

FINAL BILL REPORT

E2SSB 6284

C 82 L 12

Synopsis as Enacted

Brief Description: Reforming Washington's approach to certain nonsafety civil traffic infractions by authorizing a civil collection process for unpaid traffic fines and removing the requirement for law enforcement intervention for the failure to appear and pay a traffic ticket.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Kline, Harper, Litzow, Kohl-Welles, Keiser and Hargrove).

Senate Committee on Judiciary
Senate Committee on Transportation
House Committee on Judiciary
House Committee on Transportation

Background: The Department of Licensing (department) will suspend all driving privileges of a person when the department receives notice from a court that the person has failed to respond to a notice of traffic infraction, failed to appear at a requested hearing, violated a written promise to appear in court, or has failed to comply with the terms of a notice of traffic infraction or citation.

If a payment required to be made under a payment plan is delinquent, the court notifies the department of the person's failure to meet the conditions of the plan, and the department suspends the person's driver license until all monetary obligations have been paid and court authorized community restitution has been completed.

An applicant for an occupational license whose driver license is suspended for failure to respond, pay, or comply with a notice of traffic infraction or conviction must enter into a payment plan with the court.

Whenever any person served with a traffic citation willfully fails to appear for a scheduled court hearing, the court in which the defendant failed to appear gives notice of that fact to the department. When the case in which the defendant failed to appear is adjudicated, the court hearing the case files, with the department, a certificate showing that the case has been adjudicated.

Summary: Whenever any person served with a traffic citation willfully fails to respond to a notice of traffic infraction for a moving violation, fails to appear at a requested hearing for a moving violation, violates a written promise to appear in court for a notice of a moving

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violation, or fails to comply with the terms of a moving violation, the court in which the defendant failed to appear promptly gives notice to the department. Whenever the same happens for a non-moving violation, the court in which the defendant failed to appear is no longer required to give notice of such fact to the department.

Whenever a monetary penalty or other monetary obligation is imposed, it is immediately payable and is enforceable as a civil judgment. If a payment required to be made under the payment plan is delinquent, the court may refer the unpaid monetary penalty or other monetary obligation for civil enforcement until all monetary obligations have been paid. For those infractions (moving violations) subject to suspension under the department's authority, the court notifies the department of the person's failure to meet the conditions of the plan and the department suspends the person's driver's license or driving privileges.

An applicant for an occupation license whose driver license is suspended for failure to respond, pay, or comply with a notice of traffic infraction or conviction, is no longer required to enter into a payment plan with the court.

The department in consultation with the Administrative Office of the Courts, must adopt and maintain rules, by November 1, 2012, that define a moving violation pursuant to Title 46 RCW. Upon adoption of these rules, the department must provide written notice to each of the following:

- affected parties;
- Chief Clerk of the House or Representatives;
- Secretary of the Senate;
- the Office of the Code Reviser; and
- anyone else deemed appropriate by the department.

Except for the section of the act pertaining to adopting and maintaining rules, the act takes effect June 1, 2013.

Votes on Final Passage:

Senate	35	11	
House	56	42	(House amended)
Senate			(Senate refused to concur)
House	69	29	(House receded)

Effective: June 7, 2012 (contingent)
June 1, 2013 (Sections 1-3 and 5)