

HOUSE BILL REPORT

HB 1473

As Amended by the Senate

Title: An act relating to the use of existing fees collected for the cost of traffic schools.

Brief Description: Concerning the use of existing fees collected for the cost of traffic schools.

Sponsors: Representatives Parker, Hurst, Ormsby and Billig.

Brief History:

Committee Activity:

Transportation: 2/16/11, 2/22/11 [DP].

Floor Activity:

Passed House: 3/5/11, 98-0.

Senate Amended.

Passed Senate: 4/4/11, 41-7.

Brief Summary of Bill

- Allows fees collected for attending a traffic school provided by a city, town, or county that are in excess of the cost of providing the traffic school to be used for safe driving materials and programs, safe driving promotions and advertising, and law enforcement training.
- Limits the fee charged for traffic schools to the amount of the penalty for an unscheduled traffic infraction.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 27 members: Representatives Clibborn, Chair; Lias, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel, Asay, Eddy, Finn, Fitzgibbon, Jinkins, Johnson, Klippert, Kristiansen, Ladenburg, Moeller, Morris, Moscoso, Overstreet, Reykdal, Rivers, Rodne, Rolfes, Ryu, Shea, Takko, Upthegrove and Zeiger.

Staff: David Munnecke (786-7315).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In Washington, individuals may defer one moving and one non-moving violation every seven years. As a condition of this deferral, courts may impose such conditions as the court feels appropriate, which often includes attendance at a driver improvement school or traffic school. If the individual meets all of the required conditions and has not committed another infraction, the court may dismiss the infraction at the end of the deferral period.

With certain limited exceptions, the Washington Supreme Court prescribes the schedule of monetary penalties for traffic infractions. Infraction rule for courts of limited jurisdictions 6.2 contains this schedule of monetary penalties, and prescribes a penalty of \$42 for unscheduled infractions.

Summary of Bill:

The fees collected for attending a traffic school provided by a city, town, or county that are in excess of the cost of providing the traffic school may be used for the following activities:

- safe driver education materials and programs;
- safe driver education promotions and advertising; and
- costs associated with the training of law enforcement officers.

A traffic school established by a city, town, or county may not charge a fee in excess of the penalty for an unscheduled traffic infraction established by the Washington Supreme Court.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment clarifies that the term penalty, as used in the bill, includes assessments and other costs that are required to be added to the base penalty by statute or rule.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Traffic schools are an effective alternative that work for violators. However, there are restrictions on the way that the funds generated can be used that prevent the funds from being used to fund law enforcement. This bill would allow the City of Spokane, and other jurisdictions that operate traffic schools, to use any excess funds to put more law enforcement officers on the street.

(Opposed) None.

Persons Testifying: Representative Parker, prime sponsor; and Don Pierce, Spokane County Sheriff's Office.

Persons Signed In To Testify But Not Testifying: None.