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**SUBSTITUTE SENATE BILL 5550**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Habib and Fain)

READ FIRST TIME 02/27/15.

1 AN ACT Relating to providers of commercial transportation  
2 services; amending RCW 18.235.020, 46.72.010, 51.12.020, and  
3 81.72.240; reenacting and amending RCW 42.56.270 and 43.79A.040;  
4 adding a new chapter to Title 46 RCW; and repealing RCW 46.72.073,  
5 46.72A.053, 51.12.180, 51.12.183, 51.12.185, 51.16.240, and  
6 81.72.230.

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

8 NEW SECTION. **Sec. 1.** The definitions in this section apply  
9 throughout this chapter unless the context clearly requires  
10 otherwise.

11 (1) "Department" means the department of licensing.

12 (2) "Personal vehicle" means a vehicle that is used by a  
13 transportation network company driver in connection with providing  
14 services for a transportation network company that meets the vehicle  
15 criteria in this chapter and that is authorized by the transportation  
16 network company.

17 (3) "Prearranged ride" means a route of travel between points  
18 chosen by the passenger and arranged with a driver through the use of  
19 a transportation network company's digital network or software  
20 application. The ride begins when a driver accepts a requested ride  
21 through a digital network or software application, continues while

1 the driver transports the passenger in a personal vehicle, and ends  
2 when the passenger departs from the personal vehicle.

3 (4) "Transportation network company" means a corporation,  
4 partnership, sole proprietorship, or other entity, operating in  
5 Washington, that uses a digital network or software application to  
6 connect passengers to drivers for the purpose of providing a  
7 prearranged ride. A transportation network company is neither a  
8 taxicab company, passenger charter carrier, or auto transportation  
9 company, as described in Title 81 RCW, nor a limousine or for hire  
10 operator, as defined in this title. A transportation network company  
11 is not deemed to own, control, operate, or manage the personal  
12 vehicles used by transportation network company drivers. A  
13 transportation network company does not include a political  
14 subdivision or other entity exempt from federal income tax under 26  
15 U.S.C. Sec. 115 of the federal internal revenue code.

16 (5) "Transportation network company driver" or "driver" means an  
17 individual who uses a personal vehicle to provide services for  
18 passengers matched through a transportation network company's digital  
19 network or software application. A driver is not a for hire operator  
20 as that term is used in this title.

21 (6) "Transportation network company passenger" or "passenger"  
22 means a passenger in a personal vehicle for whom transport is  
23 provided, including:

24 (a) An individual who uses a transportation network company's  
25 digital network or software application to connect with a driver to  
26 obtain services in the driver's vehicle for the individual and anyone  
27 in the individual's party; or

28 (b) Anyone for whom another individual uses a transportation  
29 network company's digital network or software application to connect  
30 with a driver to obtain services in the driver's vehicle.

31 (7) "Transportation network company services" or "services" means  
32 all times the driver is logged in to a transportation network  
33 company's digital network or software application or until the  
34 passenger has left the personal vehicle, whichever is later. The term  
35 does not include services provided either directly or under contract  
36 with a political subdivision or other entity exempt from federal  
37 income tax under 26 U.S.C. Sec. 115 of the federal internal revenue  
38 code.

1        NEW SECTION.    **Sec. 2.**    (1)(a) A transportation network company  
2 must comply with the requirements of this chapter, including those  
3 relating to a driver's compliance with insurance, qualification,  
4 conduct, nondiscrimination, maximum work hours, criminal history, and  
5 driving record requirements. Any penalty for a violation of this  
6 chapter may be assessed only against the transportation network  
7 company, unless (i) the transportation network company could not have  
8 reasonably known of the violation or (ii) the transportation network  
9 company knew of the violation and expeditiously took action to  
10 address the violation to the satisfaction of the department.

11        (b) This chapter does not relieve a driver from complying with  
12 requirements applicable to private vehicles set out in this title,  
13 including those relating to drivers' licenses, vehicle registrations,  
14 minimum insurance, rules of the road, and the penalties associated  
15 with any violation. Unless otherwise required, a transportation  
16 network company driver is not required to register the vehicle the  
17 driver uses for transportation network company services as a  
18 commercial or for hire vehicle.

19        (2) Except as provided in rules adopted by the department  
20 pursuant to this chapter, chapter 18.235 RCW governs unlicensed  
21 practice, unprofessional conduct, the issuance and denial of permits,  
22 and the discipline of permittees under this chapter.

23        (3) A transportation network company must comply with the  
24 registered agent requirements of chapter 23B.05 RCW.

25        (4) Pursuant to rules adopted by the department that are  
26 consistent with public safety and consumer protection, every  
27 transportation network company operating under this chapter must  
28 submit a quarterly report to the department, providing at a minimum  
29 the total number of drivers using its digital network or software  
30 application, the total number of prearranged rides, the total hours  
31 that drivers are logged in to its network, the total hours spent  
32 providing transportation network company services, and describing any  
33 accident in which a personal vehicle was involved while carrying a  
34 passenger.

35        (5) A transportation network company may not, with respect to  
36 drivers using its digital network or software application, or drivers  
37 using the digital network or software application of another  
38 transportation network company, require drivers to agree to a  
39 noncompetition agreement or otherwise prohibit a driver from working  
40 with another transportation network company. However, a

1 transportation network company may prohibit a driver's use of any  
2 brand or mark of the company in a way that is confusing to the  
3 public.

4 (6) Every transportation network company must, if achievable,  
5 make its digital network or software application accessible to  
6 persons with disabilities.

7 NEW SECTION. **Sec. 3.** (1)(a) Before being used to provide  
8 transportation network company services, every personal vehicle must  
9 be covered by a primary automobile insurance policy that specifically  
10 covers transportation network company services. Except as provided in  
11 subsection (2) of this section, a transportation network company must  
12 secure this policy for every personal vehicle used to provide  
13 transportation network company services. For purposes of this  
14 section, a "primary automobile insurance policy" is not a private  
15 passenger automobile insurance policy.

16 (b) The primary automobile insurance policy required under this  
17 section must provide coverage, as specified in this subsection  
18 (1)(b), at all times the driver is logged in to a transportation  
19 network company's digital network or software application and at all  
20 times a passenger is in the vehicle as part of a prearranged ride.

21 (i) The primary automobile insurance policy required under this  
22 subsection must provide liability coverage, during transportation  
23 network company services applicable during the period before a driver  
24 accepts a requested ride through a digital network or software  
25 application, in an amount no less than fifty thousand dollars per  
26 person for bodily injury, one hundred thousand dollars per accident  
27 for bodily injury of all persons, and thirty thousand dollars for  
28 damage to property.

