<u>SHB 1163</u> - H AMD **332**
By Representative Lovick

1   Beginning on page 4, line 2, strike all of section 201 and insert
2   the following:

3   "<u>NEW SECTION.</u> **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
4   **COMMISSION**
5   Highway Safety Account--State Appropriation $2,174,000
6   Highway Safety Account--Federal Appropriation $15,744,000
7   School Zone Safety Account--State Appropriation $3,059,000
8   TOTAL APPROPRIATION $20,977,000
9   The appropriations in this section are subject to the following
10   conditions and limitations:
11   (1) $1,555,000 of the school zone safety account--state
12   appropriation is provided as matching funds for the following school
13   safety enhancement projects, as proposed by local agencies, schools,
14   and tribal governments in response to the department of
15   transportation's highways and local programs request for information
16   for potential projects to be financed under Referendum No. 51:

Agency	Project Title
Cheney	School Crosswalk Improvement Project
Skokomish Indian Tribe	Skokomish School Safety Sidewalk Program
Brier	37th Pl SW & 233rd Pl SW Sidewalk
Sunnyside	Lincoln Ave Sidewalks
Lynnwood	Olympic View Dr - 76th Ave SW to 169th St SW
Steilacoom	Cherrydale Elementary School Safety Enhancement
Yakima	W Valley School Zone Flashers
Camas SD	SR 500 at 15th St Interchange
Seattle	Meadowbrook Playfield - NE 105th St
Vancouver	Franklin ES Sidewalk Improvements

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28   (2) If one or more of the projects under subsection (1) of this

section cannot be completed or no longer seeks state matching funds, the following projects may be substituted in order of priority:

Agency	Project Title
Davenport	Davenport Sixth St School Sidewalk
Edmonds	96th Ave W Pedestrian Improvements
Mountlake Terrace	223rd St SW - 44th Ave W to Cedar Way Elementary
Yakima	Englewood/Powerhouse Intersection Safety Project

(3) The highways and local programs division within the department of transportation must provide assistance to the commission in administering this program.

(4) The commission may continue to oversee up to four pilot projects, previously authorized, implementing the use of traffic safety cameras to detect speeding and to detect violations at railroad crossings and stoplights.

(a) In order to ensure adequate time in the 2003-05 biennium to evaluate the effectiveness of the pilot program, any programs authorized by the commission must be reauthorized by December 31, 2003.

(b) If King, Pierce, or Spokane county, or any city within these counties, has established an authorized automated traffic safety camera program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(c) The traffic safety commission shall use the following guidelines to administer the program:

(i) Traffic safety cameras may take pictures of the vehicle and vehicle license plate only, and only while an infraction is occurring;

(ii) The law enforcement agency of the city or county government shall plainly mark the locations where the automated traffic enforcement system is used by placing signs on street locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic enforcement system;

(iii) Cities and counties using traffic safety cameras must provide

1 periodic notice by mail to its citizens indicating the zones in which
2 the traffic safety cameras will be used;
3 (iv) Notices of infractions must be mailed to the registered owner
4 of a vehicle within fourteen days of the infraction occurring;
5 (v) The owner of the vehicle is not responsible for the violation
6 if the owner of the vehicle, within fourteen days of receiving
7 notification of the violation, mails to the issuing law enforcement
8 agency, a declaration under penalty of perjury, stating that the
9 vehicle involved was, at the time, stolen or in the care, custody, or
10 control of some person other than the registered owner, or any other
11 extenuating circumstances;
12 (vi) Infractions detected through the use of traffic safety cameras
13 are not part of the registered owner's driving record under RCW
14 46.52.101 and 46.52.120;
15 (vii) If a notice of infraction is sent to the registered owner and
16 the registered owner is a rental car business, the infraction will be
17 dismissed against the business if it mails to the issuing agency,
18 within fourteen days of receiving the notice, a declaration under
19 penalty of perjury of the name and known mailing address of the
20 individual driving or renting the vehicle when the infraction occurred.
21 If the business is unable to determine who was driving or renting the
22 vehicle at the time the infraction occurred, the business must sign a
23 declaration under penalty of perjury to this effect. The declaration
24 must be mailed to the issuing agency within fourteen days of receiving
25 the notice of traffic infraction. Timely mailing of this declaration
26 to the issuing agency relieves a rental car business of any liability
27 under this chapter for the notice of infraction. A declaration form
28 suitable for this purpose must be included with each automated traffic
29 infraction notice issued, along with instructions for its completion
30 and use;
31 (viii) For purposes of the pilot projects, infractions generated by
32 the use of traffic safety cameras are exempt from the provisions of RCW
33 3.50.100 and will be processed in the same manner as parking
34 violations; and
35 (ix) By June 30, 2005, the traffic safety commission shall provide
36 a report to the legislature regarding the use, public acceptance,

1 outcomes, and other relevant issues regarding traffic safety cameras
2 demonstrated by the pilot projects."

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