

SENATE BILL REPORT

ESSB 5530

As Reported By Senate Committee On:
Law & Justice, January 24, 1996

Title: An act relating to automated traffic enforcement.

Brief Description: Authorizing the use of automated traffic enforcement systems.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Smith, Roach, Rasmussen and Winsley).

Brief History:

Committee Activity: Law & Justice: 2/6/95, 2/20/95 [DPS]; 1/15/96, 1/24/96 [DP2S].
Passed Senate, 3/15/95, 33-13.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Second Substitute Senate Bill No. 5530 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Hargrove, Haugen, Johnson, Long, McCaslin, Roach and Schow.

Staff: Cynthia Runger (786-7717)

Background: A law enforcement officer may issue a notice of traffic infraction in the following circumstances: (1) when the infraction occurs in the officer's presence; (2) when the officer acts upon the request of another law enforcement officer in whose presence the infraction was committed; and (3) when an investigating officer at the scene of a motor vehicle accident has reason to believe that the driver involved has committed a traffic offense.

Summary of Second Substitute Bill: Three cities and two counties are eligible for a pilot program to use automated traffic enforcement systems to enforce red light and railroad crossing violations when law enforcement officers are not present. The program runs between July 1, 1996, and July 1, 1998. No law enforcement agency may operate more than three automated traffic enforcement devices without an officer present at the same time. The pilot program may be implemented only when a city or county's local legislative body has adopted an ordinance allowing their use. Registered owners of vehicles are only responsible for infractions that occur if they are the persons operating the vehicles at the time the infractions are committed. Renting companies, leasing companies, and businesses with company vehicles are exempt from liability for infractions issued by automated traffic enforcement systems to lessees or employees.

Second Substitute Bill Compared to Substitute Bill: Rather than authorizing statewide use of the automated traffic enforcement systems, the second substitute bill creates a pilot program which may be tested in a limited number of cities and counties. To track speeding

violations, an automatic traffic enforcement system may be used only when an officer is present.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Use of the automated traffic enforcement system is an efficient and effective way to enforce traffic laws.

Testimony Against: None.

Testified: Kathy Gerke, Association of WA Cities (pro); Jackie White, city of Spokane (pro).