29 (ii) The primary automobile insurance policy required under this  
30 subsection must provide the following coverages, applicable during  
31 the period of a prearranged ride:

32 (A) Combined single limit liability coverage in the amount of one  
33 million dollars for death, personal injury, and property damage; and

34 (B) Uninsured motorist coverage and underinsured motorist  
35 coverage in the amount of one million dollars.

36 (2)(a) As an alternative to the provisions of subsection (1) of  
37 this section, if the office of the insurance commissioner approves  
38 the offering of an insurance policy that recognizes that a person is  
39 acting as a transportation network company driver and using a

1 personal vehicle to provide transportation network company services,  
2 a driver may secure a primary automobile insurance policy covering a  
3 personal vehicle and providing the same coverage as required in  
4 subsection (1) of this section. The policy coverage may be in the  
5 form of a rider to, or endorsement of, the driver's private passenger  
6 automobile insurance policy only if approved as such by the office of  
7 the insurance commissioner.

8 (b) If the primary automobile insurance policy maintained by a  
9 driver to meet the obligation of this section does not provide  
10 coverage for any reason, including that the policy lapsed or did not  
11 exist, the transportation network company must provide the coverage  
12 required under this section beginning with the first dollar of a  
13 claim.

14 (c) The primary automobile insurance policy required under this  
15 subsection and subsection (1) of this section may be secured by any  
16 of the following:

17 (i) The transportation network company as provided under  
18 subsection (1) of this section;

19 (ii) The driver as provided under (a) of this subsection; or

20 (iii) A combination of both the transportation network company  
21 and the driver.

22 (3) The insurer or insurers providing coverage under subsections  
23 (1) and (2) of this section are the only insurers having the duty to  
24 defend any liability claim from an accident occurring while  
25 transportation network company services are being provided.

26 (4) In addition to the requirements in subsections (1) and (2) of  
27 this section, before allowing a person to provide transportation  
28 network company services as a driver, a transportation network  
29 company must provide written proof to the driver that the  
30 transportation network company driver is covered by a primary  
31 automobile insurance policy that meets the requirements of this  
32 section.

33 (5)(a) If a transportation network company maintains a primary  
34 automobile insurance policy to satisfy the obligations of this  
35 section, it must provide proof of the policy to the department.

36 (b) Alternatively, if a driver purchases a primary automobile  
37 insurance policy as allowed under subsection (2) of this section, the  
38 transportation network company must verify that the driver has done  
39 so. Additionally, the transportation network company must provide

1 proof to the department of the insurance required under subsection  
2 (2)(b) of this section.

3 (c) Upon request from the department, drivers and transportation  
4 network companies must provide copies of the policies required under  
5 this section to the department.

6 (6) A primary automobile insurance policy required under  
7 subsection (1) or (2) of this section may be placed with an insurer  
8 licensed under Title 48 RCW to provide insurance in the state of  
9 Washington or as an eligible surplus line insurance policy as  
10 described in RCW 48.15.040.

11 (7) Nothing in this section shall be construed to require a  
12 private passenger automobile insurance policy to provide primary or  
13 excess coverage or a duty to defend for the period of time in which a  
14 driver is logged in to a transportation network company's digital  
15 network or software application or while a passenger is in the  
16 vehicle.

17 (8) If more than one insurance policy provides valid and  
18 collectible coverage for a loss arising out of an occurrence  
19 involving a motor vehicle operated by a driver, the responsibility  
20 for the claim must be divided as follows:

21 (a) Except as provided otherwise under subsection (2)(c) of this  
22 section, if the driver has been matched with a passenger and is  
23 traveling to pick up the passenger, or the driver is providing  
24 services to a passenger, the transportation network company that  
25 matched the driver and passenger must provide insurance coverage; or

26 (b) If the driver is logged in to more than one transportation  
27 network company digital network or software application but has not  
28 been matched with a passenger, the liability must be divided equally  
29 among all of the applicable insurance policies that specifically  
30 provide coverage for transportation network company services.

31 (9) In an accident or claims coverage investigation, a  
32 transportation network company or its insurer must cooperate with a  
33 private passenger automobile insurance policy insurer and other  
34 insurers that are involved in the claims coverage investigation to  
35 facilitate the exchange of information, including the provision of

36 (a) dates and times at which an accident occurred that involved a  
37 participating driver and (b) within ten business days after receiving  
38 a request, a copy of the company's electronic record showing the  
39 precise times that the participating driver logged on and off the  
40 transportation network company's digital network or software

1 application on the day the accident or other loss occurred. The  
2 transportation network company or its insurer must retain all data,  
3 communications, or documents related to insurance coverage or  
4 accident details for a period of not less than the applicable  
5 statutes of limitation, plus two years from the date of an accident  
6 to which those records pertain.

7 (10) This section does not modify or abrogate any otherwise  
8 applicable insurance requirement set forth in Title 48 RCW.

9 (11) After July 1, 2016, an insurance company regulated under  
10 Title 48 RCW may not deny an otherwise covered claim arising  
11 exclusively out of the personal use of the private passenger  
12 automobile solely on the basis that the insured, at other times, used  
13 the private passenger automobile covered by the policy to provide  
14 transportation network company services.

15 (12) A city, county, political subdivision, or special purpose  
16 district may not:

17 (a) Adopt a law, rule, or ordinance that is in conflict with this  
18 chapter;

19 (b) Except as provided in subsection (13) of this section,  
20 require a transportation network company or driver to obtain any  
21 additional approval to provide services, such as a permit or license,  
22 before operating within the jurisdiction. However, this subsection  
23 (12)(b) does not apply to standard business licenses and the levying  
24 of business-related taxes at the local level; or

25 (c) Prohibit the provision of transportation network company  
26 services or the use of such services within the jurisdiction.

27 (13) Cities with a population of more than two hundred thousand  
28 and counties with a population of more than one million may (a)  
29 require a transportation network company to obtain additional  
30 approval to provide services, such as a permit or license, before  
31 operating within the jurisdiction, (b) impose regulatory fees to  
32 cover the costs of enforcement, and (c) impose monetary penalties by  
33 civil infraction for the violation of any of the provisions of this  
34 chapter. If a city or county exercises the authority provided under  
35 this subsection, it must provide quarterly reports to the department  
36 regarding its regulatory activities.

37 NEW SECTION. **Sec. 4.** (1) The following requirements apply to  
38 the provision of services:

1 (a) A driver may not solicit or accept the on-demand summoning of  
2 a ride.

