

HOUSE BILL REPORT

HB 1790

As Passed Legislature

Title: An act relating to the use of traffic school fees.

Brief Description: Concerning the use of traffic school fees.

Sponsors: Representatives Parker, Ormsby, Riccelli and Ryu.

Brief History:

Committee Activity:

Transportation: 2/19/13, 2/20/13 [DP].

Floor Activity:

Passed House: 3/8/13, 97-0.

Passed Senate: 4/11/13, 48-0.

Passed Legislature.

Brief Summary of Bill

- Clarifies that a city, town, or county that establishes a traffic school charging a fee in excess of their costs may use the excess funds only for the statutorily authorized purposes.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 29 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, Habib, Hayes, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Moeller, Morris, O'Ban, Riccelli, Rodne, Ryu, Sells, Shea, Takko, Tarleton and Zeiger.

Minority Report: Without recommendation. Signed by 1 member: Representative Upthegrove.

Staff: Andrew Russell (786-7143).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

City, towns, and counties may establish traffic schools that instruct, educate, and inform all attendees of such a school in the proper, lawful, and safe operation of motor vehicles. These traffic schools are under the control and supervision of the board of county commissioners and are conducted with the assistance of law enforcement. A court handling traffic cases may, as part of any sentence or as a condition of deferral, order any person so convicted to attend a traffic school. It is a traffic infraction if a person fails to attend a traffic school as mandated by a court.

Traffic schools may charge a fee to those who attend the school. This fee, however, may not exceed the penalty for an unscheduled traffic infraction, as set by the Washington Supreme Court, including any assessments and other costs required by statute or rule. If a school charges a fee that is greater than the cost, the city, town, or county may use the excess amount for certain purposes. Primarily, the surplus amount may be used for safe driver education materials, programs, promotions, or advertising. Any surplus amount may also be used for costs associated with the training of law enforcement officers.

Summary of Bill:

Fees collected by traffic schools that are in excess of the cost may be used only for the purposes listed in RCW 46.83.070. Additionally, these fees are not subject to indirect costs, and they may not be used to supplement any other costs of a city, town, or county.

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) This is a technical fix that tightens the language and ensures that funds go to where they are intended.

(Opposed) None.

Persons Testifying: Representative Parker, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.