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**SUBSTITUTE HOUSE BILL 1294**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** House Committee on Financial Institutions & Insurance (originally sponsored by Representatives R. Meyers, Schmidt, Dellwo, Dorn, Inslee, Padden, Anderson, Paris and Wang).

Read first time February 19, 1991.

1       AN ACT Relating to mandatory offering of personal injury protection  
2 insurance; adding new sections to chapter 48.22 RCW; creating a new  
3 section; and providing an effective date.

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

5       NEW SECTION.   **Sec. 1.**       Unless the context clearly requires  
6 otherwise, the definitions in this section apply throughout this  
7 chapter.

8       (1) "Motor vehicle liability insurance policy" means a policy  
9 insuring against loss resulting from liability imposed by law for  
10 bodily injury, death, or property damage suffered by a person and  
11 arising out of the ownership, maintenance, or use of a motor vehicle.

12       (2) "Insured" includes:

13       (a) The person named in the policy;

1 (b) A person who is a resident of the named insured's household and  
2 is either related to the named insured by blood, marriage, or adoption,  
3 or is the named insured's ward, foster child, or stepchild;

4 (c) A person while occupying or using, with permission of an  
5 insured, a motor vehicle insured under the policy; and

6 (d) A person entitled to recover damages because of bodily injury  
7 to or the death of a person indicated in (a) through (c) of this  
8 subsection.

9 NEW SECTION. **Sec. 2.** Every motor vehicle liability insurance  
10 policy issued or renewed with respect to a private passenger  
11 automobile, as defined in RCW 48.18.297 and which is not used in the  
12 occupation, profession, or business of the insured, and a motor home,  
13 as defined in RCW 46.04.305, registered or principally garaged in this  
14 state shall provide personal injury protection benefits for the  
15 reasonable and necessary medical and hospital expenses, funeral  
16 expenses, loss of income, and loss of household services sustained by  
17 an insured because of bodily injury caused by a motor vehicle accident  
18 unless the named insured or spouse has rejected such coverage in  
19 writing.

20 NEW SECTION. **Sec. 3.** (1) Personal injury protection benefits  
21 need not be provided for vendor's single interest policies, or general  
22 liability policies, commonly known as umbrella policies, or other  
23 policies that apply only as excess to the motor vehicle liability  
24 policy directly applicable to the insured motor vehicle.

25 (2) Personal injury protection benefits need not be provided for an  
26 insured while the insured is operating or occupying a motorcycle or  
27 motor-driven cycle as defined in RCW 46.04.330 and 46.04.332.

1        NEW SECTION.    **Sec. 4.**        (1)    Benefits    for    reasonable    and  
2    necessary    medical    and    hospital    expenses    shall    include    coverage    for  
3    prosthetic    devices,    eyeglasses,    ambulance    services,    and    professional  
4    nursing    services.    At    a    minimum,    such    coverage    shall    pay    the    expenses  
5    incurred    within    three    years    after    the    date    of    the    insured's    injury    up  
6    to    ten    thousand    dollars.

7        (2)    At    a    minimum,    benefits    for    funeral    expenses    shall    be    provided  
8    in    an    amount    up    to    two    thousand    dollars.

9        (3)    At    a    minimum,    benefits    for    loss    of    income    shall    be    provided    in  
10    an    amount    up    to    ten    thousand    dollars.

11       (4)    At    a    minimum,    benefits    for    loss    of    services    shall    be    provided  
12    in    an    amount    up    to    five    thousand    dollars.

13       NEW SECTION.    **Sec. 5.**        Sections    1    through    4    of    this    act    are  
14    each    added    to    chapter    48.22    RCW.

15       NEW SECTION.    **Sec. 6.**        If    any    provision    of    this    act    or    its  
16    application    to    any    person    or    circumstance    is    held    invalid,    the  
17    remainder    of    the    act    or    the    application    of    the    provision    to    other  
18    persons    or    circumstances    is    not    affected.

19       NEW SECTION.    **Sec. 7.**        Sections    1    through    4    of    this    act    shall  
20    take    effect    on    January    1,    1992.

21       NEW SECTION.    **Sec. 8.**        The    commissioner    may    adopt    such    rules    as  
22    are    necessary    to    implement    sections    1    through    4    of    this    act    by    January  
23    1,    1992.