3 (b) A transportation network company must make available to  
4 prospective passengers and drivers the method by which the  
5 transportation network company calculates fares or the applicable  
6 rates being charged and an option to receive an estimated fare.

7 (c) Upon completion of a prearranged ride, a transportation  
8 network company must transmit to the passenger an electronic receipt,  
9 either by electronic mail or by text message, which must document:

10 (i) The point of origin and destination of the passenger's trip;

11 (ii) The total duration and distance of the passenger's trip;

12 (iii) The total fare paid, including the base fare and any  
13 additional charges incurred or distance traveled or duration of the  
14 passenger's trip; and

15 (iv) The driver's first name and license plate number.

16 (d) Before permitting a person to act as a driver on its digital  
17 network or software application, a transportation network company  
18 must confirm that the person is at least twenty-one years of age and  
19 possesses:

20 (i) A valid driver's license;

21 (ii) Proof of private passenger automobile insurance;

22 (iii) Proof that the vehicle is registered in Washington; and

23 (iv) Pursuant to rules adopted by the department, proof that the  
24 person has certified that he or she does not experience any condition  
25 that interferes with his or her ability to safely provide services  
26 pursuant to this chapter.

27 (e) A driver may not provide prearranged rides for more than  
28 twelve consecutive hours or more than twelve hours in any twenty-four  
29 hour period, except that a driver may finish a prearranged ride that  
30 began before either time restriction.

31 (f) A transportation network company must implement an  
32 intoxicating substance policy for drivers that disallows any amount  
33 of intoxication of the driver while providing services. The  
34 transportation network company must include on its web site and  
35 mobile device application software a notice concerning the  
36 transportation network company's intoxicating substance policy.

37 (g)(i) Prior to providing transportation network company  
38 services, a transportation network company must require every  
39 personal vehicle to undergo a uniform vehicle safety inspection  
40 performed by an approved mechanic who must certify in writing that



1 the vehicle is mechanically sound and fit for driving. The approved  
2 mechanic must also certify in writing that the exterior markings  
3 required under this section are legible and properly displayed.

4 (ii) The safety inspection required under this subsection (1)(g)  
5 must be conducted annually while the personal vehicle is being used  
6 to provide transportation network company services and include an  
7 inspection of the following:

8 (A) Foot brakes;

9 (B) Emergency brakes;

10 (C) Steering mechanism;

11 (D) Windshield;

12 (E) Rear window and other glass;

13 (F) Windshield wipers;

14 (G) Headlights;

15 (H) Taillights;

16 (I) Turn indicator lights;

17 (J) Stop lights;

18 (K) Front seat adjustment mechanism;

19 (L) The opening, closing, and locking capability of the doors;

20 (M) Horn;

21 (N) Speedometer;

22 (O) Bumpers;

23 (P) Muffler and exhaust system;

24 (Q) Tire conditions, including tread depth;

25 (R) Interior and exterior rearview mirrors; and

26 (S) Safety belts.

27 (iii) A transportation network company or a third party must  
28 retain inspection records for at least fourteen months after an  
29 inspection was conducted for each personal vehicle used by a driver.

30 (iv) For purposes of this subsection (1)(g), "approved mechanic"  
31 means a mechanic or technician who is certified with the national  
32 institute for automotive service excellence and does not own, lease,  
33 or drive a taxicab, for hire vehicle, or transportation network  
34 company-endorsed vehicle.

35 (h) A personal vehicle must have at least four doors and be  
36 designed to carry no more than eight passengers, including the  
37 driver.

1 (i)(i) A transportation network company must make the following  
2 disclosures to a prospective driver in the prospective driver's terms  
3 of service:

4 WHILE OPERATING ON THE TRANSPORTATION NETWORK COMPANY'S DIGITAL  
5 NETWORK OR SOFTWARE APPLICATION, YOUR PRIVATE PASSENGER AUTOMOBILE  
6 INSURANCE POLICY MIGHT NOT AFFORD LIABILITY, UNDERINSURED MOTORIST,  
7 PERSONAL INJURY PROTECTION, COMPREHENSIVE OR COLLISION COVERAGE,  
8 DEPENDING ON THE TERMS OF THE POLICY.

9 IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE TRANSPORTATION  
10 NETWORK COMPANY SERVICES FOR OUR TRANSPORTATION NETWORK COMPANY HAS A  
11 LIEN AGAINST IT, YOU MUST NOTIFY THE LIENHOLDER THAT YOU WILL BE  
12 USING THE VEHICLE FOR TRANSPORTATION NETWORK COMPANY SERVICES THAT  
13 MAY VIOLATE THE TERMS OF YOUR CONTRACT WITH THE LIENHOLDER.

14 (ii) The prospective driver must acknowledge the terms of service  
15 electronically or by signature.

16 (j) A transportation network company must make available to a  
17 passenger a customer support telephone number on its digital network,  
18 software application, or web site for passenger inquiries.

19 (k)(i) A transportation network company may not disclose to a  
20 third party any personally identifiable information concerning the  
21 user of the transportation network company's digital network or  
22 software application, unless:

23 (A) The transportation network company obtains the user's consent  
24 to disclose personally identifiable information;

25 (B) Disclosure is necessary to comply with a legal obligation; or

26 (C) Disclosure is necessary to protect or defend the terms and  
27 conditions for use of the service or to investigate violations of the  
28 terms and conditions.

29 (ii) The limitation on disclosure does not apply to the  
30 disclosure of aggregated user data.

31 (iii) The department may revoke a transportation network  
32 company's permit upon the department's finding that the company  
33 knowingly or negligently violated the passenger privacy provisions of  
34 this subsection (1)(k).

35 (2) Each transportation network company must require that each  
36 personal vehicle providing transportation network company services  
37 display a plainly visible exterior marking that identifies the  
38 personal vehicle as one providing such services.

1 (3)(a) Before a person is permitted to act as a driver through  
2 use of a transportation network company's digital network or software  
3 application, the person must undergo a criminal history record check  
4 for conviction records performed by the Washington state patrol or an  
5 entity approved by the department that meets standards adopted by  
6 rule by the department. A driver must undergo a criminal history  
7 record check every five years while serving as a driver. The  
8 department must retain the results of a criminal history record check  
9 for each driver that provides services for the transportation network  
10 company until five years after the criminal history record check was  
11 conducted or until the acquisition of an updated criminal history  
12 record check, whichever occurs first. A criminal history record check  
13 must remain confidential, may be used only for the purposes of this  
14 subsection (3), and is not subject to the disclosure requirements  
15 under chapter 42.56 RCW.

