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SENATE BILL 5326

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State of Washington                      53rd Legislature                      1993 Regular Session

By Senators Pelz, von Reichbauer, Moore and Winsley

Read first time 01/22/93. Referred to Committee on Labor & Commerce.

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 for the retail sale of  
9 a prepared food product or 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  
14 prevailing party. The relief provided in this section is in addition  
15 to remedies otherwise provided by law.

16           NEW SECTION.    **Sec. 3.**    When a court finds that a person made a food  
17 products delivery guarantee that proximately resulted in injury or

1 damage to another or another's property, the attorney general of the  
2 state of Washington may petition the court on behalf of the state for  
3 a civil penalty of five thousand dollars for each occurrence of injury  
4 or damage.

5 NEW SECTION. **Sec. 4.** All retail prepared food delivery businesses  
6 shall have public liability insurance for nonowned motor vehicles used  
7 by employees for delivery purposes. The minimum coverage shall be two  
8 hundred fifty thousand dollars for injury or damage to property per  
9 occurrence and two hundred fifty thousand dollars for injury or damage,  
10 including death, to any one person and five hundred twenty-five  
11 thousand dollars for injury or damage, including death, to more than  
12 one person.

13 NEW SECTION. **Sec. 5.** This chapter may be known and cited as the  
14 Food Products Delivery Guarantee Act.

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

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