
Transportation Committee

HB 1265

Brief Description: Modifying provisions in the forms for traffic infraction notices.

Sponsors: Representatives Freeman, Rodne, Goodman and Ryu.

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| <p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Changes the text of traffic infraction notices to correct references to a vehicle's registration and to indicate that the Department of Licensing will not suspend a driver's license in certain circumstances. |
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Hearing Date: 2/13/13

Staff: Andrew Russell (786-7143).

Background:

A failure to follow the rules of the road, and equivalent local laws, is generally a traffic infraction, which is not classified as a criminal offence. A law enforcement officer may issue a notice of a traffic infraction when the infraction was committed in the officer's presence, at the request of another officer in whose presence the infraction was committed, if the officer has reasonable cause to believe that a driver involved in an accident has committed a traffic infraction, or through the use of automated safety cameras. This notice may also be affixed to a vehicle in certain circumstances. A notice of traffic infraction represents a determination that an infraction has been committed; this determination is final unless it is contested by the violator.

A traffic infraction carries a fine of up to \$250; however, if a person fails to respond to a notice of a traffic infraction, the Department of Licensing (DOL) will institute proceedings to suspend the driver's license. Starting July 1, 2013, the DOL is not obligated to suspend a driver's license for the driver's failure to respond to a traffic infraction, if that infraction was a non-moving violation. Similarly, the DOL is not obligated to suspend a driver's license for the driver's failure to appear at a requested hearing for a non-moving violation. The current text of the notice of a traffic infraction states that a person's driver's license "will be suspended" if that person fails to

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respond to the notice within 15 days. The text also states that a person's failure to appear at a hearing requested by that person "will result in the suspension" of that person's driver's license.

Summary of Bill:

The text of a notice of infraction is changed to reflect a change in the law. The new text of a traffic infraction notice states only that the DOL "may" suspend a driver's license for failure to respond to the notice or appear at a requested hearing. The notice of a traffic infraction must include these changes by July 1, 2014.

Appropriation: None.

Fiscal Note: Available.

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