

SENATE BILL REPORT

SB 5058

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, JANUARY 13, 1994

Brief Description: Correcting an unconstitutional provision concerning jurisdiction for violations dealing with motor vehicles.

SPONSORS: Senators A. Smith, Quigley, McCaslin, Winsley and Roach; by request of Law Revision Commission

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators A. Smith, Chairman; Ludwig, Vice Chairman; Hargrove, Nelson, Quigley and Roach.

Staff: Susan Carlson (786-7418)

Hearing Dates: January 20, 1993; January 27, 1993; January 13, 1994

BACKGROUND:

The Law Revision Commission has implemented a project to determine whether the statutes which have been declared unconstitutional by a Washington or United States court have been repealed or corrected.

In 1967 the Washington Supreme Court determined that concurrent jurisdiction over violations of the Motor Vehicles Code, given by statute to superior, district and municipal courts was unconstitutional. Certain violations of the Motor Vehicles Code are felonies, such as vehicular homicide and vehicular assault. Under the Washington Constitution, superior court has exclusive jurisdiction over the trial of felony crimes.

It is recommended that the statute which provides for concurrent jurisdiction between superior, district and municipal courts in enforcing the Motor Vehicles Code be amended.

SUMMARY:

The statute pertaining to court jurisdiction over motor vehicle violations is amended to clarify that superior court has exclusive jurisdiction over the trial of felony charges.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

The bill corrects the statute on superior court jurisdiction in the Motor Vehicle Code so that it is consistent with our state Constitution.

TESTIMONY AGAINST: None

TESTIFIED: Marjorie Rombauer, Law Revision Commission (pro)