
ENGROSSED SUBSTITUTE SENATE BILL 5790

State of Washington

52nd Legislature

1991 Regular Session

By Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Pelz, Moore, Vognild, Rasmussen, McCaslin, Johnson and West). Read first time March 6, 1991.

1 AN ACT Relating to mandatory liability insurance; amending RCW
2 46.30.020, 46.30.040, and 46.63.151; and prescribing penalties.

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

4 **Sec. 1.** RCW 46.30.020 and 1989 c 353 s 2 are each amended to read
5 as follows:

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

1 (b) A person who drives a motor vehicle that is required to be
2 registered in another state that requires drivers and owners of
3 vehicles in that state to maintain insurance or financial
4 responsibility shall, when requested by a law enforcement officer,
5 provide evidence of financial responsibility or insurance as is
6 required by the laws of the state in which the vehicle is registered.

7 (c) When asked to do so by a law enforcement officer, failure to
8 display an insurance identification card as specified under RCW
9 46.30.030 creates a presumption that the person does not have motor
10 vehicle insurance.

11 (d) Failure to provide proof of motor vehicle insurance is a
12 traffic infraction and subject to penalties as set by the supreme court
13 under RCW 46.63.110.

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

19 ~~(3))~~ If a person cited for a violation of subsection (1) of this
20 section appears in person before the court and provides written
21 evidence that at the time the person was cited, he or she was in
22 compliance with this section, the citation shall be dismissed. In lieu
23 of personal appearance, a person cited for a violation of subsection
24 (1) of this section may, before the date scheduled for the person's
25 appearance before the court, submit by mail to the court written
26 evidence that at the time the person was cited, he or she was in
27 compliance with subsection (1) of this section, in which case the
28 citation shall be dismissed. A person who provides such written
29 evidence may be assessed court administrative costs of twenty-five
30 dollars at the time the traffic infraction citation is dismissed.

1 ~~((4))~~ (3) The provisions of this chapter shall not govern:

2 (a) The operation of a motor vehicle registered under ~~((RCW~~
3 ~~46.16.310 or 46.16.315, governed by))~~ RCW 46.16.020, registered with
4 the Washington utilities and transportation commission as common or
5 contract carriers; or

6 (b) The operation of a motorcycle as defined in RCW 46.04.330, a
7 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined
8 in RCW 46.04.304.

9 ~~((5))~~ (4) RCW 46.29.490 shall not be deemed to govern all motor
10 vehicle liability policies required by this chapter but only those
11 certified for the purposes stated in chapter 46.29 RCW.

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

14 ~~((1) Whenever a person operates a motor vehicle subject to~~
15 ~~registration under chapter 46.16 RCW, the person shall have in his or~~
16 ~~her possession an identification card of the type specified in RCW~~
17 ~~46.30.030 and shall display the card upon demand to a law enforcement~~
18 ~~officer.~~

19 ~~(2) Every person who drives a motor vehicle 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 ~~(3))~~ Any person who knowingly provides false evidence of financial
26 responsibility to a law enforcement officer or to a court, including an
27 expired or canceled insurance policy, bond, or certificate of deposit
28 is guilty of a misdemeanor.

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

3 Each party to a traffic infraction case is responsible for costs
4 incurred by that party. No costs or attorney fees may be awarded to
5 either party in a traffic infraction case, except as provided for in
6 RCW 46.30.020(2).