

# HOUSE BILL REPORT

## SB 5113

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### As Reported by House Committee On: Transportation

**Title:** An act relating to enforcing speed limits within condominium association communities.

**Brief Description:** Concerning the enforcement of speed limits on roads within condominium associations.

**Sponsors:** Senators Bailey, Padden, Carrell, Roach, Benton and Hobbs.

#### **Brief History:**

##### **Committee Activity:**

Transportation: 3/14/13, 3/21/13 [DPA].

#### **Brief Summary of Bill (As Amended by Committee)**

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

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended. Signed by 26 members: Representatives Clibborn, Chair; Fey, Vice Chair; Lias, 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, Kristiansen, Morris, O'Ban, Riccelli, 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

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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 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 former governs condominiums created before July 1, 1990, while the latter governs those created after that date. Under either chapter, the owner's association may adopt bylaws and appoint a managing authority.

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**Summary of Amended Bill:**

Unit owner's associations of condominium communities formed under either RCW 64.32 or 64.34 may also enter into agreements with law enforcement personally to enforce speed limit violations. These 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.

**Amended Bill Compared to Original Bill:**

The amended bill includes condominium associations formed under RCW 64.32 to the list of entities that may contract with local law enforcement for the purpose of enforcing speed limits on private roads.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) None.

(Opposed) None.

**Persons Testifying:** None.

**Persons Signed In To Testify But Not Testifying:** None.