16 (b) A person who has been convicted of driving under the  
17 influence of drugs or alcohol in the previous five years before  
18 applying to become a driver may not serve as a driver.

19 (c)(i) If the criminal history record check reveals that the  
20 person has ever been convicted of the following offenses, the person  
21 may not serve as a driver:

22 (A) A sex offense, as described in chapters 9.68A and 9A.44 RCW;

23 (B) A violent offense, as defined in RCW 9.94A.030.

24 (ii) A person who has been convicted of a comparable offense to  
25 the offenses listed in (c)(i) of this subsection in another state may  
26 not serve as a driver.

27 (iii) If the criminal history record check reveals that the  
28 person has ever been convicted of the following felony offenses in  
29 the previous five years before applying to become a driver, the  
30 person may not serve as a driver:

31 (A) A felony offense involving fraud, as described in chapters  
32 9.45 and 9A.60 RCW;

33 (B) Felony burglary, trespass, or vehicle prowling, as described  
34 in chapter 9A.52 RCW;

35 (C) Felony theft, robbery, extortion, or possession of stolen  
36 property, as described in chapter 9A.56 RCW.

37 (iv) A person who has been convicted of a comparable offense to  
38 the offenses listed in (c)(iii) of this subsection in another state  
39 in the previous five years before applying to become a driver may not  
40 serve as a driver.

1 (4)(a) Before permitting an individual to act as a driver on its  
2 digital network or software application, a transportation network  
3 company must obtain and review the individual's driving record.

4 (b) An individual with the following violations may not serve as  
5 a driver:

6 (i) More than three moving violations within the three-year  
7 period preceding the individual's application to serve as a driver;  
8 or

9 (ii) A violation for reckless driving under RCW 46.61.500;  
10 vehicular homicide under RCW 46.61.520; vehicular assault under RCW  
11 46.61.522; negligent driving in the first or second degree under RCW  
12 46.61.5249, 46.61.525, or 46.61.526; driving without a license under  
13 RCW 46.20.005; or driving with a revoked license under RCW 46.20.342  
14 or 46.20.345.

15 (c) A transportation network company or a third party must retain  
16 the driving record for each driver that provides services for the  
17 transportation network company for at least three years.

18 (5) If any person files a complaint with the department against a  
19 transportation network company or driver, the department may inspect  
20 the transportation network company's records as reasonably necessary  
21 to investigate and resolve the complaint.

22 (6)(a) Except for a trip whose destination is more than thirty-  
23 five miles from where the passenger is picked up, a transportation  
24 network company and transportation network company drivers must  
25 provide services to the public in a nondiscriminatory manner,  
26 regardless of geographic location of the departure point or  
27 destination. A transportation network company or transportation  
28 network company driver may not refuse service or impose additional  
29 charges or conditions based on a passenger's race, religion,  
30 ethnicity, gender, sexual orientation, gender identity, or  
31 disability. Once a passenger and driver have been matched for the  
32 purpose of a prearranged ride, a driver may not refuse to transport a  
33 passenger, unless:

34 (i) The passenger is acting in an unlawful, disorderly, or  
35 endangering manner; or

36 (ii) The passenger is unable to care for himself or herself and  
37 is not in the charge of a responsible companion.

38 (b) A driver must permit a service animal to accompany a  
39 passenger on a prearranged ride.

1 (c)(i) If a passenger with physical or mental disabilities  
2 requires the use of mobility equipment, a driver must store such  
3 equipment in the vehicle during a prearranged ride, if the vehicle is  
4 reasonably capable of doing so. If the driver is unable to store a  
5 passenger's mobility equipment in the driver's vehicle, the driver  
6 must refer the passenger to another driver or transportation service  
7 with a vehicle that is equipped to accommodate such equipment, and  
8 may not charge the passenger a cancellation fee.

9 (ii) If a passenger is traveling with a child who requires the  
10 use of a child restraint system under RCW 46.61.687, a driver must  
11 allow the passenger to temporarily install the restraint system in  
12 the personal vehicle, if the vehicle is reasonably capable of  
13 accepting it. If the child restraint system is unable to be  
14 temporarily installed in the vehicle, the driver must refer the  
15 passenger to another driver or transportation service with a vehicle  
16 that is equipped to accommodate such a system, and may not charge the  
17 passenger a cancellation fee.

18 (7) Within ten days of receiving a complaint about a driver's  
19 alleged violation of subsection (6) of this section, the department  
20 must report the complaint to the transportation network company for  
21 which the driver provides services.

22 (8) A driver must immediately report to the transportation  
23 network company any refusal to transport a passenger pursuant to  
24 subsection (6)(a) of this section, and the transportation network  
25 company must annually report all such refusals to the department in a  
26 form and manner determined by the department.

27 NEW SECTION. **Sec. 5.** (1) A transportation network company may  
28 not operate without first having obtained a permit from the  
29 department. The department must require this permit to be renewed  
30 annually.

31 (2) The department must issue a permit to each transportation  
32 network company that meets the requirements of this chapter and pays  
33 to the department the fees required under subsection (3) of this  
34 section.

35 (3)(a) A transportation network company must pay the following  
36 fee to the department at the time of its initial application for a  
37 permit:

38 (i) Until July 1, 2016, the fee is one hundred thousand dollars;  
39 and

1 (ii) After July 1, 2016, the fee is five thousand dollars.

2 (b) Upon the annual renewal of a permit issued pursuant to this  
3 section, a transportation network company must pay the following  
4 applicable renewal fee, depending on the number of drivers shown in  
5 the transportation network company's most recent quarterly report  
6 sent to the department pursuant to section 2(4) of this act:

7 (i) For transportation network companies with ten or fewer  
8 drivers, the annual renewal fee is five thousand dollars;

9 (ii) For transportation network companies with between eleven and  
10 one hundred drivers, the annual renewal fee is twenty thousand  
11 dollars;

12 (iii) For transportation network companies with between one  
13 hundred one and one thousand drivers, the annual renewal fee is fifty  
14 thousand dollars; and

15 (iv) For transportation network companies with more than one  
16 thousand drivers, the annual renewal fee is one hundred thousand  
17 dollars.

18 (4) The department must determine the form and manner of the  
19 application for a transportation network company permit.

20 (5) Consistent with section 2(1)(a) of this act, the department  
21 may cancel, revoke, or suspend any permit issued under this chapter  
22 on any of the following grounds:

23 (a) The violation of any of the provisions of this chapter;

24 (b) The violation of an order, decision, rule, or requirement  
25 established by the department under this chapter;

26 (c) Failure of the transportation network company to pay a fee  
27 imposed on the company within the time required under law; or

28 (d) Failure of the transportation network company to maintain  
29 insurance coverage, if required under this chapter.

