
SUBSTITUTE HOUSE BILL 2864

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Skinner, Fisher, Mitchell, Ogden, Hankins and Hurst)

Read first time 01/31/2000. Referred to Committee on .

1 AN ACT Relating to traffic safety improvement; amending RCW
2 46.63.110; reenacting and amending RCW 43.59.150; adding a new section
3 to chapter 43.59 RCW; adding a new section to chapter 46.64 RCW;
4 creating a new section; prescribing penalties; and providing an
5 effective date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that the number of
8 traffic crashes resulting in serious or fatal injuries on Washington
9 roadways is unacceptably high. The vast majority of these crashes
10 result from dangerous driving behavior, often occurring when traffic
11 infractions and traffic crimes are committed. It is the intent of the
12 legislature to increase fines in order to deter the behavior leading to
13 traffic infractions and crimes, thus reducing the injuries and deaths
14 that result from traffic crashes. It is further intended that the
15 increased portion of fines identified in this act will be used solely
16 to fund programs to reduce traffic crashes and reduce the severity of
17 injuries from those crashes and for other traffic safety purposes as
18 outlined in this act.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.59 RCW
2 to read as follows:

3 The traffic safety improvement account is created in the state
4 treasury. The purpose of this account is to improve traffic safety by
5 funding programs through the Washington traffic safety commission,
6 particularly those directed by this chapter. The bicycle and
7 pedestrian safety account and the impaired driving safety account are
8 abolished as separate accounts and are merged into the traffic safety
9 improvement account. All receipts from additional penalties collected
10 under RCW 46.63.110(7) or section 5 of this act, and fifty percent of
11 the penalties collected under RCW 46.61.527(3) must be deposited into
12 this account. Funded projects should include, but not be limited to
13 support for community traffic safety task forces, state match required
14 by the Washington traffic safety commission to qualify for federal
15 highway safety grants, the drug recognition expert program, traffic
16 safety public information and education efforts, support for local
17 communities implementing traffic safety laws passed by the legislature,
18 bicycle and pedestrian safety efforts, and other programs consistent
19 with this chapter. Only the director of the traffic safety commission
20 or the director's designee may authorize expenditures from the account.
21 The account is subject to allotment procedures under chapter 43.88 RCW,
22 but no appropriation is required for expenditures until July 1, 2001,
23 after which date moneys in the account may be spent only after
24 appropriation. Any expenditures before July 1, 2001, are subject to
25 review by the transportation committees of the legislature.

26 **Sec. 3.** RCW 43.59.150 and 1999 c 372 s 9 and 1999 c 351 s 1 are
27 each reenacted and amended to read as follows:

28 ((~~1~~)) The Washington state traffic safety commission shall
29 establish a program for improving bicycle and pedestrian safety, and
30 shall cooperate with the stakeholders and independent representatives
31 to form an advisory committee to develop programs and create public
32 private partnerships which promote bicycle and pedestrian safety. The
33 traffic safety commission shall periodically report and make
34 recommendations to the ((~~legislative~~)) transportation committees of the
35 legislature on the progress of the bicycle and pedestrian safety
36 committee.

1 (~~(2) The bicycle and pedestrian safety account is created in the~~
2 ~~state treasury to support bicycle and pedestrian education or safety~~
3 ~~programs.))~~)

4 **Sec. 4.** RCW 46.63.110 and 1997 c 331 s 3 are each amended to read
5 as follows:

6 (1) A person found to have committed a traffic infraction shall be
7 assessed a monetary penalty. No penalty may exceed two hundred and
8 fifty dollars for each offense unless authorized by this chapter or
9 title.

10 (2) The supreme court shall prescribe by rule a schedule of
11 monetary penalties for designated traffic infractions. This rule shall
12 also specify the conditions under which local courts may exercise
13 discretion in assessing fines and penalties for traffic infractions.
14 The legislature respectfully requests the supreme court to adjust this
15 schedule every two years for inflation.

16 (3) There shall be a penalty of twenty-five dollars for failure to
17 respond to a notice of traffic infraction except where the infraction
18 relates to parking as defined by local law, ordinance, regulation, or
19 resolution or failure to pay a monetary penalty imposed pursuant to
20 this chapter. A local legislative body may set a monetary penalty not
21 to exceed twenty-five dollars for failure to respond to a notice of
22 traffic infraction relating to parking as defined by local law,
23 ordinance, regulation, or resolution. The local court, whether a
24 municipal, police, or district court, shall impose the monetary penalty
25 set by the local legislative body.

26 (4) Monetary penalties provided for in chapter 46.70 RCW which are
27 civil in nature and penalties which may be assessed for violations of
28 chapter 46.44 RCW relating to size, weight, and load of motor vehicles
29 are not subject to the limitation on the amount of monetary penalties
30 which may be imposed pursuant to this chapter.

31 (5) Whenever a monetary penalty is imposed by a court under this
32 chapter it is immediately payable. If the person is unable to pay at
33 that time the court may, in its discretion, grant an extension of the
34 period in which the penalty may be paid. If the penalty is not paid on
35 or before the time established for payment the court shall notify the
36 department of the failure to pay the penalty, and the department shall
37 suspend the person's driver's license or driving privilege until the

1 penalty has been paid and the penalty provided in subsection (3) of
2 this section has been paid.

3 (6) In addition to any other penalties imposed under this section
4 and not subject to the limitation of subsection (1) of this section, a
5 person found to have committed a traffic infraction shall be assessed
6 a fee of five dollars per infraction. Under no circumstances shall
7 this fee be reduced or waived. Revenue from this fee shall be
8 forwarded to the state treasurer for deposit in the emergency medical
9 services and trauma care system trust account under RCW 70.168.040.

10 (7) In addition to any other penalties imposed under this section
11 and not subject to the limitation of subsection (1) of this section, a
12 person found to have committed a traffic infraction other than of RCW
13 46.61.440 or 46.61.527 will be assessed an additional penalty of ten
14 dollars. The court may not reduce, waive, or suspend the additional
15 penalty unless the court finds the offender to be indigent. Revenue
16 from the additional penalty must be forwarded to the state treasurer
17 for deposit in the traffic safety improvement account under section 2
18 of this act.

19 NEW SECTION. Sec. 5. A new section is added to chapter 46.64 RCW
20 to read as follows:

21 In addition to any other penalties imposed for conviction of a
22 violation of this title that is a misdemeanor, gross misdemeanor, or
23 felony, the court must impose an additional penalty of fifty dollars.
24 The court may not reduce, waive, or suspend the additional penalty
25 unless the court finds the offender to be indigent. Revenue from the
26 additional penalty must be forwarded to the state treasurer for deposit
27 in the traffic safety improvement account under section 2 of this act.

28 NEW SECTION. Sec. 6. This act takes effect July 1, 2000.

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