

AMENDATORY SECTION (Amending WSR 06-07-100, filed 3/15/06,
effective 4/15/06)

WAC 480-31-070 Insurance. (1) Evidence of liability and property damage insurance or a surety bond must be on file before a certificate will be issued to a private, nonprofit transportation provider. The insurance or surety bond must have been written by a company authorized to write such insurance in the state of Washington or by an unauthorized insurer providing surplus lines coverage subject to the provisions of RCW 48.15.040. The combined bodily injury and property damage liability insurance or surety bond must not be less than:

Five hundred thousand dollars combined single limit for vehicles with a passenger capacity of less than 16 passengers, including the driver;

One million dollars combined single limit for vehicles with a passenger capacity of 16 or more passengers, including the driver.

(2) A provider's insurance agency or company must submit evidence of insurance on a "uniform motor carrier bodily injury and property damage liability certificate of insurance" (form E).

(3) All liability and property damage insurance policies issued to providers must carry a "uniform motor carrier bodily injury and property damage liability endorsement."

(4) Insurance termination. All insurance policies issued must provide that the same will continue in full force and effect until canceled by at least 30 days' written notice served on the insured and the commission by the insurance company. The 30-day notice will commence to run from the date notice is actually received by the commission, except for binders which may be canceled on 10 days' written notice.

A provider's insurance agency or company must submit notice of cancellation or expiration in duplicate on forms prescribed by the commission and must not submit the notice more than 60 days before the desired termination date, except binders which may be canceled by 10 days' written notice from the insurance agency or company.

(5) No provider may operate on the public highways of this state without insurance as required by this section.

NEW SECTION

WAC 480-31-150 Intrastate medical waivers.

(1) **Department of licensing intrastate medical waiver.** A private, nonprofit transportation provider may use a driver that is not physically qualified to drive a commercial motor vehicle under Title 49 C.F.R. Part 391.41, if the driver:

(a) Only operates commercial motor vehicles intrastate, wholly within the state of Washington; and

(b) Has obtained from the Washington state department of licensing an intrastate medical waiver to drive a commercial motor vehicle.

For the purposes of a department of licensing medical waiver, a commercial motor vehicle means a motor vehicle:

(i) With a gross vehicle weight rating of 26,001 pounds or more;

(ii) Transporting 16 or more passengers, including the driver; or

(iii) With a manufacturer's seating capacity of 16 or more passengers, including the driver.

(2) **Doctor's statement of intrastate medical waiver.** A private, nonprofit transportation provider may use a driver that is not physically qualified to drive a motor vehicle under Title 49 C.F.R. Part 391.41 or WAC 480-31-130, as applicable, if the driver:

(a) Holds a valid Washington state driver's license;

(b) Has received a doctor's statement that:

(i) The driver's medical condition is not likely to interfere with the driver's ability to safely operate a motor vehicle; and

(ii) The driver's condition is likely to remain stable for the two years or other specified date, but not more than the two years that the medical certificate is valid.

(c) Operates motor vehicles intrastate wholly within the state of Washington. For the purposes of a doctor's statement of intrastate medical waiver, a motor vehicle means a motor vehicle:

(i) With a gross vehicle weight rating under 26,001 pounds;

(ii) Transporting 15 or fewer passengers, including the driver; or

(iii) With a manufacturer's seating capacity of 15 or fewer passengers, including the driver.

(3) **Driver qualification files.** A private, nonprofit transportation provider that uses a driver under an intrastate medical waiver must maintain in the driver's qualification file a physical or digital copy of the doctor's statement of intrastate medical waiver.