

# FINAL BILL REPORT

## HB 1379

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Synopsis as Enacted

**Brief Description:** Authorizing agreements for speeding enforcement.

**Sponsors:** By Representatives Ericksen, Bush and Anderson.

**House Committee on Transportation**

**Senate Committee on Highways & Transportation**

**Background:**

State law provides that motorists must comply with all rules of the road on public highways. In addition, certain traffic laws such as laws relating to accidents, reckless driving, DUIs, and vehicular assault may be enforced throughout the state, including both public and private roads. City, town, and county law enforcement officials, however, do not have authority to enforce other civil traffic laws, such as adherence to speed limits, on private roads.

To encourage traffic safety within private developments, homeowners' associations often adopt traffic safety rules and, in some cases, contract with private individuals (such as off-duty law enforcement officials) to enforce these rules. However, because these regulations are privately adopted, the citations issued are not enforceable beyond the authority of the homeowners' association.

**Summary:**

Law enforcement personnel may enforce speeding violations on private roads within a homeowners' association, provided that:

- a majority of the homeowners' association's board of directors vote to authorize issuance of infractions and declares a speed limit of not less than 20 miles per hour;
- a written agreement regarding the speeding enforcement is signed by the homeowners' association president and the top law enforcement official within whose jurisdiction the road is located;
- the homeowners' association has provided written notice to all of the homeowners describing the new authority to issue speeding infractions; and
- signs have been posted declaring the speed limit at all vehicle entrances to the community.

**Votes on Final Passage:**

House 92 5  
Senate 45 4 (Senate amended)  
House 89 8 (House concurred)

**Effective:** July 27, 2003