

# FINAL BILL REPORT

## SHB 1265

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Synopsis as Enacted

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

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Freeman, Rodne, Goodman and Ryu).

**House Committee on Transportation**  
**Senate Committee on Transportation**

### **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 offense. 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 text of the notice of a traffic infraction states that a person's driver's license "will be suspended" if that person fails to 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:**

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

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to respond to the notice or appear at a requested hearing. These changes must be included on every traffic infraction notice form that is to be used after July 1, 2015. After that date, law enforcement agencies may not use any remaining noncomplying forms.

**Votes on Final Passage:**

House	98	0	
Senate	48	0	(Senate amended)
House	95	0	(House concurred)

**Effective:** July 28, 2013