30 (6) The department may deny an application under this chapter, or  
31 refuse to renew the permit of a transportation network company, based  
32 on a determination that the transportation network company has not  
33 satisfied a civil penalty arising out of an administrative or  
34 enforcement action brought by the department.

35 NEW SECTION. **Sec. 6.** The transportation network company account  
36 is created in the custody of the state treasurer. All moneys received  
37 by the department pursuant to this chapter, and any interest earned  
38 on investments in the account, must be deposited into the account.  
39 Expenditures from the account may be used by the department for any

1 purpose related to the regulation of transportation network companies  
2 that is consistent with this chapter. Only the director or the  
3 director's designee may authorize expenditures from the account. The  
4 account is subject to allotment procedures under chapter 43.88 RCW,  
5 but an appropriation is not required for expenditures.

6 NEW SECTION. **Sec. 7.** (1) The department may adopt all rules  
7 specifically necessary to enforce this chapter.

8 (2) The department must adopt rules requiring a transportation  
9 network company to file with the department evidence of the  
10 transportation network company's insurance policies required under  
11 this chapter and proof of continued validity of these policies.

12 NEW SECTION. **Sec. 8.** All personally identifiable information  
13 collected under this chapter is exempt from disclosure under chapter  
14 42.56 RCW.

15 **Sec. 9.** RCW 18.235.020 and 2013 c 322 s 29 are each amended to  
16 read as follows:

17 (1) This chapter applies only to the director and the boards and  
18 commissions having jurisdiction in relation to the businesses and  
19 professions licensed under the chapters specified in this section.  
20 This chapter does not apply to any business or profession not  
21 licensed under the chapters specified in this section.

22 (2)(a) The director has authority under this chapter in relation  
23 to the following businesses and professions:

- 24 (i) Auctioneers under chapter 18.11 RCW;
- 25 (ii) Bail bond agents and bail bond recovery agents under chapter  
26 18.185 RCW;
- 27 (iii) Camping resorts' operators and salespersons under chapter  
28 19.105 RCW;
- 29 (iv) Commercial telephone solicitors under chapter 19.158 RCW;
- 30 (v) Cosmetologists, barbers, manicurists, and estheticians under  
31 chapter 18.16 RCW;
- 32 (vi) Court reporters under chapter 18.145 RCW;
- 33 (vii) Driver training schools and instructors under chapter 46.82  
34 RCW;
- 35 (viii) Employment agencies under chapter 19.31 RCW;
- 36 (ix) For hire vehicle operators under chapter 46.72 RCW;
- 37 (x) Limousines under chapter 46.72A RCW;

1 (xi) Notaries public under chapter 42.44 RCW;  
2 (xii) Private investigators under chapter 18.165 RCW;  
3 (xiii) Professional boxing, martial arts, and wrestling under  
4 chapter 67.08 RCW;  
5 (xiv) Real estate appraisers under chapter 18.140 RCW;  
6 (xv) Real estate brokers and salespersons under chapters 18.85  
7 and 18.86 RCW;  
8 (xvi) Scrap metal processors, scrap metal recyclers, and scrap  
9 metal suppliers under chapter 19.290 RCW;  
10 (xvii) Security guards under chapter 18.170 RCW;  
11 (xviii) Sellers of travel under chapter 19.138 RCW;  
12 (xix) Timeshares and timeshare salespersons under chapter 64.36  
13 RCW;  
14 (xx) Transportation network companies under chapter 46.--- RCW  
15 (the new chapter created in section 17 of this act);  
16 (xxi) Whitewater river outfitters under chapter 79A.60 RCW;  
17 ~~((xxi))~~ (xxii) Home inspectors under chapter 18.280 RCW;  
18 ~~((xxii))~~ (xxiii) Body artists, body piercers, and tattoo  
19 artists, and body art, body piercing, and tattooing shops and  
20 businesses, under chapter 18.300 RCW; and  
21 ~~((xxiii))~~ (xxiv) Appraisal management companies under chapter  
22 18.310 RCW.  
23 (b) The boards and commissions having authority under this  
24 chapter are as follows:  
25 (i) The state board for architects established in chapter 18.08  
26 RCW;  
27 (ii) The Washington state collection agency board established in  
28 chapter 19.16 RCW;  
29 (iii) The state board of registration for professional engineers  
30 and land surveyors established in chapter 18.43 RCW governing  
31 licenses issued under chapters 18.43 and 18.210 RCW;  
32 (iv) The funeral and cemetery board established in chapter 18.39  
33 RCW governing licenses issued under chapters 18.39 and 68.05 RCW;  
34 (v) The state board of licensure for landscape architects  
35 established in chapter 18.96 RCW; and  
36 (vi) The state geologist licensing board established in chapter  
37 18.220 RCW.  
38 (3) In addition to the authority to discipline license holders,  
39 the disciplinary authority may grant or deny licenses based on the  
40 conditions and criteria established in this chapter and the chapters



1 specified in subsection (2) of this section. This chapter also  
2 governs any investigation, hearing, or proceeding relating to denial  
3 of licensure or issuance of a license conditioned on the applicant's  
4 compliance with an order entered under RCW 18.235.110 by the  
5 disciplinary authority.

6 **Sec. 10.** RCW 42.56.270 and 2014 c 192 s 6, 2014 c 174 s 5, and  
7 2014 c 144 s 6 are each reenacted and amended to read as follows:

8 The following financial, commercial, and proprietary information  
9 is exempt from disclosure under this chapter:

10 (1) Valuable formulae, designs, drawings, computer source code or  
11 object code, and research data obtained by any agency within five  
12 years of the request for disclosure when disclosure would produce  
13 private gain and public loss;

14 (2) Financial information supplied by or on behalf of a person,  
15 firm, or corporation for the purpose of qualifying to submit a bid or  
16 proposal for (a) a ferry system construction or repair contract as  
17 required by RCW 47.60.680 through 47.60.750 or (b) highway  
18 construction or improvement as required by RCW 47.28.070;

19 (3) Financial and commercial information and records supplied by  
20 private persons pertaining to export services provided under chapters  
21 43.163 and 53.31 RCW, and by persons pertaining to export projects  
22 under RCW 43.23.035;

23 (4) Financial and commercial information and records supplied by  
24 businesses or individuals during application for loans or program  
25 services provided by chapters 43.325, 43.163, 43.160, 43.330, and  
26 43.168 RCW, or during application for economic development loans or  
27 program services provided by any local agency;

