
HOUSE BILL 2460

State of Washington

54th Legislature

1996 Regular Session

By Representatives Pennington, L. Thomas and Benton

Read first time 01/11/96. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to failure to provide proof of vehicle liability
2 insurance; amending RCW 46.30.020; and prescribing penalties.

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.

10 (ii) If a person fails to provide proof of motor vehicle insurance
11 more than one time during a twelve-month period, and the previous
12 citation or citations have not been dismissed under subsection (2) of
13 this section, the law enforcement officer may, in addition to issuing
14 a citation, impound the vehicle if the person cited is also a
15 registered owner of the vehicle. The impounding law enforcement agency
16 shall provide notice of the impoundment to registered and legal owners
17 of the impounded vehicle. A vehicle impounded under this subsection
18 must be released to a person entitled to lawful possession upon proof
19 of meeting the insurance requirements for the vehicle, payment to the
20 law enforcement agency of a fee of fifteen dollars, and payment of any
21 towing and storage charges. The person seeking release of the vehicle
22 shall present proof of insurance to the impounding law enforcement
23 agency, which shall authorize the person storing the vehicle to release
24 it upon payment of the applicable charges. Local governments may adopt
25 ordinances dealing with impounding vehicles under this subsection.

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

1 person shall comply with subsection (1)(d)(ii) of this section,
2 including paying towing and other charges.

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

4 (a) The operation of a motor vehicle registered under RCW
5 46.16.305(1), governed by RCW 46.16.020, or registered with the
6 Washington utilities and transportation commission as common or
7 contract carriers; or

8 (b) The operation of a motorcycle as defined in RCW 46.04.330, a
9 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined
10 in RCW 46.04.304.

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

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