

CHAPTER 40
[House Bill No. 572]
DRIVING RECORD ABSTRACTS--
ACCIDENT REPORTS

AN ACT Relating to motor vehicles; amending section 5, chapter 169, Laws of 1963, as amended by section 1, chapter 174, Laws of 1967, and RCW 46.29.050; amending section 46.52.030, chapter 12, Laws of 1961, as last amended by section 54, chapter 32, Laws of 1967, and RCW 46.52.030; and amending section 27, chapter 21, Laws of 1961 ex. sess., as last amended by section 2, chapter 174, Laws of 1967, and RCW 46.52.130; and providing penalties.

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

Section 1. Section 5, chapter 169, Laws of 1963, as amended by section 1, chapter 174, Laws of 1967 and RCW 46.29.050 are each amended to read as follows:

(1) The department shall upon request furnish any person or his attorney a certified abstract of his driving record, which abstract shall include enumeration of any motor vehicle accidents in which such person has been involved. Such abstract shall indicate the total number of vehicles involved; whether the vehicles were legally parked or moving, and; whether such vehicles were occupied at the time of the accident; and reference to any convictions of said person for violation of the motor vehicle laws as reported to the department, and a record of any vehicles registered in the name of such person. The department shall collect for each abstract the sum of one dollar and fifty cents which shall be deposited in the highway safety fund.

(2) The department shall upon request furnish any person who may have been injured in person or property by any motor vehicle, with an abstract of all information of record in the department pertaining to the evidence of the ability of any driver or owner of any motor vehicle to respond in damages. The department shall collect for each abstract the sum of one dollar and fifty cents which shall be deposited in the highway safety fund.

Sec. 2. Section 46.52.030, chapter 12, Laws of 1961, as last

amended by section 54, chapter 32, Laws of 1967, and RCW 46.52.030 are each amended to read as follows:

The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to the property of any one person to an apparent extent of one hundred dollars or more, shall, within twenty-four hours after such accident, make a written report of such accident to the chief of police of the city or town if such accident occurred within an incorporated city or town or the county sheriff or state patrol if such accident occurred outside incorporated cities and towns, the original of such report to be immediately forwarded by the authority receiving such report to the chief of the Washington state patrol at Olympia, Washington, and the second copy of such report to be forwarded to the department of motor vehicles at Olympia, Washington. The chief of the Washington state patrol may require any driver of any vehicle involved in an accident, of which report must be made as provided in this section, to file supplemental reports whenever the original report in his opinion is insufficient and may likewise require witnesses of any such accident to render reports. For this purpose, the chief of the Washington state patrol shall prepare and, upon request, supply to any police department, coroner, sheriff and any other suitable agency or individual, sample forms of accident reports required hereunder, which reports shall be upon a form devised by the chief of the Washington state patrol and shall call for sufficiently detailed information to disclose all material facts with reference to the accident to be reported thereon, including the location, the cause, the conditions then existing, and the persons and vehicles involved, personal injury or death, if any, ~~((and))~~ the amounts of property damage claimed, the total number of vehicles involved, whether the vehicles were legally parked or moving, and whether such vehicles were occupied at the time of the accident. Every required accident report shall be made on a form prescribed by the chief of the Washington state patrol and each authority charged with the duty of receiving such reports shall provide sufficient re-

port forms in compliance with the form devised. The report forms shall be designated so as to provide that a copy may be retained by the reporting person.

Sec. 3. Section 27, chapter 21, Laws of 1961 ex. sess., as last amended by section 2, chapter 174, Laws of 1967, and RCW 46.52-.130 are each amended to read as follows:

The director shall upon request furnish any insurance company or its agent, having or considering the issuance of a policy of insurance and any employer or prospective employer of persons who drive commercial motor vehicles or school buses a certified abstract of the driving record of any person, covering a period of not more than five years last past, whenever possible, which abstract shall include an enumeration of motor vehicle accidents in which such person has been involved. Such abstract shall indicate the total number of vehicles involved; whether the vehicles were legally parked or moving, and; whether such vehicles were occupied at the time of the accident; and any reported convictions or forfeitures of bail of such person upon a charge of violating any motor vehicle law. Such enumeration shall include any reports of failure to appear in response to a traffic citation served upon such person by an arresting officer. In addition thereto the director shall furnish such record to the person whose driving record is involved, upon such person's request: PROVIDED, That the abstract herein provided to the insurance company shall have excluded therefrom any information pertaining to any occupational driver's license when the same is issued to any person employed by another or self-employed as a motor vehicle driver who during the five years preceding the request has been issued such a license by reason of a conviction of a motor vehicle offense outside the scope of his principal employment, and who has during such period been principally employed as a motor vehicle driver deriving the major portion of his income therefrom.

The director shall collect for each such abstract the sum of one dollar fifty cents which shall be deposited in the highway safety

fund.

Any insurance company or its agent receiving such certified abstract shall use it exclusively for its own underwriting purposes and shall not divulge any of the information therein contained to a third party: PROVIDED, That no policy of insurance shall be canceled on the basis of such information unless the policyholder was determined to be at fault.

Any employer or prospective employer receiving such certified abstract shall use it exclusively for his own purpose to determine whether the licensee should be permitted to operate a commercial vehicle or school bus upon the public highways of this state and shall not divulge any information therein contained to a third party.

Any violation of this section shall be a gross misdemeanor.

Passed the House March 19, 1969
Passed the Senate March 28, 1969
Approved by the Governor April 4, 1969
Filed in office of Secretary of State April 4, 1969

CHAPTER 41
[Engrossed House Bill No. 147]
CRIMINAL PROCEDURE--
CHALLENGE OF JURORS

AN ACT Relating to criminal procedure; and amending section 102, page 118, Laws of 1854, as last amended by section 1, chapter 25, Laws of 1923, and RCW 10.49.060.

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

Section 1. Section 102, page 118, Laws of 1854, as last amended by section 1, chapter 25, Laws of 1923, and RCW 10.49.060 are each amended to read as follows:

In prosecution for capital offenses, the defendant and the state may challenge peremptorily twelve jurors each; in prosecution for offenses punishable by imprisonment in the penitentiary, six jurors each; in all other prosecutions, three jurors each. When several defendants are on trial together, (~~they must join in their challenges~~) each defendant shall be entitled to the number of challenges provided above.

Passed the House March 14, 1969
Passed the Senate March 27, 1969
Approved by the Governor April 4, 1969
Filed in office of Secretary of State April 4, 1969