28 (5) Financial information, business plans, examination reports,  
29 and any information produced or obtained in evaluating or examining a  
30 business and industrial development corporation organized or seeking  
31 certification under chapter 31.24 RCW;

32 (6) Financial and commercial information supplied to the state  
33 investment board by any person when the information relates to the  
34 investment of public trust or retirement funds and when disclosure  
35 would result in loss to such funds or in private loss to the  
36 providers of this information;

37 (7) Financial and valuable trade information under RCW 51.36.120;

38 (8) Financial, commercial, operations, and technical and research  
39 information and data submitted to or obtained by the clean Washington

1 center in applications for, or delivery of, program services under  
2 chapter 70.95H RCW;

3 (9) Financial and commercial information requested by the public  
4 stadium authority from any person or organization that leases or uses  
5 the stadium and exhibition center as defined in RCW 36.102.010;

6 (10)(a) Financial information, including but not limited to  
7 account numbers and values, and other identification numbers supplied  
8 by or on behalf of a person, firm, corporation, limited liability  
9 company, partnership, or other entity related to an application for a  
10 horse racing license submitted pursuant to RCW 67.16.260(1)(b),  
11 marijuana producer, processor, or retailer license, liquor license,  
12 gambling license, or lottery retail license;

13 (b) Internal control documents, independent auditors' reports and  
14 financial statements, and supporting documents: (i) Of house-banked  
15 social card game licensees required by the gambling commission  
16 pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted  
17 by tribes with an approved tribal/state compact for class III gaming;

18 (11) Proprietary data, trade secrets, or other information that  
19 relates to: (a) A vendor's unique methods of conducting business; (b)  
20 data unique to the product or services of the vendor; or (c)  
21 determining prices or rates to be charged for services, submitted by  
22 any vendor to the department of social and health services for  
23 purposes of the development, acquisition, or implementation of state  
24 purchased health care as defined in RCW 41.05.011;

25 (12)(a) When supplied to and in the records of the department of  
26 commerce:

27 (i) Financial and proprietary information collected from any  
28 person and provided to the department of commerce pursuant to RCW  
29 43.330.050(8); and

30 (ii) Financial or proprietary information collected from any  
31 person and provided to the department of commerce or the office of  
32 the governor in connection with the siting, recruitment, expansion,  
33 retention, or relocation of that person's business and until a siting  
34 decision is made, identifying information of any person supplying  
35 information under this subsection and the locations being considered  
36 for siting, relocation, or expansion of a business;

37 (b) When developed by the department of commerce based on  
38 information as described in (a)(i) of this subsection, any work  
39 product is not exempt from disclosure;

1 (c) For the purposes of this subsection, "siting decision" means  
2 the decision to acquire or not to acquire a site;

3 (d) If there is no written contact for a period of sixty days to  
4 the department of commerce from a person connected with siting,  
5 recruitment, expansion, retention, or relocation of that person's  
6 business, information described in (a)(ii) of this subsection will be  
7 available to the public under this chapter;

8 (13) Financial and proprietary information submitted to or  
9 obtained by the department of ecology or the authority created under  
10 chapter 70.95N RCW to implement chapter 70.95N RCW;

11 (14) Financial, commercial, operations, and technical and  
12 research information and data submitted to or obtained by the life  
13 sciences discovery fund authority in applications for, or delivery  
14 of, grants under chapter 43.350 RCW, to the extent that such  
15 information, if revealed, would reasonably be expected to result in  
16 private loss to the providers of this information;

17 (15) Financial and commercial information provided as evidence to  
18 the department of licensing as required by RCW 19.112.110 or  
19 19.112.120, except information disclosed in aggregate form that does  
20 not permit the identification of information related to individual  
21 fuel licensees;

22 (16) Any production records, mineral assessments, and trade  
23 secrets submitted by a permit holder, mine operator, or landowner to  
24 the department of natural resources under RCW 78.44.085;

25 (17)(a) Farm plans developed by conservation districts, unless  
26 permission to release the farm plan is granted by the landowner or  
27 operator who requested the plan, or the farm plan is used for the  
28 application or issuance of a permit;

29 (b) Farm plans developed under chapter 90.48 RCW and not under  
30 the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject  
31 to RCW 42.56.610 and 90.64.190;

32 (18) Financial, commercial, operations, and technical and  
33 research information and data submitted to or obtained by a health  
34 sciences and services authority in applications for, or delivery of,  
35 grants under RCW 35.104.010 through 35.104.060, to the extent that  
36 such information, if revealed, would reasonably be expected to result  
37 in private loss to providers of this information;

38 (19) Information gathered under chapter 19.85 RCW or RCW  
39 34.05.328 that can be identified to a particular business;

1 (20) Financial and commercial information submitted to or  
2 obtained by the University of Washington, other than information the  
3 university is required to disclose under RCW 28B.20.150, when the  
4 information relates to investments in private funds, to the extent  
5 that such information, if revealed, would reasonably be expected to  
6 result in loss to the University of Washington consolidated endowment  
7 fund or to result in private loss to the providers of this  
8 information; ~~((and))~~

9 (21) Market share data submitted by a manufacturer under RCW  
10 70.95N.190(4); ~~((and))~~

11 (22) Financial information supplied to the department of  
12 financial institutions or to a portal under RCW 21.20.883, when filed  
13 by or on behalf of an issuer of securities for the purpose of  
14 obtaining the exemption from state securities registration for small  
15 securities offerings provided under RCW 21.20.880 or when filed by or  
16 on behalf of an investor for the purpose of purchasing such  
17 securities; and

18 (23) The quarterly reports submitted by transportation network  
19 companies pursuant to section 2(4) of this act and any records  
20 provided to the department of licensing to facilitate the enforcement  
21 of chapter 46.--- RCW (the new chapter created in section 17 of this  
22 act).

23 **Sec. 11.** RCW 46.72.010 and 1996 c 87 s 18 are each amended to  
24 read as follows:

25 When used in this chapter:

26 (1) The term "for hire vehicle" includes all vehicles used for  
27 the transportation of passengers for compensation, except auto  
28 stages, school buses operating exclusively under a contract to a  
29 school district, ride-sharing vehicles under chapter 46.74 RCW,  
30 limousine carriers licensed under chapter 46.72A RCW, personal  
31 vehicles used to provide transportation network company services  
32 under chapter 46.--- RCW (the new chapter created in section 17 of  
33 this act), vehicles used by nonprofit transportation providers for  
34 ~~((elderly or handicapped))~~ persons with special transportation needs  
35 and their attendants under chapter 81.66 RCW, vehicles used by auto  
36 transportation companies licensed under chapter 81.68 RCW, vehicles  
37 used to provide courtesy transportation at no charge to and from  
38 parking lots, hotels, and rental offices, and vehicles used by

1 charter party carriers of passengers and excursion service carriers  
2 licensed under chapter 81.70 RCW;

3 (2) The term "for hire operator" means and includes any person,  
4 concern, or entity engaged in the transportation of passengers for  
5 compensation in for hire vehicles.

