

HOUSE BILL REPORT

HB 1576

As Passed Legislature

Title: An act relating to dismissal of citations for failure to provide proof of insurance.

Brief Description: Revising provisions relating to dismissal of citations for failure to provide proof of insurance.

Sponsors: By Representatives Campbell, Kirby, Newhouse and Moeller.

Brief History:

Committee Activity:

Judiciary: 2/14/03, 2/25/03 [DP].

Floor Activity:

Passed House: 3/14/03, 84-10.

Passed Senate: 4/16/03, 49-0.

Passed Legislature.

<h3>Brief Summary of Bill</h3>

- Authorizes a court to assess a \$25 fee for a personal appearance to get a dismissal of a citation for failure to provide proof of insurance.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 9 members: Representatives Lantz, Chair; Moeller, Vice Chair; Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; Campbell, Flannigan, Kirby, Lovick and Newhouse.

Staff: Bill Perry (786-7123).

Background:

All drivers of cars registered in this state are required to have liability insurance of a specified type and amount. In addition, all drivers are required to carry proof of such insurance in their cars and are required to show that proof upon the request of a law enforcement officer.

Failure to provide proof of insurance is a traffic infraction, punishable by a fine of \$250

or by community restitution.

If a driver subsequently presents proof that he or she was in fact covered by insurance at the time of the request for proof, the infraction will be dismissed. If the proof is submitted by mail, the court may assess a \$25 administrative fee to cover the cost of the dismissal. However, the driver may also present the proof in person to the court, in which case there is no statutory authorization for an administrative fee.

Summary of Bill:

If a driver appears in person to get a failure to provide proof of insurance citation dismissed, the court may assess an administrative fee of \$25.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: There is no reason for allowing a fee in the case of mailed-in dismissals, and not allowing the fee for in-person dismissals. If anything, the appearance in person costs the court more than the mail procedure.

Testimony Against: None.

Testified: Representative Campbell, prime sponsor; and Brett Buckley, Washington District and Municipal Court Judges Association.