
HOUSE BILL 2864

State of Washington 56th Legislature 2000 Regular Session

By Representatives Skinner, Fisher, Mitchell, Ogden, Hankins and Hurst

Read first time 01/21/2000. Referred to Committee on Transportation.

1 AN ACT Relating to traffic safety improvement; amending RCW
2 46.63.110 and 46.68.041; reenacting and amending RCW 43.59.150; adding
3 a new section to chapter 43.59 RCW; adding a new section to chapter
4 46.64 RCW; creating a new section; repealing RCW 46.68.260; prescribing
5 penalties; and providing an 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, fifty percent of the
11 penalties collected under RCW 46.61.527(3), and all receipts as
12 directed by RCW 46.68.041(2) must be deposited into this account.
13 Expenditures from the account may be used only by the Washington
14 traffic safety commission to fund traffic safety improvement projects.
15 Funded projects should include, but not be limited to support for
16 community traffic safety task forces, state match required by the
17 Washington traffic safety commission to qualify for federal highway
18 safety grants, the drug recognition expert program, traffic safety
19 public information and education efforts, support for local communities
20 implementing traffic safety laws passed by the legislature, bicycle and
21 pedestrian safety efforts, and other programs consistent with this
22 chapter. Only the director of the traffic safety commission or the
23 director's designee may authorize expenditures from the account. The
24 account is subject to allotment procedures under chapter 43.88 RCW, but
25 no appropriation is required for expenditures until July 1, 2001, after
26 which date moneys in the account may be spent only after appropriation.
27 Any expenditures before July 1, 2001, are subject to review by the
28 transportation committees of the legislature.

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

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

1 legislature on the progress of the bicycle and pedestrian safety
2 committee.

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

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

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

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

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

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

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

1 suspend the person's driver's license or driving privilege until the
2 penalty has been paid and the penalty provided in subsection (3) of
3 this section has been paid.

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

11 (7) In addition to any other penalties imposed under this section
12 and not subject to the limitation of subsection (1) of this section, a
13 person found to have committed a traffic infraction other than of RCW
14 46.61.440 or 46.61.527 will be assessed an additional penalty of ten
15 dollars. The court may not reduce, waive, or suspend the additional
16 penalty under any circumstances. Revenue from the additional penalty
17 must be forwarded to the state treasurer for deposit in the traffic
18 safety improvement account under section 2 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 or on a person found to be an habitual offender under chapter
24 46.65 RCW, the court must impose an additional penalty of fifty
25 dollars. The court may not reduce, waive, or suspend the additional
26 penalty under any circumstances. Revenue from the additional penalty
27 must be forwarded to the state treasurer for deposit in the traffic
28 safety improvement account under section 2 of this act.

29 **Sec. 6.** RCW 46.68.041 and 1998 c 212 s 3 are each amended to read
30 as follows:

31 (1) Except as provided in subsection (2) of this section, the
32 department shall forward all funds accruing under the provisions of
33 chapter 46.20 RCW together with a proper identifying, detailed report
34 to the state treasurer who shall deposit such moneys to the credit of
35 the highway safety fund.

36 (2) Sixty-three percent of each fee collected by the department
37 under RCW 46.20.311 (1)(b)(ii), (2)(b)(ii), and (3)(b) shall be

1 deposited in the ((~~impaired driving~~)) traffic safety improvement
2 account.

3 NEW SECTION. **Sec. 7.** RCW 46.68.260 (Impaired driving safety
4 account) and 1998 c 212 s 2 are each repealed.

5 NEW SECTION. **Sec. 8.** This act takes effect July 1, 2000.

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