6 **Sec. 12.** RCW 51.12.020 and 2013 c 141 s 3 are each amended to  
7 read as follows:

8 The following are the only employments which shall not be  
9 included within the mandatory coverage of this title:

10 (1) Any person employed as a domestic servant in a private home  
11 by an employer who has less than two employees regularly employed  
12 forty or more hours a week in such employment.

13 (2) Any person employed to do gardening, maintenance, or repair,  
14 in or about the private home of the employer. For the purposes of  
15 this subsection, "maintenance" means the work of keeping in proper  
16 condition, "repair" means to restore to sound condition after damage,  
17 and "private home" means a person's place of residence.

18 (3) A person whose employment is not in the course of the trade,  
19 business, or profession of his or her employer and is not in or about  
20 the private home of the employer.

21 (4) Any person performing services in return for aid or  
22 sustenance only, received from any religious or charitable  
23 organization.

24 (5) Sole proprietors or partners.

25 (6) Any child under eighteen years of age employed by his or her  
26 parent or parents in agricultural activities on the family farm.

27 (7) Jockeys while participating in or preparing horses for race  
28 meets licensed by the Washington horse racing commission pursuant to  
29 chapter 67.16 RCW.

30 (8)(a) Except as otherwise provided in (b) of this subsection,  
31 any bona fide officer of a corporation voluntarily elected or  
32 voluntarily appointed in accordance with the articles of  
33 incorporation or bylaws of the corporation, who at all times during  
34 the period involved is also a bona fide director, and who is also a  
35 shareholder of the corporation. Only such officers who exercise  
36 substantial control in the daily management of the corporation and  
37 whose primary responsibilities do not include the performance of  
38 manual labor are included within this subsection.

1 (b) Alternatively, a corporation that is not a "public company"  
2 as defined in RCW 23B.01.400 may exempt eight or fewer bona fide  
3 officers, who are voluntarily elected or voluntarily appointed in  
4 accordance with the articles of incorporation or bylaws of the  
5 corporation and who exercise substantial control in the daily  
6 management of the corporation, from coverage under this title without  
7 regard to the officers' performance of manual labor if the exempted  
8 officer is a shareholder of the corporation, or may exempt any number  
9 of officers if all the exempted officers are related by blood within  
10 the third degree or marriage. If a corporation that is not a "public  
11 company" elects to be covered under subsection (8)(a) of this  
12 section, the corporation's election must be made on a form prescribed  
13 by the department and under such reasonable rules as the department  
14 may adopt.

15 (c) Determinations respecting the status of persons performing  
16 services for a corporation shall be made, in part, by reference to  
17 Title 23B RCW and to compliance by the corporation with its own  
18 articles of incorporation and bylaws. For the purpose of determining  
19 coverage under this title, substance shall control over form, and  
20 mandatory coverage under this title shall extend to all workers of  
21 this state, regardless of honorary titles conferred upon those  
22 actually serving as workers.

23 (d) A corporation may elect to cover officers who are exempted by  
24 this subsection in the manner provided by RCW 51.12.110.

25 (9) Services rendered by a musician or entertainer under a  
26 contract with a purchaser of the services, for a specific engagement  
27 or engagements when such musician or entertainer performs no other  
28 duties for the purchaser and is not regularly and continuously  
29 employed by the purchaser. A purchaser does not include the leader of  
30 a group or recognized entity who employs other than on a casual basis  
31 musicians or entertainers.

32 (10) Services performed by a newspaper vendor, carrier, or  
33 delivery person selling or distributing newspapers on the street, to  
34 offices, to businesses, or from house to house and any freelance news  
35 correspondent or "stringer" who, using his or her own equipment,  
36 chooses to submit material for publication for free or a fee when  
37 such material is published.

38 (11) Services performed by an insurance producer, as defined in  
39 RCW 48.17.010, or a surplus line broker licensed under chapter 48.15  
40 RCW.

1 (12) Services performed by a booth renter. However, a person  
2 exempted under this subsection may elect coverage under RCW  
3 51.32.030.

4 (13) Members of a limited liability company, if either:

5 (a) Management of the company is vested in its members, and the  
6 members for whom exemption is sought would qualify for exemption  
7 under subsection (5) of this section were the company a sole  
8 proprietorship or partnership; or

9 (b) Management of the company is vested in one or more managers,  
10 and the members for whom the exemption is sought are managers who  
11 would qualify for exemption under subsection (8) of this section were  
12 the company a corporation.

13 (14) A transportation network company driver providing  
14 transportation network company services unless a transportation  
15 network company and the transportation network company driver  
16 expressly agree otherwise in writing. For purposes of this  
17 subsection, a transportation network company driver qualifies under  
18 this subsection only if:

19 (a) The transportation network company does not prescribe  
20 specific hours during which a transportation network company driver  
21 must be logged into the transportation network company's digital  
22 platform or establish a minimum number of (i) prearranged rides  
23 accepted, (ii) hours worked, or (iii) miles traveled;

24 (b) The transportation network company imposes no restrictions on  
25 the transportation network company driver's ability to utilize  
26 digital platforms from other transportation network companies;

27 (c) The transportation network company does not assign the  
28 transportation network company driver a particular territory in which  
29 transportation network company services can be provided; and

30 (d) The transportation network company does not restrict a  
31 transportation network company driver from engaging in any other  
32 occupation or business.

33 (15) For hire vehicle operators under chapter 46.72 RCW who own  
34 or lease the for hire vehicle, chauffeurs under chapter 46.72A RCW  
35 who own or lease the limousine, and operators of taxicabs under  
36 chapter 81.72 RCW who own or lease the taxicab. An owner or lessee  
37 may elect coverage in the manner provided by RCW 51.32.030.

38 **Sec. 13.** RCW 81.72.240 and 2011 c 190 s 8 are each amended to  
39 read as follows:

1       (1) By September 1, 2015, and at least every two years  
2 thereafter, any city, town, county, or port district setting the  
3 rates charged for taxicab services under this chapter must adjust  
4 rates to accommodate (~~changes~~) increases or decreases in the cost  
5 of industrial insurance (~~or in other industry wide costs~~).

