

2 **ESSB 5790** - H COMM AMD

3 By Committee on Financial Institutions & Insurance

4

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

7 "Sec. 1. RCW 46.30.020 and 1989 c 353 s 2 are each amended to read
8 as follows:

9 (1) No person may operate a motor vehicle subject to registration
10 under chapter 46.16 RCW in this state unless the person is insured
11 under a motor vehicle liability policy with liability limits of at
12 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.

16 (2) A violation of this section constitutes a traffic infraction
17 (~~((punishable by a fine of two hundred and fifty dollars unless a court
18 determines that in the interest of justice the fine should be reduced.
19 In lieu of the fine, a court may permit the defendant to perform
20 community service designated by the court))~~). A person found to have
21 committed such infraction shall be assessed a monetary penalty or
22 community service in accordance with RCW 46.63.110 and 46.63.120.

23 (3) If a person cited for a violation of this section appears in
24 person before the court and provides written evidence that at the time
25 the person was cited, he or she was in compliance with this section,
26 the citation shall be dismissed without cost. In lieu of personal
27 appearance, a person cited for a violation of this section may, before
28 the date scheduled for the person's appearance before the court, submit

1 by mail to the court written evidence that at the time the person was
2 cited, he or she was in compliance with this section, in which case the
3 citation shall be dismissed without cost.

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

5 (a) The operation of a motor vehicle registered under RCW
6 (~~46.16.310 or 46.16.315,~~) 46.16.305(1), governed by RCW 46.16.020, or
7 registered with the Washington utilities and transportation commission
8 as common or contract carriers; or

9 (b) The operation of a motorcycle as defined in RCW 46.04.330, a
10 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined
11 in RCW 46.04.304.

12 (5) RCW 46.29.490 shall not be deemed to govern all motor vehicle
13 liability policies required by this chapter but only those certified
14 for the purposes stated in chapter 46.29 RCW.

15 (6) An investigating officer may issue a citation for a violation
16 of this section if the person fails to provide evidence of financial
17 responsibility or insurance as required under RCW 46.30.040."

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

20 (1) Whenever a person operates a motor vehicle subject to
21 registration under chapter 46.16 RCW, the person shall have in his or
22 her possession an identification card of the type specified in RCW
23 46.30.030 and shall display the card upon demand to a law enforcement
24 officer.

25 (2) Every person who drives a motor vehicle required to be
26 registered in another state that requires drivers and owners of
27 vehicles in that state to maintain insurance or financial
28 responsibility shall, when requested by a law enforcement officer,

1 provide evidence of financial responsibility or insurance as is
2 required by the laws of the state in which the vehicle is registered.

3 (3) A violation of subsection (1) or (2) of this section is not a
4 traffic infraction. Failure to provide evidence of financial
5 responsibility as required under subsection (1) or (2) of this section
6 is reasonable cause for an investigating officer to believe that the
7 person driving the motor vehicle is not insured or otherwise
8 financially responsible as required by RCW 46.30.020(1). The officer
9 may cite the person for a traffic infraction under RCW 46.30.020.

10 (4) Any person who knowingly provides false evidence of financial
11 responsibility to a law enforcement officer or to a court, including an
12 expired or canceled insurance policy, bond, or certificate of deposit
13 is guilty of a misdemeanor."

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17 In line 1 of the title, after "insurance;" strike the remainder of
18 the title and insert "amending RCW 46.30.020 and 46.30.040; and
19 prescribing penalties."