

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2448

63rd Legislature
2014 Regular Session

Passed by the House February 12, 2014
Yeas 97 Nays 0

Speaker of the House of Representatives

Passed by the Senate March 4, 2014
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2448** 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 2448

Passed Legislature - 2014 Regular Session

State of Washington 63rd Legislature 2014 Regular Session

By House Business & Financial Services (originally sponsored by Representatives Fey, Orcutt, and Ryu; by request of State Treasurer)

READ FIRST TIME 01/31/14.

1 AN ACT Relating to transferring the insurance and financial
2 responsibility program; and amending RCW 46.29.550, 46.29.560,
3 46.29.580, and 46.29.600.

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

5 **Sec. 1.** RCW 46.29.550 and 2010 c 8 s 9046 are each amended to read
6 as follows:

7 Proof of financial responsibility may be evidenced by the
8 certificate of the (~~state treasurer~~) department that the person named
9 therein has deposited with him or her sixty thousand dollars in cash,
10 or securities such as may legally be purchased by savings banks or for
11 trust funds of a market value of sixty thousand dollars. The (~~state~~
12 ~~treasurer~~) department shall not accept any such deposit and issue a
13 certificate therefor and the department shall not accept such
14 certificate unless accompanied by evidence that there are no
15 unsatisfied judgments of any character against the depositor in the
16 county where the depositor resides.

17 **Sec. 2.** RCW 46.29.560 and 2010 c 8 s 9047 are each amended to read
18 as follows:

1 Such deposit shall be held by the (~~state treasurer~~) department to
2 satisfy, in accordance with the provisions of this chapter, any
3 execution on a judgment issued against such person making the deposit,
4 for damages, including damages for care and loss of services, because
5 of bodily injury to or death of any person, or for damages because of
6 injury to or destruction of property, including the loss of use
7 thereof, resulting from the ownership, maintenance, use, or operation
8 of a vehicle of a type subject to registration under the laws of this
9 state after such deposit was made. Money or securities so deposited
10 shall not be subject to attachment or execution unless such attachment
11 or execution shall arise out of a suit for damages as aforesaid. Any
12 interest or other income accruing to such money or securities, so
13 deposited, shall be paid (~~by the state treasurer~~) to the depositor,
14 or his or her order, as received.

15 **Sec. 3.** RCW 46.29.580 and 1963 c 169 s 58 are each amended to read
16 as follows:

17 The department shall consent to the cancellation of any bond or
18 certificate of insurance or the department shall direct and (~~the state~~
19 ~~treasurer shall~~) return any money or securities to the person entitled
20 thereto upon the substitution and acceptance of other adequate proof of
21 financial responsibility pursuant to this chapter.

22 **Sec. 4.** RCW 46.29.600 and 2010 c 8 s 9049 are each amended to read
23 as follows:

24 (1) The department shall upon request consent to the immediate
25 cancellation of any bond or certificate of insurance, or the department
26 shall direct and (~~the state treasurer shall~~) return to the person
27 entitled thereto any money or securities deposited pursuant to this
28 chapter as proof of financial responsibility, or the department shall
29 waive the requirement of filing proof, in any of the following events:

30 (a) At any time after three years from the date such proof was
31 required when, during the three-year period preceding the request, the
32 department has not received record of a conviction, forfeiture of bail,
33 or finding that a traffic infraction has been committed which would
34 require or permit the suspension or revocation of the license of the
35 person by or for whom such proof was furnished; or

1 (b) In the event of the death of the person on whose behalf such
2 proof was filed or the permanent incapacity of such person to operate
3 a motor vehicle; or

4 (c) In the event the person who has given proof surrenders his or
5 her license to the department.

6 (2) Provided, however, that the department shall not consent to the
7 cancellation of any bond or the return of any money or securities in
8 the event any action for damages upon a liability covered by such proof
9 is then pending or any judgment upon any such liability is then
10 unsatisfied, or in the event the person who has filed such bond or
11 deposited such money or securities has within one year immediately
12 preceding such request been involved as a driver or owner in any motor
13 vehicle accident resulting in injury or damage to the person or
14 property of others. An affidavit of the applicant as to the
15 nonexistence of such facts, or that he or she has been released from
16 all of his or her liability, or has been finally adjudicated not to be
17 liable, for such injury or damage, shall be sufficient evidence thereof
18 in the absence of evidence to the contrary in the records of the
19 department.

20 (3) Whenever any person whose proof has been canceled or returned
21 under subsection (1)(c) of this section applies for a license within a
22 period of three years from the date proof was originally required, any
23 such application shall be refused unless the applicant shall
24 reestablish such proof for the remainder of such three-year period.

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