

1 5790-S.E AMH DELL H3196.1

2 **ESSB 5790 - H AMD 694 ADOPTED 6-28-91**

3 By Representative Dellwo

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 46.30.020 and 1991 c 339 s 24 are each amended to
8 read as follows:

9 (1)(a) No person may operate a motor vehicle subject to
10 registration under chapter 46.16 RCW in this state unless the person is
11 insured under a motor vehicle liability policy with liability limits of
12 at least the amounts provided in RCW 46.29.090, is self-insured as
13 provided in RCW 46.29.630, is covered by a certificate of deposit in
14 conformance with RCW 46.29.550, or is covered by a liability bond of at
15 least the amounts provided in RCW 46.29.090. Written proof of
16 financial responsibility for motor vehicle operation must be provided
17 on the request of a law enforcement officer in the format specified
18 under RCW 46.30.030.

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

25 (c) When asked to do so by a law enforcement officer, failure to
26 display an insurance identification card as specified under RCW
27 46.30.030 creates a presumption that the person does not have motor
28 vehicle insurance.

1 (d) Failure to provide proof of motor vehicle insurance is a
2 traffic infraction and is subject to penalties as set by the supreme
3 court under RCW 46.63.110 or community service.

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

9 ~~(3))~~ If a person cited for a violation of subsection (1) of this
10 section appears in person before the court and provides written
11 evidence that at the time the person was cited, he or she was in
12 compliance with the financial responsibility requirements of subsection
13 (1) of this section, the citation shall be dismissed. In lieu of
14 personal appearance, a person cited for a violation of subsection (1)
15 of this section may, before the date scheduled for the person's
16 appearance before the court, submit by mail to the court written
17 evidence that at the time the person was cited, he or she was in
18 compliance with the financial responsibility requirements of subsection
19 (1) of this section, in which case the citation shall be dismissed
20 without cost, except that the court may assess court administrative
21 costs of twenty-five dollars at the time of dismissal.

22 ~~((4))~~ (3) The provisions of this chapter shall not govern:

23 (a) The operation of a motor vehicle registered under RCW
24 46.16.305(1), governed by RCW 46.16.020, or registered with the
25 Washington utilities and transportation commission as common or
26 contract carriers; or

27 (b) The operation of a motorcycle as defined in RCW 46.04.330, a
28 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined
29 in RCW 46.04.304.

1 (~~(5)~~) (4) RCW 46.29.490 shall not be deemed to govern all motor
2 vehicle liability policies required by this chapter but only those
3 certified for the purposes stated in chapter 46.29 RCW."

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

6 (~~(1)~~) Whenever a person operates a motor vehicle subject to
7 registration under chapter 46.16 RCW, the person shall have in his or
8 her possession an identification card of the type specified in RCW
9 46.30.030 and shall display the card upon demand to a law enforcement
10 officer.

11 (2) Every person who drives a motor vehicle required to be
12 registered in another state that requires drivers and owners of
13 vehicles in that state to maintain insurance or financial
14 responsibility shall, when requested by a law enforcement officer,
15 provide evidence of financial responsibility or insurance as is
16 required by the laws of the state in which the vehicle is registered.

17 (3)) Any person who knowingly provides false evidence of financial
18 responsibility to a law enforcement officer or to a court, including an
19 expired or canceled insurance policy, bond, or certificate of deposit
20 is guilty of a misdemeanor."

21 "**Sec. 3.** RCW 46.63.151 and 1981 c 19 s 4 are each amended to read
22 as follows:

23 " Each party to a traffic infraction case is responsible for costs
24 incurred by that party. No costs or attorney fees may be awarded to
25 either party in a traffic infraction case, except as provided for in
26 RCW 46.30.020(2)."

1 **ESSB 5790** - H AMD
2 By Representative Dellwo

3

4 In line 1 of the title, after "insurance;" strike the remainder of
5 the title and insert "amending RCW 46.30.020, 46.30.040, and 46.63.151;
6 and prescribing penalties."