
HOUSE BILL 2966

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58th Legislature

2004 Regular Session

By Representatives Ahern, Lovick, Wallace, Boldt, Ormsby, Delvin, Benson, O'Brien, Bush, Campbell, Rockefeller and Chase

Read first time 01/26/2004. Referred to Committee on Transportation.

1 AN ACT Relating to the penalty for failure to provide proof of
2 motor vehicle insurance; amending RCW 46.30.020 and 46.63.020; and
3 prescribing penalties.

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

5 **Sec. 1.** RCW 46.30.020 and 2003 c 221 s 1 are each amended to read
6 as follows:

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

17 (b) A person who drives a motor vehicle that is required to be
18 registered in another state that requires drivers and owners of
19 vehicles in that state to maintain insurance or financial

1 responsibility shall, when requested by a law enforcement officer,
2 provide evidence of financial responsibility or insurance as is
3 required by the laws of the state in which the vehicle is registered.

4 (c) When asked to do so by a law enforcement officer, failure to
5 display an insurance identification card as specified under RCW
6 46.30.030 creates a presumption that the person does not have motor
7 vehicle insurance.

8 (d)(i) Failure to provide proof of motor vehicle insurance when the
9 driver is determined to be at fault in an accident that either causes
10 (A) property damage or (B) bodily injury as defined in RCW
11 9A.42.010(2)(a) to an occupant of a vehicle involved in the accident,
12 other than the driver who lacks liability insurance is a (~~traffic~~
13 ~~infraction and is subject to penalties as set by the supreme court~~
14 ~~under RCW 46.63.110 or community restitution~~) gross misdemeanor.

15 (ii) Failure to provide proof of motor vehicle insurance under
16 conditions not constituting a violation of (d)(i) of this subsection is
17 a misdemeanor.

18 (2) If a person cited for a violation of subsection (1) of this
19 section appears in person before the court or a violations bureau and
20 provides written evidence that at the time the person was cited, he or
21 she was in compliance with the financial responsibility requirements of
22 subsection (1) of this section, the citation shall be dismissed and the
23 court or violations bureau may assess court administrative costs of
24 twenty-five dollars at the time of dismissal. In lieu of personal
25 appearance, a person cited for a violation of subsection (1) of this
26 section may, before the date scheduled for the person's appearance
27 before the court or violations bureau, submit by mail to the court or
28 violations bureau written evidence that at the time the person was
29 cited, he or she was in compliance with the financial responsibility
30 requirements of subsection (1) of this section, in which case the
31 citation shall be dismissed without cost, except that the court or
32 violations bureau may assess court administrative costs of twenty-five
33 dollars at the time of dismissal.

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

35 (a) The operation of a motor vehicle registered under RCW
36 46.16.305(1), governed by RCW 46.16.020, or registered with the
37 Washington utilities and transportation commission as common or
38 contract carriers; or

1 (b) The operation of a motorcycle as defined in RCW 46.04.330, a
2 motor-driven cycle as defined in RCW 46.04.332, or a moped as defined
3 in RCW 46.04.304.

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

7 **Sec. 2.** RCW 46.63.020 and 2003 c 33 s 4 are each amended to read
8 as follows:

9 Failure to perform any act required or the performance of any act
10 prohibited by this title or an equivalent administrative regulation or
11 local law, ordinance, regulation, or resolution relating to traffic
12 including parking, standing, stopping, and pedestrian offenses, is
13 designated as a traffic infraction and may not be classified as a
14 criminal offense, except for an offense contained in the following
15 provisions of this title or a violation of an equivalent administrative
16 regulation or local law, ordinance, regulation, or resolution:

17 (1) RCW 46.09.120(2) relating to the operation of a nonhighway
18 vehicle while under the influence of intoxicating liquor or a
19 controlled substance;

20 (2) RCW 46.09.130 relating to operation of nonhighway vehicles;

21 (3) RCW 46.10.090(2) relating to the operation of a snowmobile
22 while under the influence of intoxicating liquor or narcotics or habit-
23 forming drugs or in a manner endangering the person of another;

24 (4) RCW 46.10.130 relating to the operation of snowmobiles;

25 (5) Chapter 46.12 RCW relating to certificates of ownership and
26 registration and markings indicating that a vehicle has been destroyed
27 or declared a total loss;

28 (6) RCW 46.16.010 relating to initial registration of motor
29 vehicles;

30 (7) RCW 46.16.011 relating to permitting unauthorized persons to
31 drive;

32 (8) RCW 46.16.160 relating to vehicle trip permits;

33 (9) RCW 46.16.381(2) relating to knowingly providing false
34 information in conjunction with an application for a special placard or
35 license plate for disabled persons' parking;

36 (10) RCW 46.20.005 relating to driving without a valid driver's
37 license;

