Chapter 308-89 WAC
TRANSPORTATION OF PASSENGERS IN FOR HIRE VEHICLES

WAC

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WAC 308-89-010 For hire liability and property damage insurance. (1) For hire businesses must maintain liability and property damage insurance for each vehicle as required in RCW 46.72.050.

(2) The bond or certificate of insurance must be submitted before a vehicle certificate may be issued, reissued, or renewed. The bond or the certificate of insurance shall include: (a) The name of the insured in the same manner as will appear on the master license; (b) operating name (c) inception and expiration dates of coverage; (d) the name of the insuring company; (e) the policy number; and (f) the year, make and vehicle identification number of each vehicle operated or intended to be operated.

(3) The director may refuse any insurance policy submitted with one or more of the following conditions present: (a) Any policy containing a deductible clause for any amount deductible, unless the policy clearly states that all claims under the policy will be directly paid in full to the claimant including the deductible amount by the insurer; (b) any policy containing a clause restricting the insured's age in regard to insurance validity; and (c) any policy which is determined to be a "surplus line" policy, as described in RCW 48.15.040, [without the appropriate affidavit being filed] with the office of the insurance commissioner.

(4) Cancellation: In the event of cancellation of the coverage noted on the policy, the insuring company shall serve a copy of such notice upon the director of the department of licensing which shall not be less than ten days prior to the date fixed in the notice as the date of termination of liability.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-89-010, filed 8/1/96, effective 9/1/96. Statutory Authority: RCW 46.72.120. 85-21-034 (Order TL-RG-18), § 308-89-010, filed 10/11/85.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 308-89-020 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "For hire vehicle" as defined in chapter 87, Laws of 1996, RCW 46.72.010(1), 46.04.190, and such other vehicles used for the purpose of transporting passengers for compensation and not excluded in RCW or WAC.

(2) "Cabulance" cabulance transportation is appropriate for persons confined to wheelchairs or persons otherwise physically restricted such that they cannot be safely transported by public mass transportation vehicles, taxicabs, or automobiles. Persons transported by cabulance must be stable, must not be incapacitated from medications, nor in need of oxygen or medical attention enroute;

(3) "Business owner" means operator or carrier as defined in chapter 87, Laws of 1996 and RCW 46.72.010(2).

(4) "Person or persons" means an individual, a corporation, association, joint stock association, partnership, limited liability partnership or limited liability companies, or their lessees, trustees, or receivers.

(5) "Public highway" includes every public street, road, or highway in this state.

(6) "Master license" as defined in chapters 19.02 RCW.

(7) "Vehicle certificate" is a for hire vehicle certificate issued by the department which must be carried in the for hire vehicle at all times. The vehicle certificate is not the vehicle registration.

(8) "Operating name" means trade name as defined in chapter 19.80 RCW.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-89-020, filed 8/1/96, effective 9/1/96. Statutory Authority: ESSB 6460 and RCW 46.72.120. 92-12-036, § 308-89-020, filed 5/29/92, effective 7/1/92. Statutory Authority: RCW 46.72.120. 85-21-034 (Order TL-RG-18), § 308-89-020, filed 10/11/85.]

WAC 308-89-030 Nonresident. A nonresident business owner of for hire vehicle(s) is one whose place of residence state does not participate in a reciprocal agreement with Washington state. Nonresident business owners are subject to any and all requirements and restrictions which apply to the resident business owner. Nonresident insurance certificates will not be accepted with any limiting clause or statement which may invalidate the coverage upon entrance into the state of Washington.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-89-030, filed 8/1/96, effective 9/1/96. Statutory Authority: RCW 46.72.120. 85-16-088 (Order TL-RG-15), § 308-89-030, filed 8/6/85.]

WAC 308-89-040 Applications/for hire vehicle certificates. (1) All applications for a for hire business license shall be on a master application and accompanied by a filing fee as listed in WAC 308-060 and RCW 19.02.075.

(2) To acquire a vehicle certificate for each vehicle intended to be operated as a for hire vehicle, the for hire business shall submit to the department, the vehicle registration, the bond or certificate of insurance, and fees as defined in WAC 308-89-060.

(a) The certificate will be issued in the name of the business owner and the operating name. The bond or certificate of insurance and vehicle registration must be issued in the exact

name of the business owner and trade name that will appear on the master license.

(b) The vehicle registration must have the use class recorded as either "CAB" or "F/H."

(3) Remittances shall be made by any legal tender as authorized by the department.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-89-040, filed 8/1/96, effective 9/1/96. Statutory Authority: ESSB 6460 and RCW 46.72.120. 92-12-036, § 308-89-040, filed 5/29/92, effective 7/1/92. Statutory Authority: RCW 46.72.120. 85-16-088 (Order TL-RG-15), § 308-89-040, filed 8/6/85.]

WAC 308-89-050 Licenses. (1) The department will not issue a for hire business license to any person who does not meet the requirements established in chapter 46.72 RCW and chapter 308-89 WAC.

(2) For hire business licenses may not be leased, assigned, or otherwise transferred.

(3) The vehicle certificate must be renewed annually on, or before the expiration date. Failure to renew prior to the expiration date will result in penalty fees as defined in chapter 19.02 RCW. No vehicle may continue to be operated as a for hire vehicle if its vehicle certificate has expired.

(4) The vehicle certificate renewal must include the bond or certificate of insurance.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-89-050, filed 8/1/96, effective 9/1/96. Statutory Authority: ESSB 6460 and RCW 46.72.120. 92-12-036, § 308-89-050, filed 5/29/92, effective 7/1/92. Statutory Authority: RCW 46.72.120. 85-16-088 (Order TL-RG-15), § 308-89-050, filed 8/6/85.]

WAC 308-89-060 Fees. The department, as authorized in RCW 46.72, shall charge and collect the following fees:

New for hire business application	$110.00
New vehicle certificate	55.00
Vehicle certificate renewal	55.00
Change of vehicle certificate	55.00
Duplicate vehicle certificate	55.00

[Statutory Authority: RCW 46.72.120 and 2012 c 86 § 208(20). 12-24-046, § 308-89-060, filed 11/30/12, effective 1/1/13. Statutory Authority: 1996 c 87. 96-16-032, § 308-89-060, filed 8/1/96, effective 9/1/96. Statutory Authority: ESSB 6460 and RCW 46.72.120. 92-12-036, § 308-89-060, filed 5/29/92, effective 7/1/92.]