
SUBSTITUTE SENATE BILL 5095

State of Washington

63rd Legislature

2013 Regular Session

By Senate Financial Institutions, Housing & Insurance (originally sponsored by Senators Roach, Tom, Rivers, Becker, Holmquist Newbry, Schoesler, Ericksen, Padden, Bailey, Hill, and Honeyford)

READ FIRST TIME 01/31/13.

1 AN ACT Relating to providing proof of financial responsibility for
2 motor vehicle operation; and amending RCW 46.30.020 and 46.30.030.

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

4 **Sec. 1.** RCW 46.30.020 and 2011 c 171 s 76 are each amended to read
5 as follows:

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

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)~~) proof of financial
6 responsibility for motor vehicle operation as specified under RCW
7 46.30.030 creates a presumption that the person does not have motor
8 vehicle insurance.

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

12 (e) For the purposes of this section, when a person uses a portable
13 electronic device to display proof of financial security to a law
14 enforcement officer, the officer may only view the proof of financial
15 security and is otherwise prohibited from viewing any other content on
16 the portable electronic device.

17 (f) Whenever a person presents a portable electronic device
18 pursuant to this section, that person assumes all liability for any
19 damage to the portable electronic device.

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

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

37 (a) The operation of a motor vehicle registered under RCW 46.18.220

1 or 46.18.255, governed by RCW 46.16A.170, or registered with the
2 Washington utilities and transportation commission as common or
3 contract carriers; or

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

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

10 **Sec. 2.** RCW 46.30.030 and 1989 c 353 s 3 are each amended to read
11 as follows:

12 (1) Whenever an insurance company issues or renews a motor vehicle
13 liability insurance policy, the company shall provide the policyholder
14 with an identification card as specified by the department of
15 licensing. At the policyholder's request, the insurer shall provide
16 the policyholder a card for each vehicle covered under the policy. The
17 card required by this section may be provided in either paper or
18 electronic format. Acceptable electronic formats include the display
19 of electronic images on a cellular phone or any other type of portable
20 electronic device.

21 (2) The department of licensing shall adopt rules specifying the
22 type, style, and content of insurance identification cards to be used
23 for proof of compliance with RCW 46.30.020, including the method for
24 issuance of such identification cards by persons or organizations
25 providing proof of compliance through self-insurance, certificate of
26 deposit, or bond. In adopting such rules the department shall consider
27 the guidelines for insurance identification cards developed by the
28 insurance industry committee on motor vehicle administration.

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