

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5790

52nd Legislature
1991 First Special Session

Passed by the Senate June 28, 1991
Yeas 39 Nays 4

President of the Senate

Passed by the House June 28, 1991
Yeas 92 Nays 0

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5790** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5790

AS AMENDED BY THE HOUSE

Passed Legislature - 1991 First Special Session

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 1991 c 339 s 24 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 the request of a law enforcement officer in the format specified
15 under 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 is subject to penalties as set by the supreme
13 court under RCW 46.63.110 or community service.

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 the financial responsibility requirements of subsection
23 (1) of this section, the citation shall be dismissed. In lieu of
24 personal appearance, a person cited for a violation of subsection (1)
25 of this section may, before the date scheduled for the person's
26 appearance before the court, submit by mail to the court written
27 evidence that at the time the person was cited, he or she was in
28 compliance with the financial responsibility requirements of subsection
29 (1) of this section, in which case the citation shall be dismissed

1 without cost, except that the court may assess court administrative
2 costs of twenty-five dollars at the time of dismissal.

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

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

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

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

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

16 ~~((1) Whenever a person operates a motor vehicle subject to~~
17 ~~registration under chapter 46.16 RCW, the person shall have in his or~~
18 ~~her possession an identification card of the type specified in RCW~~
19 ~~46.30.030 and shall display the card upon demand to a law enforcement~~
20 ~~officer.~~

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

27 ~~(3))~~ Any person who knowingly provides false evidence of financial
28 responsibility to a law enforcement officer or to a court, including an

1 expired or canceled insurance policy, bond, or certificate of deposit
2 is guilty of a misdemeanor.

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

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