

# SENATE BILL REPORT

## SHB 1483

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As of March 28, 2011

**Title:** An act relating to traffic infractions.

**Brief Description:** Modifying the form for a notice of traffic infraction.

**Sponsors:** House Committee on Transportation (originally sponsored by Representative Pearson).

**Brief History:** Passed House: 3/05/11, 98-0.

**Committee Activity:** Transportation: 3/28/11.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Katherine Taylor (786-7434)

**Background:** A notice of a traffic infraction is a determination that a person has committed the traffic infraction, and the determination is final unless the person contests the infraction. A person who receives a notice of a traffic infraction may either pay the fine or request a hearing to contest the notice. If the person fails to pay the fine or fails to appear at a requested hearing, the court will enter an order assessing the monetary penalty for the traffic infraction. Monetary penalties imposed by the court for traffic infractions are payable immediately. If payment is still not made within the granted time, the court must notify the Department of Licensing (DOL), and DOL must suspend the person's driver's license until the penalty is paid.

If a court determines, in its discretion, that a person is unable to pay immediately, the court must enter into a payment plan with the person if less than a year has passed since the infraction became due. If the person has previously been granted a payment plan for the same fine or if the person is in noncompliance with any previous or existing payment plan, the court has the discretion to enter into a payment plan with the person. If a court administers a payment plan, the fee for the plan may not be more than the lesser of \$10 per infraction or \$25 per payment plan. A court may contract with outside entities to administer the payment plan.

If a person fails to comply with the payment plan, the court must notify DOL, and DOL must suspend the person's driver's license. If a community restitution program is available in the

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jurisdiction, the court may substitute community restitution for all or part of the amount due for the fine.

**Summary of Bill:** A form for a notice of traffic infraction printed after the effective date of the act must include a statement that the person may be able to enter into a payment plan with the court.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: This bill saves money and is easier.

**Persons Testifying:** PRO: William L. Cork, Right to Drive to Work.