ORDINANCE NO. 2974

AN ORDINANCE of the City of Kent, Washington, relating to traffic infraction, proof of liability insurance, insurance identification card and falsification of identification card; adding new sections 10.02.39 and .40 to the Kent City Code.

WHEREAS, cities have the right to enact laws for the protection of the public health, safety and general welfare; and

WHEREAS, the Washington State Legislature by RCW 46.30.020 has mandated as of April 1, 1990, that citizens only operate a motor vehicle when properly insured; and

WHEREAS, the City has previously adopted RCW Chapter 46.90, the Model Traffic Ordinance (MTO) which provides a comprehensive compilation of state uniform traffic laws. The purpose of the MTO is to allow cities to include all future amendments or additions to state traffic laws without having to enact its own ordinances. The MTO is designed to enhance safe and efficient movement of traffic throughout the state by having current, uniform traffic laws available.

WHEREAS, the addition of any new section to the MTO may be adopted by cities by reference if the Legislature specifically provides that the new section is included in the MTO.

WHEREAS, the 1989 Legislature did not include RCW 46.30.020, 46.30.030 and 46.30.040, the proof of insurance law in
the MTO, creating the need for emergency adoption by the City Council.

WHEREAS, the City Council taking note of the Legislative mandate must enforce such legislation and adopts emergency legislation; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Kent City code is amended by adding new section 10.02.39 and 10.02.40 as follows:

10.02.39. PROOF OF INSURANCE.

A. 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 this policy.

B. Whenever a person operates a motor vehicle subject to registration, the person shall have in his or her possession an identification card of the type specified in RCW 46.30.030, 10.02.039 and shall display the card upon demand to a law enforcement officer. Failure to show proof of an insurance card is an infraction punishable by a penalty of no more than $47.
10.02.040. DISPLAY OF PROOF OF FINANCIAL RESPONSIBILITY.

A. 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 on request by a law enforcement officer provide evidence of financial responsibility or insurance as required by laws of the state in which the vehicle is registered.

B. Any person who knowingly provides false evidence of financial responsibility to a law enforcement officer or to a court including an expired or cancelled insurance policy, bond or certificate of deposit is guilty of a misdemeanor.

Section 2. Declaration of Emergency. Effective date in accordance with RCW 35A.11.090, this ordinance is necessary for the immediate preservation of public peace, health and safety, therefore the support of city government at its existing public institutions and by reason of the facts above stated and the emergency which is hereby declared to exist. This ordinance shall become effective immediately upon the approval or signing of the same by the Mayor or passage over his veto as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

BRENDA JACOBER, ACTING CITY CLERK
APPROVED AS TO FORM:

[Signature]

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 19 day of March, 1991.
APPROVED the 20 day of March, 1991.
PUBLISHED the 22 day of March, 1991.

I hereby certify that this is a true copy of Ordinance No. 2974, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]
BRENDA JACOBER, ACTING CITY CLERK