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SENATE BILL 6630

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State of Washington

56th Legislature

2000 Regular Session

By Senators Haugen, Oke, Gardner, Horn, Goings, Heavey, Morton, Costa and Rasmussen

Read first time 01/20/2000. Referred to Committee on Transportation.

1 AN ACT Relating to traffic safety improvement; amending RCW  
2 46.61.440, 46.63.110, and 46.68.041; reenacting and amending RCW  
3 43.59.150; adding a new section to chapter 43.59 RCW; adding a new  
4 section to chapter 46.64 RCW; creating a new section; repealing RCW  
5 46.68.260; prescribing 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 school zone safety  
7 account, the bicycle and pedestrian safety account, and the impaired  
8 driving safety account are abolished as separate accounts and are  
9 merged into the traffic safety improvement account. All receipts from  
10 additional penalties collected under RCW 46.63.110(7) or section 6 of  
11 this act, fifty percent of the penalties collected under RCW  
12 46.61.527(3) or 46.61.440, and all receipts as directed by RCW  
13 46.68.041(2) must be deposited into this account. Expenditures from  
14 the account may be used only by the Washington traffic safety  
15 commission to fund traffic safety improvement projects. Funded  
16 projects should include, but not be limited to support for community  
17 traffic safety task forces, state match required by the Washington  
18 traffic safety commission to qualify for federal highway safety grants,  
19 the drug recognition expert program, traffic safety public information  
20 and education efforts, support for local communities implementing  
21 traffic safety laws passed by the legislature, school zone safety  
22 programs, bicycle and pedestrian safety efforts, and other programs  
23 consistent with this chapter. Only the director of the traffic safety  
24 commission or the director's designee may authorize expenditures from  
25 the account. The account is subject to allotment procedures under  
26 chapter 43.88 RCW, but no appropriation is required for expenditures  
27 until July 1, 2001, after which date moneys in the account may be spent  
28 only after appropriation. Any expenditures before July 1, 2001, are  
29 subject to review by the transportation committees of the legislature.

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

32        (~~(1)~~) The Washington state traffic safety commission shall  
33 establish a program for improving bicycle and pedestrian safety, and  
34 shall cooperate with the stakeholders and independent representatives  
35 to form an advisory committee to develop programs and create public  
36 private partnerships which promote bicycle and pedestrian safety. The  
37 traffic safety commission shall periodically report and make  
38 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 46.61.440 and 1997 c 80 s 2 are each amended to read  
7 as follows:

8 (1) Subject to RCW 46.61.400(1), and except in those instances  
9 where a lower maximum lawful speed is provided by this chapter or  
10 otherwise, it shall be unlawful for the operator of any vehicle to  
11 operate the same at a speed in excess of twenty miles per hour when  
12 operating any vehicle upon a highway either inside or outside an  
13 incorporated city or town when passing any marked school or playground  
14 crosswalk when such marked crosswalk is fully posted with standard  
15 school speed limit signs or standard playground speed limit signs. The  
16 speed zone at the crosswalk shall extend three hundred feet in either  
17 direction from the marked crosswalk.

18 (2) A person found to have committed any infraction relating to  
19 speed restrictions within a school or playground speed zone shall be  
20 assessed a monetary penalty equal to twice the penalty assessed under  
21 RCW 46.63.110. This penalty may not be waived, reduced, or suspended.

22 ~~((3) The school zone safety account is created in the custody of  
23 the state treasurer. Fifty percent of the moneys collected under  
24 subsection (2) of this section shall be deposited into the account.  
25 Expenditures from the account may be used only by the Washington  
26 traffic safety commission solely to fund projects in local communities  
27 to improve school zone safety, pupil transportation safety, and student  
28 safety in school bus loading and unloading areas. Only the director of  
29 the traffic safety commission or the director's designee may authorize  
30 expenditures from the account. The account is subject to allotment  
31 procedures under chapter 43.88 RCW, but no appropriation is required  
32 for expenditures until July 1, 1999, after which date moneys in the  
33 account may be spent only after appropriation.))~~

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

36 (1) A person found to have committed a traffic infraction shall be  
37 assessed a monetary penalty. No penalty may exceed two hundred and

1 fifty dollars for each offense unless authorized by this chapter or  
2 title.

3 (2) The supreme court shall prescribe by rule a schedule of  
4 monetary penalties for designated traffic infractions. This rule shall  
5 also specify the conditions under which local courts may exercise  
6 discretion in assessing fines and penalties for traffic infractions.  
7 The legislature respectfully requests the supreme court to adjust this  
8 schedule every two years for inflation.

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

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

24 (5) Whenever a monetary penalty is imposed by a court under this  
25 chapter it is immediately payable. If the person is unable to pay at  
26 that time the court may, in its discretion, grant an extension of the  
27 period in which the penalty may be paid. If the penalty is not paid on  
28 or before the time established for payment the court shall notify the  
29 department of the failure to pay the penalty, and the department shall  
30 suspend the person's driver's license or driving privilege until the  
31 penalty has been paid and the penalty provided in subsection (3) of  
32 this section has been paid.

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

1       (7) In addition to any other penalties imposed under this section  
2 and not subject to the limitation of subsection (1) of this section, a  
3 person found to have committed a traffic infraction other than of RCW  
4 46.61.440 or 46.61.527 will be assessed an additional penalty of ten  
5 dollars. The court may not reduce, waive, or suspend the additional  
6 penalty under any circumstances. Revenue from the additional penalty  
7 must be forwarded to the state treasurer for deposit in the traffic  
8 safety improvement account under section 2 of this act.

9       NEW SECTION. Sec. 6. A new section is added to chapter 46.64 RCW  
10 to read as follows:

11       In addition to any other penalties imposed for conviction of a  
12 violation of this title that is a misdemeanor, gross misdemeanor, or  
13 felony or on a person found to be an habitual offender under chapter  
14 46.65 RCW, the court must impose an additional penalty of fifty  
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       **Sec. 7.** RCW 46.68.041 and 1998 c 212 s 3 are each amended to read  
20 as follows:

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

26       (2) Sixty-three percent of each fee collected by the department  
27 under RCW 46.20.311 (1)(b)(ii), (2)(b)(ii), and (3)(b) shall be  
28 deposited in the (~~impaired driving~~) traffic safety improvement  
29 account.

30       NEW SECTION. Sec. 8. RCW 46.68.260 (Impaired driving safety  
31 account) and 1998 c 212 s 2 are each repealed.

32       NEW SECTION. Sec. 9. This act takes effect July 1, 2000.

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