

CERTIFICATION OF ENROLLMENT
SUBSTITUTE HOUSE BILL 2005

52nd Legislature
1991 Regular Session

Passed by the House March 20, 1991
Yeas 98 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate April 12, 1991
Yeas 39 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2005** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 2005

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Jones, Wilson, R. Fisher and Schmidt).

Read first time March 11, 1991.

1 AN ACT Relating to freight brokers and forwarders; and amending RCW
2 81.80.430.

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

4 **Sec. 1.** RCW 81.80.430 and 1990 c 109 s 1 are each amended to read
5 as follows:

6 (1) (~~(After June 30, 1991, each broker or forwarder)~~) A person who
7 provides brokering or forwarding services for the transportation of
8 property in intrastate commerce shall file with the commission and keep
9 in effect, a surety bond or deposit of satisfactory security, in a sum
10 to be determined by the commission, but not less than five thousand
11 dollars, conditioned upon such broker or forwarder making compensation
12 to shippers, consignees, and carriers for all moneys belonging to them
13 and coming into the broker's or forwarder's possession in connection
14 with the transportation service.

1 (2) (~~After June 30, 1991,~~) It is unlawful for a broker or
2 forwarder to conduct business (~~as such~~) in this state without first
3 securing appropriate authority from the Interstate Commerce Commission,
4 if such authority is required, and registering with and providing
5 satisfactory evidence of financial responsibility to the Washington
6 utilities and transportation commission. Satisfactory evidence of
7 financial responsibility shall consist of a surety bond or deposit of
8 security. Compliance with this requirement may be met by filing a copy
9 of a surety bond or trust fund approved by the Interstate Commerce
10 Commission. The commission shall grant such registration without
11 hearing, upon application and payment of (~~the appropriate filing~~) a
12 one-time registration fee as prescribed by (~~this chapter for other~~
13 applications for operating authority) the commission. For purposes of
14 this subsection, a broker or forwarder conducts business in this state
15 when the broker or forwarder, its employees, or agents is physically
16 present in the state and is acting as a broker or forwarder.

17 (3) Failure to file the bond (~~or~~), deposit (~~the~~) security, or
18 provide satisfactory evidence of financial responsibility is sufficient
19 cause for refusal of the commission to grant the application for a
20 permit or registration. Failure to maintain the bond or the deposit of
21 security is sufficient cause for cancellation of a permit or
22 registration.