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**SUBSTITUTE SENATE BILL 5790**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Pelz, Moore, Vognild, Rasmussen, McCaslin, Johnson and West).

Read first time March 6, 1991.

1       AN ACT Relating to mandatory liability insurance; amending RCW  
2 46.30.020 and 46.30.040; and prescribing penalties.

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

4       **Sec. 1.** RCW 46.30.020 and 1989 c 353 s 2 are each amended to read  
5 as follows:

6       (1)(a) No person may operate a motor vehicle subject to  
7 registration under chapter 46.16 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 request of a law enforcement officer in the format specified under  
15 RCW 46.30.030.

1 (b) A person who drives a motor vehicle that is required to be  
2 registered in another state that requires drivers and owners of  
3 vehicles in that state to maintain insurance or financial  
4 responsibility shall, when requested by a law enforcement officer,  
5 provide evidence of financial responsibility or insurance as is  
6 required by the laws of the state in which the vehicle is registered.

7 (c) When asked to do so by a law enforcement officer, failure to  
8 display an insurance identification card as specified under RCW  
9 46.30.030 creates a presumption that the person does not have motor  
10 vehicle insurance.

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

14 ~~(2) ((A violation of this section constitutes a traffic infraction~~  
15 ~~punishable by a fine of two hundred and fifty dollars unless a court~~  
16 ~~determines that in the interest of justice the fine should be reduced.~~  
17 ~~In lieu of the fine, a court may permit the defendant to perform~~  
18 ~~community service designated by the court.~~

19 ~~(3))~~ If a person cited for a violation of subsection (1) of this  
20 section appears in person before the court and provides written  
21 evidence that at the time the person was cited, he or she was in  
22 compliance with this section, the citation shall be dismissed without  
23 cost or assessment. In lieu of personal appearance, a person cited for  
24 a violation of subsection (1) of this section may, before the date  
25 scheduled for the person's appearance before the court, submit by mail  
26 to the court written evidence that at the time the person was cited, he  
27 or she was in compliance with subsection (1) of this section, in which  
28 case the citation shall be dismissed without cost or assessment.

29 ~~((4))~~ (3) The provisions of this chapter shall not govern:

1 (a) The operation of a motor vehicle registered under ((RCW  
2 46.16.310 or 46.16.315, governed by)) RCW 46.16.020, registered with  
3 the Washington utilities and transportation commission as common or  
4 contract carriers; or

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

8 ((5)) (4) RCW 46.29.490 shall not be deemed to govern all motor  
9 vehicle liability policies required by this chapter but only those  
10 certified for the purposes stated in chapter 46.29 RCW.

11 **Sec. 2.** RCW 46.30.040 and 1989 c 353 s 4 are each amended to read  
12 as follows:

13 ((1) Whenever a person operates a motor vehicle subject to  
14 registration under chapter 46.16 RCW, the person shall have in his or  
15 her possession an identification card of the type specified in RCW  
16 46.30.030 and shall display the card upon demand to a law enforcement  
17 officer.

18 (2) Every person who drives a motor vehicle required to be  
19 registered in another state that requires drivers and owners of  
20 vehicles in that state to maintain insurance or financial  
21 responsibility shall, when requested by a law enforcement officer,  
22 provide evidence of financial responsibility or insurance as is  
23 required by the laws of the state in which the vehicle is registered.

24 (3)) Any person who knowingly provides false evidence of financial  
25 responsibility to a law enforcement officer or to a court, including an  
26 expired or canceled insurance policy, bond, or certificate of deposit  
27 is guilty of a misdemeanor.