1 (11) RCW 46.20.091 relating to false statements regarding a
2 driver's license or instruction permit;
3 (12) RCW 46.20.0921 relating to the unlawful possession and use of
4 a driver's license;
5 (13) RCW 46.20.342 relating to driving with a suspended or revoked
6 license or status;
7 (14) RCW 46.20.345 relating to the operation of a motor vehicle
8 with a suspended or revoked license;
9 (15) RCW 46.20.410 relating to the violation of restrictions of an
10 occupational driver's license;
11 (16) RCW 46.20.740 relating to operation of a motor vehicle without
12 an ignition interlock device in violation of a license notation that
13 the device is required;
14 (17) RCW 46.20.750 relating to assisting another person to start a
15 vehicle equipped with an ignition interlock device;
16 (18) RCW 46.25.170 relating to commercial driver's licenses;
17 (19) Chapter 46.29 RCW relating to financial responsibility;
18 (20) RCW 46.30.020 relating to driving without proof of insurance;
19 (21) RCW 46.30.040 relating to providing false evidence of
20 financial responsibility;
21 ~~((+21))~~ (22) RCW 46.37.435 relating to wrongful installation of
22 sunscreening material;
23 ~~((+22))~~ (23) RCW 46.37.650 relating to the sale, resale,
24 distribution, or installation of a previously deployed air bag;
25 ~~((+23))~~ (24) RCW 46.44.180 relating to operation of mobile home
26 pilot vehicles;
27 ~~((+24))~~ (25) RCW 46.48.175 relating to the transportation of
28 dangerous articles;
29 ~~((+25))~~ (26) RCW 46.52.010 relating to duty on striking an
30 unattended car or other property;
31 ~~((+26))~~ (27) RCW 46.52.020 relating to duty in case of injury to
32 or death of a person or damage to an attended vehicle;
33 ~~((+27))~~ (28) RCW 46.52.090 relating to reports by repairmen,
34 storagemen, and appraisers;
35 ~~((+28))~~ (29) RCW 46.52.130 relating to confidentiality of the
36 driving record to be furnished to an insurance company, an employer,
37 and an alcohol/drug assessment or treatment agency;

1 (~~(29)~~) (30) RCW 46.55.020 relating to engaging in the activities
2 of a registered tow truck operator without a registration certificate;
3 (~~(30)~~) (31) RCW 46.55.035 relating to prohibited practices by tow
4 truck operators;
5 (~~(31)~~) (32) RCW 46.61.015 relating to obedience to police
6 officers, flaggers, or fire fighters;
7 (~~(32)~~) (33) RCW 46.61.020 relating to refusal to give information
8 to or cooperate with an officer;
9 (~~(33)~~) (34) RCW 46.61.022 relating to failure to stop and give
10 identification to an officer;
11 (~~(34)~~) (35) RCW 46.61.024 relating to attempting to elude
12 pursuing police vehicles;
13 (~~(35)~~) (36) RCW 46.61.500 relating to reckless driving;
14 (~~(36)~~) (37) RCW 46.61.502 and 46.61.504 relating to persons under
15 the influence of intoxicating liquor or drugs;
16 (~~(37)~~) (38) RCW 46.61.503 relating to a person under age twenty-
17 one driving a motor vehicle after consuming alcohol;
18 (~~(38)~~) (39) RCW 46.61.520 relating to vehicular homicide by motor
19 vehicle;
20 (~~(39)~~) (40) RCW 46.61.522 relating to vehicular assault;
21 (~~(40)~~) (41) RCW 46.61.5249 relating to first degree negligent
22 driving;
23 (~~(41)~~) (42) RCW 46.61.527(4) relating to reckless endangerment of
24 roadway workers;
25 (~~(42)~~) (43) RCW 46.61.530 relating to racing of vehicles on
26 highways;
27 (~~(43)~~) (44) RCW 46.61.685 relating to leaving children in an
28 unattended vehicle with the motor running;
29 (~~(44)~~) (45) RCW 46.61.740 relating to theft of motor vehicle
30 fuel;
31 (~~(45)~~) (46) RCW 46.64.010 relating to unlawful cancellation of or
32 attempt to cancel a traffic citation;
33 (~~(46)~~) (47) RCW 46.64.048 relating to attempting, aiding,
34 abetting, coercing, and committing crimes;
35 (~~(47)~~) (48) Chapter 46.65 RCW relating to habitual traffic
36 offenders;
37 (~~(48)~~) (49) RCW 46.68.010 relating to false statements made to
38 obtain a refund;

1 (~~(49)~~) (50) Chapter 46.70 RCW relating to unfair motor vehicle
2 business practices, except where that chapter provides for the
3 assessment of monetary penalties of a civil nature;
4 (~~(50)~~) (51) Chapter 46.72 RCW relating to the transportation of
5 passengers in for hire vehicles;
6 (~~(51)~~) (52) RCW 46.72A.060 relating to limousine carrier
7 insurance;
8 (~~(52)~~) (53) RCW 46.72A.070 relating to operation of a limousine
9 without a vehicle certificate;
10 (~~(53)~~) (54) RCW 46.72A.080 relating to false advertising by a
11 limousine carrier;
12 (~~(54)~~) (55) Chapter 46.80 RCW relating to motor vehicle wreckers;
13 (~~(55)~~) (56) Chapter 46.82 RCW relating to driver's training
14 schools;
15 (~~(56)~~) (57) RCW 46.87.260 relating to alteration or forgery of a
16 cab card, letter of authority, or other temporary authority issued
17 under chapter 46.87 RCW;
18 (~~(57)~~) (58) RCW 46.87.290 relating to operation of an
19 unregistered or unlicensed vehicle under chapter 46.87 RCW.

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