
ENGROSSED SUBSTITUTE SENATE BILL 5765

State of Washington

66th Legislature

2019 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Kuderer, Warnick, King, Fortunato, Walsh, Keiser, and Hobbs)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to clarifying responsibilities for mandatory
2 industrial insurance coverage for persons transporting freight; and
3 adding a new section to chapter 51.12 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 51.12
6 RCW to read as follows:

7 (1) Solely for purposes of this title, a freight broker or
8 freight forwarder that enters into an agreement with a licensed
9 common or contract carrier for the transportation of freight on
10 behalf of such broker or forwarder is not the employer of the drivers
11 engaged by such common or contract carrier to operate commercial
12 vehicles owned or operated by such common or contract carrier unless
13 the common or contract carrier is also the driver.

14 (2) Nothing in this section shall be construed as relieving the
15 owner or lessee of a commercial vehicle from treating the individual
16 operating the vehicle as a worker under this title unless such
17 individuals are not workers within the meaning of RCW 51.08.180 or
18 are otherwise excluded from coverage under RCW 51.08.195.

19 (3) If an individual is excluded from coverage under this title
20 pursuant to subsection (1) or (2) of this section, the individual may

1 elect coverage under this title in the manner provided by RCW
2 51.32.030.

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