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TAR/crd/totj  
01/19/90

Mandatory Automobile  
Liability Insurance  
Adopt State Statutes

ORDINANCE NO. 1558

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON,  
RELATING TO MANDATORY AUTOMOBILE LIABILITY  
INSURANCE, AMENDING SECTION 10.10.050 OF THE  
REDMOND MUNICIPAL CODE TO ADOPT THE RECENTLY  
ENACTED STATE STATUTES BY REFERENCE.

**ORIGINAL**

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WHEREAS, the City Council finds that the recently enacted state statutes regarding mandatory insurance should be adopted by the City for more effective traffic law enforcement, and

WHEREAS, this Ordinance is in the interest of the public health, safety and welfare, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 10.10.050 of the Redmond Municipal Code, entitled "State Traffic Statutes Adopted by Reference," is hereby amended to add the following section to read as follows:

RCW 46.30.010 - .040 (all sections) Mandatory Insurance Law, and Penalty.

Section 2. The City Clerk is directed to authenticate and record a copy of the statutes adopted by reference in this ordinance and to make a copy of the same available for use and examination by the public as provided by RCW 35A.12.150.

Section 3. If any section, sentence, clause or phrase of this ordinance, or the statutes adopted herein by reference, should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality

shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title.

APPROVED:

  
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

  
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: 3-29-90  
PASSED BY THE CITY COUNCIL: 4-03-90  
PUBLISHED: 4-08-90  
EFFECTIVE DATE: 4-13-90  
ORDINANCE NO. 1558

## Chapter 46.30

## MANDATORY LIABILITY INSURANCE

## Sections

- 46.30.010 Legislative intent.  
 46.30.020 Liability insurance or other financial responsibility required—Violations—Exceptions.  
 46.30.030 Insurance identification card.  
 46.30.040 Display of identification card or proof of financial responsibility—Penalty for falsification.  
 46.30.900 Severability—1989 c 353.  
 46.30.901 Effective date—1989 c 353.

**46.30.010 Legislative intent.** It is a privilege granted by the state to operate a motor vehicle upon the highways of this state. The legislature recognizes the threat that uninsured drivers are to the people of the state. In order to alleviate the threat posed by uninsured drivers it is the intent of the legislature to require that all persons driving vehicles registered in this state satisfy the financial responsibility requirements of this chapter. By enactment of this chapter it is not the intent of the legislature to modify, amend, or invalidate existing insurance contract terms, conditions, limitations, or exclusions or to preclude insurance companies from using similar terms, conditions, limitations, or exclusions in future contracts. [1989 c 353 § 1.]

**Report on uninsured motorists:** "The director of licensing shall compile records on uninsured motorists and file a report with the legislature after accumulating data for twelve months after January 1, 1990." [1989 c 353 § 9.]

**46.30.020 Liability insurance or other financial responsibility required—Violations—Exceptions.** (1) No person may operate a motor vehicle subject to registration under chapter 46.16 RCW in this state unless the person is insured under a motor vehicle liability policy with liability limits of at least the amounts provided in RCW 46.29.090, is self-insured as provided in RCW 46.29.630, is covered by a certificate of deposit in conformance with RCW 46.29.550, or is covered by a liability bond of at least the amounts provided in RCW 46.29.090.

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

(3) If a person cited for a violation of this section appears in person before the court and provides written evidence that at the time the person was cited, he or she was in compliance with this section, the citation shall be dismissed. In lieu of personal appearance, a person cited for a violation of this section may, before the date scheduled for the person's appearance before the court, submit by mail to the court written evidence that at the time the person was cited, he or she was in compliance with this section, in which case the citation shall be dismissed.

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

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

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

(5) RCW 46.29.490 shall not be deemed to govern all motor vehicle liability policies required by this chapter; but only those certified for the purposes stated in chapter 46.29 RCW. [1989 c 353 § 2.]

*Notice of liability insurance requirement: RCW 46.16.212.*

**46.30.030 Insurance identification card.** (1) Whenever an insurance company issues or renews a motor vehicle liability insurance policy, the company shall provide the policyholder with an identification card as specified by the department of licensing. At the policyholder's request, the insurer shall provide the policyholder a card for each vehicle covered under the policy.

(2) The department of licensing shall adopt rules specifying the type, style, and content of insurance identification cards to be used for proof of compliance with RCW 46.30.020, including the method for issuance of such identification cards by persons or organizations providing proof of compliance through self-insurance, certificate of deposit, or bond. In adopting such rules the department shall consider the guidelines for insurance identification cards developed by the insurance industry committee on motor vehicle administration. [1989 c 353 § 3.]

**46.30.040 Display of identification card or proof of financial responsibility—Penalty for falsification.** (1) Whenever a person operates a motor vehicle subject to registration under chapter 46.16 RCW, the person shall have in his or her possession an identification card of the type specified in RCW 46.30.030 and shall display the card upon demand to a law enforcement officer.

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

(3) Any person who knowingly provides false evidence of financial responsibility to a law enforcement officer or to a court, including an expired or canceled insurance policy, bond, or certificate of deposit is guilty of a misdemeanor. [1989 c 353 § 4.]

**46.30.900 Severability—1989 c 353.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. [1989 c 353 § 12.]

**46.30.901 Effective date—1989 c 353.** This act shall take effect January 1, 1990. The director of the department of licensing may immediately take such

steps as are necessary to ensure that this act is implemented on its effective date. [1989 c 353 § 13.]

