
Transportation Committee

HB 2475

Brief Description: Facilitating enforcement of toll violations.

Sponsors: Representative Murray; by request of Department of Transportation.

Brief Summary of Bill

- Failure to pay a toll is made a non-moving traffic violation.
- If a vehicle is driven through a toll facility without making payment, the registered owner or renter of the vehicle is assessed for the infraction.
- The registered owner is not responsible if he or she provides a sworn affidavit or testimony that the vehicle was stolen or in the custody of another person.

Hearing Date: 1/26/04

Staff: Page Scott (786-7301).

Background:

Under current law, it is a traffic infraction to evade payment of tolls on a publicly operated toll facility. A law enforcement officer is only authorized to issue a citation for a traffic infraction if it is committed in the officer's presence, in the presence of a referring law enforcement officer, or if the officer is at the scene of an accident and has probable cause to believe that an infraction has been committed.

Summary of Bill:

Photo monitoring system

- Provides for the use of a photo monitoring system to issue a notice of infraction for toll violations. A notice of infraction is issued by a law enforcement officer or agency.
- Defines "electronic toll collection system" and "photo monitoring system" under RCW 46.63.030.
- Requirements for using a photo monitoring system include limitations on the content and use of the recorded images. Recorded images are not open to the public and may not be used in court unless the proceeding relates to a toll collection violation.

Infractions mailed to registered owners

- A traffic citation for toll evasion may be mailed to the registered owner of the vehicle. Infractions for toll violations are not part of the registered owner's driving record.

Rental cars

- If the registered owner is a rental car business, the infraction will be dismissed against the business if the business provides the name and known mailing address of the person renting or driving the vehicle.

Time limits

- Notice of the infraction must be mailed to the registered owner within 60 days of the toll violation, unless issued in person.
- Registered owner will be responsible for the violation unless he or she provides either 1) a sworn statement that the vehicle was stolen or in the care, custody or control of some other person at the time of the violation, or 2) testifies in open court that the person was not the operator of the vehicle at the time of the violation. The statement or testimony must be furnished to the issuing agency within 15 days if issued in person, or within 18 days if mailed.

Vehicle registration renewal may be suspended

- Department of Licensing may suspend renewal of vehicle registration if there is no response to a notice of infraction for toll evasion violations.

Applies to all toll facilities.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.