cited for a violation of this section may, before  
10 the date scheduled for the person's appearance before the court, submit  
11 by mail to the court written evidence that at the time the person was  
12 cited, he or she was in compliance with this section, in which case the  
13 citation shall be dismissed without cost.

14 (4) The provisions of this chapter shall not govern:

15 (a) The operation of a motor vehicle registered under RCW  
16 ((46.16.310 or 46.16.315,)) 46.16.305(1), governed by RCW 46.16.020, or  
17 registered with the Washington utilities and transportation commission  
18 as common or contract carriers; or

19 (b) The operation of a motorcycle as defined in RCW 46.04.330, a  
20 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined  
21 in RCW 46.04.304.

22 (5) RCW 46.29.490 shall not be deemed to govern all motor vehicle  
23 liability policies required by this chapter but only those certified  
24 for the purposes stated in chapter 46.29 RCW.

25 (6) An investigating officer may issue a citation for a violation  
26 of this section if the person fails to provide evidence of financial  
27 responsibility or insurance as required under RCW 46.30.040.

28 **Sec. 2.** RCW 46.30.040 and 1989 c 353 s 4 are each amended to read  
29 as follows:

1       (1) Whenever a person operates a motor vehicle subject to  
2 registration under chapter 46.16 RCW, the person shall have in his or  
3 her possession an identification card of the type specified in RCW  
4 46.30.030 and shall display the card upon demand to a law enforcement  
5 officer.

6       (2) Every person who drives a motor vehicle required to be  
7 registered in another state that requires drivers and owners of  
8 vehicles in that state to maintain insurance or financial  
9 responsibility shall, when requested by a law enforcement officer,  
10 provide evidence of financial responsibility or insurance as is  
11 required by the laws of the state in which the vehicle is registered.

12       (3) A violation of subsection (1) or (2) of this section is not a  
13 traffic infraction. Failure to provide evidence of financial  
14 responsibility as required under subsection (1) or (2) of this section  
15 is reasonable cause for an investigating officer to believe that the  
16 person driving the motor vehicle is not insured or otherwise  
17 financially responsible as required by RCW 46.30.020(1). The officer  
18 may cite the person for a traffic infraction under RCW 46.30.020.

19       (4) Any person who knowingly provides false evidence of financial  
20 responsibility to a law enforcement officer or to a court, including an  
21 expired or canceled insurance policy, bond, or certificate of deposit  
22 is guilty of a misdemeanor.