

CHAPTER 124.

[ Senate Bill No. 315. ]

MOTOR VEHICLES—OPERATORS AND OWNERS—  
FINANCIAL RESPONSIBILITY.

AN ACT relating to financial responsibility of motor vehicle operators and owners; amending sections 8, 12, 19, 20, 29 and 44 of chapter 169, Laws of 1963 and RCW 46.29.080, 46.29.120, 46.29.190, 46.29.200, 46.29.290 and RCW 46.29.440.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Section 8, chapter 169, Laws of 1963 and RCW 46.29.080 are each amended to read as follows:

RCW 46.29.080 amended.

The requirements as to security and suspension in this chapter shall not apply:

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- (1) To the driver or owner if the owner had in effect at the time of the accident an automobile liability policy or bond with respect to the vehicle involved in the accident, except that a driver shall not be exempt under this subsection if at the time of the accident the vehicle was being operated without the owner's permission, express or implied;
- (2) To the driver, if not the owner of the vehicle involved in the accident, if there was in effect at the time of the accident an automobile liability policy or bond with respect to his driving of vehicles not owned by him;
- (3) To the driver, if not the owner of the vehicle involved in the accident, if there was in effect at the time of the accident an automobile liability policy or bond as to which there is a bona fide dispute concerning coverage of such driver as evidenced by the pendency of litigation seeking a declaration of said driver's coverage under such policy or bond.
- (4) To the driver, whether or not the owner, if there is a bona fide claim on the part of the driver that there was in effect at the time of the accident, an

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automobile liability policy or bond insuring or covering such driver.

(5) To any person qualifying as a self-insurer under RCW 46.29.630 or to any person operating a vehicle for such self-insurer;

(6) To the driver or the owner of a vehicle involved in an accident wherein no injury or damage was caused to the person or property of anyone other than such driver or owner;

(7) To the driver or owner of a vehicle which at the time of the accident was parked, unless such vehicle was parked at a place where parking was at the time of the accident prohibited under any applicable law or ordinance;

(8) To the owner of a vehicle if at the time of the accident the vehicle was being operated without his permission, express or implied, or was parked by a person who had been operating such vehicle without such permission, except if the vehicle was operated by his minor child or spouse;

(9) To the owner of a vehicle involved in an accident if at the time of the accident such vehicle was owned by or leased to the United States, this state or any political subdivision of this state or a municipality thereof, or to the driver of such vehicle if operating such vehicle with permission; or

(10) To the driver or the owner of a vehicle in the event at the time of the accident the vehicle was being operated by or under the direction of a police officer who, in the performance of his duties, shall have assumed custody of such vehicle.

RCW 46.29.120 amended.

SEC. 2. Section 12, chapter 169, Laws of 1963 and RCW 46.29.120 are each amended to read as follows:

Release from liability.

(1) A person shall be relieved from the requirement for deposit of security for the benefit or protection of another person injured or damaged in the accident in the event he is released from liability by such other person.

(2) In the event the department has evaluated the injuries or damage to any minor the department may accept, for the purposes of this chapter only, evidence of a release from liability executed by a natural guardian or a legal guardian on behalf of such minor without the approval of any court or judge.

SEC. 3. Section 19, chapter 169, Laws of 1963 and RCW 46.29.190 are each amended to read as follows:

RCW 46.29.190 amended.

The department may reduce the amount of security ordered in any case if in its judgment the amount ordered is excessive. In case the security originally ordered has been deposited, the excess deposit over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith.

Authority of department to decrease amount of security.

SEC. 4. Section 20, chapter 169, Laws of 1963 and RCW 46.29.200 are each amended to read as follows:

RCW 46.29.200 amended.

Whenever the department has taken any action or has failed to take any action under this chapter by reason of having received erroneous information, then upon receiving correct information within one year after the date of an accident the department shall take appropriate action to carry out the purposes and effect of this chapter. The foregoing, however, shall not be deemed to require the department to reevaluate the amount of any deposit required under this chapter.

Correction of action taken on erroneous information by department.

SEC. 5. Section 29, chapter 169, Laws of 1963 and RCW 46.29.290 are each amended to read as follows:

RCW 46.29.290 amended.

If a person has no license, but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for any offense requiring the suspension or revocation of license, no license shall be thereafter issued to such person unless he shall give and thereafter

Action in respect to unlicensed report.

maintain proof of financial responsibility for the future.

RCW 46.29.440 amended.

SEC. 6. Section 44, chapter 169, Laws of 1963 and RCW 46.29.440 are each amended to read as follows:

Motor vehicle owners, operators, financial responsibility. Suspension to continue until proof given and maintained.

Such license or nonresident's operating privilege shall remain so suspended and shall not be renewed, nor shall any such license be thereafter issued in the name of such person, including any such person not previously licensed, unless and until such person shall give and thereafter maintain proof of financial responsibility for the future. The furnishing of such proof shall permit such person to operate only a motor vehicle covered by such proof. The department shall endorse appropriate restrictions on the license held by such person or may issue a new license containing such restrictions.

Passed the Senate March 5, 1965.

Passed the House March 10, 1965.

Approved by the Governor March 20, 1965.

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CHAPTER 125.

[ Senate Bill No. 316. ]

TOWN MARSHALS.

AN ACT relating to town officers; and amending section 35.27-.240, chapter 7, Laws of 1965 (Senate Bill No. 3) and RCW 35.27.240.

*Be it enacted by the Legislature of the State of Washington:*

RCW 35.27.240 amended.

SECTION 1. Section 35.27.240, chapter 7, Laws of 1965 (Senate Bill No. 3) and RCW 35.27.240 are each amended to read as follows:

Town marshal - Police department.

The department of police in a town shall be under the direction and control of the marshal subject to the direction of the mayor. He shall prosecute before the police justice all violations of town ordinances