## Chapter 46.32 VEHICLE INSPECTION

### Sections

46.32.010	Buses and drivers—Inspection authorized—Stations—Duties of state patrol—Penalties.
46.32.020	Rules—Supplies—Assistants.
46.32.040	Frequency of inspection—Inspection free.
46.32.050	Prohibited practices—Penalty.
46.32.060	Moving defective vehicle unlawful—Impounding authorized.
46.32.070	Inspection of damaged vehicle.

**46.32.010 Buses and drivers—Inspection authorized—Stations—Duties of state patrol—Penalties.** (1) The chief of the Washington state patrol may operate, maintain, or designate, throughout the state of Washington, stations for the inspection of school buses and private carrier buses, with respect to vehicle equipment, drivers' qualifications, and hours of service and to set reasonable times when inspection of vehicles shall be performed.

(2) The inspection of private, common, and contract carriers with respect to vehicle equipment, drivers' qualifications, and hours of service shall be done in conjunction with weight enforcement under RCW 46.44.100.

(3) It is unlawful for any vehicle required to be inspected to be operated over the public highways of this state unless and until it has been approved periodically as to equipment.

(4) Inspections shall be performed by a responsible employee of the chief of the Washington state patrol, who shall be duly authorized and who shall have authority to secure and withhold, with written notice to the director of licensing, the certificate of license registration and license plates of any vehicle found to be defective in equipment so as to be unsafe or unfit to be operated upon the highways of this state, and it shall be unlawful for any person to operate such vehicle unless and until it has been placed in a condition satisfactory to pass a subsequent equipment inspection. The police officer in charge of such vehicle equipment inspection shall grant to the operator of such defective vehicle the privilege to move such vehicle to a place for repair under such restrictions as may be reasonably necessary.

(5) In the event any insignia, sticker, or other marker adopted to be displayed upon vehicles in connection with the inspection of vehicle equipment, it shall be displayed as required by the rules of the chief of the Washington state patrol, and it is a traffic infraction for any person to mutilate, destroy, remove, or otherwise interfere with the display thereof.

(6) It is a traffic infraction for any person to refuse to have his motor vehicle examined as required by the chief of the Washington state patrol, or, after having had it examined, to refuse to place an insignia, sticker, or other marker, if issued, upon the vehicle, or fraudulently to remove any such insignia, sticker, or other marker, or to

refuse to place his motor vehicle in proper condition after having had it examined, or in any manner, to fail to conform to the provisions of this chapter.

(7) It is a traffic infraction for any person to perform false or improvised repairs, or repairs in any manner not in accordance with acceptable and customary repair practices, upon a motor vehicle. [1986 c 123 § 1; 1979 ex.s. c 136 § 67; 1979 c 158 § 156; 1967 c 32 § 48; 1961 c 12 § 46.32.010. Prior: 1947 c 267 § 1; 1945 c 44 § 1; 1937 c 189 § 7; Rem. Supp. 1947 § 6360-7.]

**Effective date—Severability—1979 ex.s. c 136:** See notes following RCW 46.63.010.

**46.32.020 Rules—Supplies—Assistants.** The chief of the Washington state patrol may adopt reasonable rules regarding types of vehicles to be inspected, inspection criteria, times for the inspection of vehicle equipment, and all other matters with respect to the conduct of vehicle equipment inspections.

The chief of the Washington state patrol shall prepare and furnish such stickers, tags, record and report forms, stationery, and other supplies as shall be deemed necessary. The chief of the Washington state patrol is empowered to appoint and employ such assistants as he may consider necessary and to fix hours of employment and compensation. [1986 c 123 § 2; 1961 c 12 § 46.32.020. Prior: 1945 c 44 § 2; 1937 c 189 § 8; Rem. Supp. 1945 § 6360-8.]

**46.32.040 Frequency of inspection—Inspection free.** Vehicle equipment inspection shall be at such intervals as required by the chief of the Washington state patrol and shall be made without charge. [1986 c 123 § 3; 1961 c 12 § 46.32.040. Prior: 1945 c 44 § 4; 1937 c 189 § 10; Rem. Supp. 1945 § 6360-10.]

**46.32.050 Prohibited practices—Penalty.** It shall be unlawful for any person employed by the chief of the Washington state patrol at any vehicle equipment inspection station, to order, direct, recommend, or influence the correction of vehicle equipment defects by any person or persons whomsoever.

It shall be unlawful for any person employed by the chief of the Washington state patrol while in or about any vehicle equipment inspection station, to perform any repair or adjustment upon any vehicle or any equipment or appliance of any vehicle whatsoever.

It shall be unlawful for any person to solicit in any manner the repair to any vehicle or the adjustment of any equipment or appliance of any vehicle, upon the property of any vehicle equipment inspection station or upon any public highway adjacent thereto.

Violation of the provisions of this section is a traffic infraction. [1986 c 123 § 4; 1979 ex.s. c 136 § 68; 1961 c 12 § 46.32.050. Prior: 1945 c 44 § 5; 1937 c 189 § 11; Rem. Supp. 1945 § 6360-11.]

**Effective date—Severability—1979 ex.s. c 136:** See notes following RCW 46.63.010.

**46.32.060 Moving defective vehicle unlawful—Impounding authorized.** It shall be unlawful for any person