

SENATE BILL REPORT

HB 1391

AS OF APRIL 2, 1991

Brief Description: Prescribing penalties for violations of laws requiring motor vehicle liability insurance.

SPONSORS: 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.

HOUSE COMMITTEE ON FINANCIAL INSTITUTIONS & INSURANCE

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS & INSURANCE

Staff: Meg Jones (786-7416)

Hearing Dates: April 4, 1991

BACKGROUND:

Washington's financial responsibility laws require insurance or a bond to lawfully operate a motor vehicle. Mandatory auto insurance laws were passed in 1989 requiring insurance coverage and motorists must carry insurance identification cards to prove they possess insurance.

As enacted, the courts may disparately enforce the laws, allowing motorists who commit exactly the same offense to be charged with between one and three violations, and to be assessed fines, penalties, court costs or community service ranging from \$47 to \$475.

Courts are also permitted to dismiss the citation if a person provides written proof by mail or in person that they had insurance at the time cited, but didn't have the card with them. Full court costs and assessments are charged in some jurisdictions even when such proof is presented.

SUMMARY:

The language assessing a \$250 fine for violating the section requiring compliance with the financial responsibility laws to operate a motor vehicle is eliminated. A violation of the financial responsibility laws constitutes a traffic infraction subject to a monetary penalty or community service, to be set by the Supreme Court's bail schedule.

If written evidence of compliance at the time of citation is presented to the court by mail or in person, the citation shall be dismissed without cost.

If a person fails to provide evidence of financial responsibility or insurance by providing an insurance identification card, this creates a presumption that they have committed the traffic infraction of operating a motor vehicle without complying with the state's financial responsibility laws. The presumption permits the officer to cite the motorist for violating the mandatory auto insurance law.

Appropriation: none

Revenue: none

Fiscal Note: none requested