6       (2) By September 1, 2015, and at least every two years  
7 thereafter, any city, town, county, or port district regulating lease  
8 rates under this chapter must adjust rates to accommodate increases  
9 or decreases in the cost of industrial insurance. Any changes in  
10 lease rates take effect upon entry into a new lease.

11       (3) Any business that as owner leases a taxicab licensed under  
12 this chapter to a for hire operator must make a reasonable effort to  
13 train the for hire operator in motor vehicle operation and safety  
14 requirements and monitor operator compliance. Monitoring operator  
15 compliance may include the use of vehicle operator monitoring  
16 cameras.

17       **Sec. 14.** RCW 43.79A.040 and 2013 c 251 s 5 and 2013 c 88 s 1 are  
18 each reenacted and amended to read as follows:

19       (1) Money in the treasurer's trust fund may be deposited,  
20 invested, and reinvested by the state treasurer in accordance with  
21 RCW 43.84.080 in the same manner and to the same extent as if the  
22 money were in the state treasury, and may be commingled with moneys  
23 in the state treasury for cash management and cash balance purposes.

24       (2) All income received from investment of the treasurer's trust  
25 fund must be set aside in an account in the treasury trust fund to be  
26 known as the investment income account.

27       (3) The investment income account may be utilized for the payment  
28 of purchased banking services on behalf of treasurer's trust funds  
29 including, but not limited to, depository, safekeeping, and  
30 disbursement functions for the state treasurer or affected state  
31 agencies. The investment income account is subject in all respects to  
32 chapter 43.88 RCW, but no appropriation is required for payments to  
33 financial institutions. Payments must occur prior to distribution of  
34 earnings set forth in subsection (4) of this section.

35       (4)(a) Monthly, the state treasurer must distribute the earnings  
36 credited to the investment income account to the state general fund  
37 except under (b), (c), and (d) of this subsection.

38       (b) The following accounts and funds must receive their  
39 proportionate share of earnings based upon each account's or fund's



1 average daily balance for the period: The Washington promise  
2 scholarship account, the Washington advanced college tuition payment  
3 program account, the accessible communities account, the community  
4 and technical college innovation account, the agricultural local  
5 fund, the American Indian scholarship endowment fund, the foster care  
6 scholarship endowment fund, the foster care endowed scholarship trust  
7 fund, the contract harvesting revolving account, the Washington state  
8 combined fund drive account, the commemorative works account, the  
9 county enhanced 911 excise tax account, the toll collection account,  
10 the developmental disabilities endowment trust fund, the energy  
11 account, the fair fund, the family leave insurance account, the food  
12 animal veterinarian conditional scholarship account, the fruit and  
13 vegetable inspection account, the future teachers conditional  
14 scholarship account, the game farm alternative account, the GET ready  
15 for math and science scholarship account, the Washington global  
16 health technologies and product development account, the grain  
17 inspection revolving fund, the industrial insurance rainy day fund,  
18 the juvenile accountability incentive account, the law enforcement  
19 officers' and firefighters' plan 2 expense fund, the local tourism  
20 promotion account, the multiagency permitting team account, the  
21 pilotage account, the produce railcar pool account, the regional  
22 transportation investment district account, the rural rehabilitation  
23 account, the stadium and exhibition center account, the youth  
24 athletic facility account, the self-insurance revolving fund, the  
25 children's trust fund, the Washington horse racing commission  
26 Washington bred owners' bonus fund and breeder awards account, the  
27 Washington horse racing commission class C purse fund account, the  
28 individual development account program account, the Washington horse  
29 racing commission operating account, the life sciences discovery  
30 fund, the Washington state heritage center account, the reduced  
31 cigarette ignition propensity account, the center for childhood  
32 deafness and hearing loss account, the school for the blind account,  
33 the Millersylvania park trust fund, the public employees' and  
34 retirees' insurance reserve fund, the transportation network company  
35 account, and the radiation perpetual maintenance fund.

36 (c) The following accounts and funds must receive eighty percent  
37 of their proportionate share of earnings based upon each account's or  
38 fund's average daily balance for the period: The advanced right-of-  
39 way revolving fund, the advanced environmental mitigation revolving  
40 account, the federal narcotics asset forfeitures account, the high

1 occupancy vehicle account, the local rail service assistance account,  
2 and the miscellaneous transportation programs account.

3 (d) Any state agency that has independent authority over accounts  
4 or funds not statutorily required to be held in the custody of the  
5 state treasurer that deposits funds into a fund or account in the  
6 custody of the state treasurer pursuant to an agreement with the  
7 office of the state treasurer shall receive its proportionate share  
8 of earnings based upon each account's or fund's average daily balance  
9 for the period.

10 (5) In conformance with Article II, section 37 of the state  
11 Constitution, no trust accounts or funds shall be allocated earnings  
12 without the specific affirmative directive of this section.

13 NEW SECTION. **Sec. 15.** The following acts or parts of acts are  
14 each repealed:

15 (1) RCW 46.72.073 (Certificate suspension or revocation—Failure  
16 to pay industrial insurance premiums—Rules—Cooperative agreements)  
17 and 2011 c 190 s 5;

18 (2) RCW 46.72A.053 (Certificate suspension or revocation—Failure  
19 to pay industrial insurance premiums—Rules—Cooperative agreements)  
20 and 2011 c 190 s 6;

21 (3) RCW 51.12.180 (For hire vehicle businesses and operators—  
22 Findings—Declaration) and 2011 c 190 s 1;

23 (4) RCW 51.12.183 (For hire vehicle businesses and operators—  
24 Mandatory coverage—Definitions) and 2011 c 190 s 2;

25 (5) RCW 51.12.185 (For hire vehicle owners—Retrospective rating  
26 program) and 2011 c 190 s 4;

27 (6) RCW 51.16.240 (For hire vehicle businesses and operators—  
28 Basis for premiums—Rules) and 2011 c 190 s 3; and

29 (7) RCW 81.72.230 (License suspension or revocation—Failure to  
30 pay industrial insurance premiums—Rules—Cooperative agreements) and  
31 2011 c 190 s 7.

32 NEW SECTION. **Sec. 16.** If any provision of this act or its  
33 application to any person or circumstance is held invalid, the  
34 remainder of the act or the application of the provision to other  
35 persons or circumstances is not affected.

1        NEW SECTION.    **Sec. 17.**    Sections 1 through 8 of this act  
2    constitute a new chapter in Title 46 RCW.

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