

HOUSE BILL REPORT

HB 1592

As Reported by House Committee On: Transportation

Title: An act relating to enforcement of speeding violations on certain private roads.

Brief Description: Concerning the enforcement of speeding violations on certain private roads.

Sponsors: Representatives McCoy, Sells and Ryu.

Brief History:

Committee Activity:

Transportation: 2/11/13, 2/21/13 [DP].

Brief Summary of Bill

- Allows certain property associations to enter a written agreement with law enforcement to enforce speed limits on the private roads of the property association.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 30 members: Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel, Bergquist, Farrell, Fitzgibbon, Freeman, Habib, Hayes, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Moeller, O'Ban, Riccelli, Rodne, Ryu, Sells, Shea, Takko, Tarleton, Upthegrove and Zeiger.

Staff: Andrew Russell (786-7143).

Background:

Homeowner's associations are legal entities composed of the owners of residential real property located within the association's jurisdiction. An association may, among other things, adopt bylaws, appoint a board of directors, make contracts, and regulate the use of common areas. Currently, law enforcement personnel may enforce speed limits on the private roads of homeowner's associations under certain circumstances. First, the board of

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directors must authorize the issuance of speeding infractions and set the speed limit not lower than 20 miles per hour. Second, a written agreement must be signed by the president of the association and the chief law enforcement officer of the city or county within which the private road is located. Third, the association must provide notice to all homeowners of the new arrangement. Finally, speed limit signs must be posted at all vehicle entrances to the community.

Homeowner's associations do not include entities formed as condominiums under either RCW 64.32 or 64.34. The RCW 64.32 governs condominiums created before July 1, 1990, while the RCW 64.34 governs those created after that date. Under either chapter, the owner's association may adopt bylaws, and appoint a managing authority.

Summary of Bill:

Condominium unit owner's associations may also enter into agreements with law enforcement personally to enforce speed limit violations. These unit owner's associations must meet the same requirements as homeowner's associations in entering such an agreement: (1) the board of directors must authorize the action and set the speed limit not lower than 20 miles per hour; (2) a written agreement must be signed by the president of the association and the chief of the local law enforcement department; (3) the association must provide notice to all unit owners; and (4) speed limit signs must be posted at vehicle entrances.

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) Condominium associations want the same opportunity as homeowners associations to enter into agreements to enforce speed limits on their private roads.

(Opposed) None.

Persons Testifying: Representative McCoy, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.