

FINAL BILL REPORT

SHB 1941

C 226 L 13
Synopsis as Enacted

Brief Description: Concerning the adjudication of tolls and accompanying civil penalties.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Habib, Clibborn and Springer).

House Committee on Transportation
Senate Committee on Transportation

Background:

The Washington State Department of Transportation (WSDOT) uses a photo toll system on several toll facilities within the state, including the State Route 520 Floating Bridge, the Tacoma Narrows Bridge, and the State Route 167 High Occupancy Toll Lanes Project.

Drivers are automatically assessed a toll for using any of these toll facilities. If the driver does not have a "Good to Go" pass with the WSDOT, the registered owner of the vehicle receives a toll bill in the mail. If the registered owner fails to pay this toll bill within 80 days, it becomes a toll violation. A civil penalty of \$40 may be assessed for a toll violation.

A registered owner may contest or dispute a civil penalty within 15 days of the date of the notice of civil penalty, and the registered owner may request an in-person administrative hearing. During an administrative hearing, the WSDOT has the burden of establishing that the toll violation occurred; however, it is not a defense to a toll violation and notice of civil penalty that a person other than the registered owner was driving the vehicle at the time or that the person did not know to pay a toll.

Summary:

In challenging a civil penalty for failing to pay a toll bill, the WSDOT must provide a registered owner an opportunity to present evidence of certain valid mitigating circumstances. In response to such evidence, the adjudicator may reduce or dismiss the civil penalty. Additionally, the envelopes in which toll charge bills and notices of civil penalties are sent must be marked as time sensitive and related to a toll violation. Finally, the WSDOT must provide an annual report to the transportation committees of the Legislature regarding instances of a judge reducing or dismissing a civil penalty.

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.

Votes on Final Passage:

House	98	0	
Senate	47	0	(Senate amended)
House	97	0	(House concurred)

Effective: July 28, 2013