
Transportation Committee

HB 2791

Brief Description: Concerning driving-related penalties.

Sponsors: Representatives Goodman and Clibborn.

Brief Summary of Bill

- Adds the terms "gore point" and "gore zone" to the current list of terms defining the spaces through which a vehicle cannot pass except when granted the ability to do so by a public authority.
- Creates a penalty assessment of \$100 for persons convicted of reckless driving and a penalty assessment of \$50 for persons convicted of negligent driving in either the first or second degree, and requires that the proceeds of these assessments be deposited into the Motor Vehicle Fund.
- Reduces the penalty for most violations related to trip permits from a gross misdemeanor to a misdemeanor.

Hearing Date: 1/26/10

Staff: David Munnecke (786-7315).

Background:

It is a traffic infraction, punishable by a fine of \$411, to drive over, across, or within any dividing space, barrier or section, or median island, except through an opening, crossover, or intersection established by a public authority.

A gore point or gore zone is generally defined as a triangular piece of land found where roads merge or split. When two roads merge, the area is sometimes referred to as a merge nose. The term "gore" possibly originates from the dressmaker's term for a triangular piece of cloth.

Reckless driving is defined as driving a vehicle in willful or wanton disregard for the safety of persons or property. Negligent driving in the first degree is defined as operating a motor vehicle

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in a manner that is negligent and endangers or is likely to endanger any person or property, and exhibits the effects of having consumed liquor or an illegal drug. Negligent driving in the second degree is defined as operating a motor vehicle in a manner that is negligent and endangers or is likely to endanger any person or property, and doing so under circumstances not constituting negligent driving in the first degree.

Crimes are generally punishable by imprisonment, a fine in an amount fixed by the court, or both. The statutory maximum fine for a misdemeanor is \$1,000 and \$5,000 for a gross misdemeanor. In addition to the fine the court may impose, courts are sometimes required to impose additional assessments against a convicted defendant. For example, a superior court must impose a crime victims and witness penalty assessment of \$250 against a person convicted of a misdemeanor, and \$500 for a gross misdemeanor or felony.

Any otherwise unlicensed vehicle may operate on Washington highways under authority of a trip permit, which can be purchased for \$20. Trip permits may be used for a period of three consecutive days. Any violation of the statute related to trip permits is a gross misdemeanor, which is punishable by up to one year in jail, or a fine of up to \$5,000, or both.

Summary of Bill:

The terms "gore point" and "gore zone" are added to the current list of terms defining the spaces through which a vehicle cannot pass except when granted the ability to do so by a public authority.

A penalty assessment of \$100 is created for persons convicted of reckless driving and a penalty assessment of \$50 is created for persons convicted of negligent driving in either the first or second degree. The proceeds of all of these assessments are required to be deposited into the Motor Vehicle Fund.

The penalty for violations related to trip permits is reduced from a gross misdemeanor to a misdemeanor, except when a commercial motor vehicle that has been placed out of service by the Washington State Patrol is found to be operating under a trip permit..

Appropriation: None.

Fiscal Note: Requested on 1/21/2010.

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