

**WAC 173-360A-1030 Termination of mechanisms by providers. (1)**

**Authority.** Except as otherwise provided, a provider of financial assurance may cancel or fail to renew an assurance mechanism by sending a notice of termination by certified mail to the owner or operator.

**(2) Date of termination.**

(a) **Guarantee, surety bond, or letter of credit.** Termination of a local government guarantee, a guarantee, a surety bond, or a letter of credit may not occur until 120 days after the date on which the owner or operator receives the notice of termination, as evidenced by the return receipt.

(b) **Insurance, risk retention group coverage, or state-funded assurance.** Termination of insurance or risk retention group coverage, except for nonpayment or misrepresentation by the insured, or state-funded assurance may not occur until 60 days after the date on which the owner or operator receives the notice of termination, as evidenced by the return receipt. Termination for nonpayment of premium or misrepresentation by the insured may not occur until a minimum of 10 days after the date on which the owner or operator receives the notice of termination, as evidenced by the return receipt.

**(3) Obtaining alternate coverage.**

(a) **If provider incapacitated.** If a provider of financial assurance cancels or fails to renew for reasons of incapacity of the provider, then the owner or operator must obtain alternate coverage as specified in WAC 173-360A-1035.

(b) **If provider not incapacitated.** If a provider of financial assurance cancels or fails to renew for reasons other than incapacity of the provider, then the owner or operator must obtain alternate coverage as specified in this section within 60 days after receipt of the notice of termination. If the owner or operator fails to obtain alternate coverage within 60 days after receipt of the notice of termination, then by that date the owner or operator must notify the department of the failure and submit:

(i) The name and address of the provider of financial assurance;

(ii) The effective date of termination; and

(iii) The evidence of the financial assurance mechanism subject to the termination maintained in accordance with WAC 173-360A-1040(2).

[Statutory Authority: Chapter 70A.355 RCW and 2023 c 170. WSR 23-22-041 (Order 22-16), § 173-360A-1030, filed 10/24/23, effective 11/24/23. Statutory Authority: Chapter 90.76 RCW. WSR 18-15-083 (Order 16-02), § 173-360A-1030, filed 7/18/18, effective 10/1/18.]