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SENATE BILL 6466

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State of Washington

52nd Legislature

1992 Regular Session

By Senators von Reichbauer, Owen, Erwin, West and Pelz

Read first time 02/03/92. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to food products requiring insurance or proof of  
2 financial responsibility; adding a new chapter to Title 69 RCW; and  
3 prescribing penalties.

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 definition in this section applies throughout this  
7 chapter. "Food products delivery guarantee" means a statement  
8 guaranteeing or warranting the time of delivery of a food product or  
9 service.

10 NEW SECTION. **Sec. 2.** A person may bring a civil action for  
11 injuries or damages proximately caused by a food products delivery  
12 guarantee. Damages may include nominal, compensatory, and punitive  
13 damages. Costs and attorneys' fees shall be awarded by the court to a

1 prevailing party. The relief provided in this section is in addition  
2 to remedies otherwise provided by law.

3 NEW SECTION. **Sec. 3.** When a court finds that a person made a  
4 food products delivery guarantee that proximately resulted in injury or  
5 damage to another or another's property, the attorney general of the  
6 state of Washington may petition the court on behalf of the state for  
7 a civil penalty of five thousand dollars for each occurrence of injury  
8 or damage.

9 NEW SECTION. **Sec. 4.** Food products deliverers shall have  
10 either a surety bond or public liability insurance to cover damages in  
11 the event that a food product guarantee proximately causes injuries or  
12 damages to property or persons. The minimum coverage shall be two  
13 hundred fifty thousand dollars for injury or damage to property per  
14 occurrence and two hundred fifty thousand dollars for injury or damage,  
15 including death, to any one person and five hundred twenty-five  
16 thousand dollars for injury or damage, including death, to more than  
17 one person.

18 NEW SECTION. **Sec. 5.** This chapter may be known and cited as  
19 the food products delivery guarantee act.

20 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act shall  
21 constitute a new chapter in Title 69 RCW.