

SSB 6360 - H COMM AMD
By Committee on Judiciary

ADOPTED 03/03/2016

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The office of the attorney general
4 shall convene a work group of stakeholders to provide input and
5 feedback on the development of a plan and program for the efficient
6 statewide consolidation of an individual's traffic-based financial
7 obligations imposed by courts of limited jurisdiction into a unified
8 and affordable payment plan.

9 (2) The following must be invited to participate in the work
10 group:

11 (a) The administrator for the courts or the administrator for the
12 courts' designee;

13 (b) The director of the Washington state department of licensing
14 or the director's designee;

15 (c) A district or municipal court judge, appointed by the
16 district and municipal court judges' association;

17 (d) A prosecutor, appointed by the Washington association of
18 prosecuting attorneys, or the prosecutor's designee;

19 (e) A public defender, jointly appointed by the Washington
20 defender association and the Washington association of criminal
21 defense lawyers;

22 (f) A district or municipal court administrator or manager,
23 appointed by the district and municipal court management association;

24 (g) A representative of a civil legal aid organization, appointed
25 by the office of civil legal aid;

26 (h) The chief of the Washington state patrol or the chief's
27 designee;

28 (i) A representative of a statewide association of police chiefs
29 and sheriffs, selected by the association;

30 (j) The director of the Washington traffic safety commission or
31 the director's designee;

1 (k) A representative of a statewide association of city
2 governments, selected by the association;

3 (l) A representative of a statewide association of counties,
4 selected by the association; and

5 (m) A representative of a statewide association of collection
6 professionals.

7 (3) The work group shall convene as necessary.

8 (4) The stakeholder work group shall provide final feedback and
9 recommendations to the office of the attorney general no later than
10 September 15, 2017.

11 NEW SECTION. **Sec. 2.** (1) At a minimum, the plan must:

12 (a) Provide for the participation in the statewide system by all
13 courts of limited jurisdiction;

14 (b) Establish proposed uniform procedures and eligibility
15 criteria for participation in the program by individuals, how payment
16 plans will be established, how community restitution in lieu of all
17 or part of a monetary penalty may be incorporated in the payment
18 plans, and the circumstances and procedures for terminating an
19 individual's participation in the program;

20 (c) Provide recommendations regarding which traffic-based
21 financial obligations should be included and whether any should not
22 be included. These recommendations must address whether or not to
23 include obligations arising out of red light camera violations; and

24 (d) Provide recommendations regarding how to create and implement
25 the program through supreme court rule making, legislation, or a
26 combination thereof.

27 (2) Considerations for the program may include, but not be
28 limited to:

29 (a) Procedures to allow traffic-based financial obligations
30 incurred after establishment of a payment plan to be added to and
31 consolidated with an existing unified payment plan;

32 (b) Provisions for waiving previously accumulated interest once a
33 person is determined to be eligible for the program, establishes a
34 payment plan, and makes an initial payment in accordance with the
35 terms of such a plan;

36 (c) Procedures for communicating to the courts of limited
37 jurisdiction when a person enters into a payment plan for traffic-
38 based financial obligations and makes an initial payment thereon, so
39 that the courts of limited jurisdiction can notify the department of

1 licensing and which shall result in the department of licensing
2 releasing any suspension of that person's driver's license or
3 driver's privilege based on failure to respond to or pay those
4 traffic-based financial obligations;

5 (d) A process for proportionally allocating any moneys collected
6 through a consolidated payment plan between the courts that imposed
7 the financial obligations included in the consolidated plan;

8 (e) Whether to contract with outside entities to administer the
9 program;

10 (f) What fee, if any, should be assessed to the individual
11 participating in the program for the administration of such services,
12 which may be calculated on a periodic, percentage, or other basis,
13 and the limits on such fees if the program is to be administered by
14 an outside entity;

15 (g) Appropriate uniform administrative protocols and associated
16 workflow coordination for the administrative office of the courts and
17 for courts of limited jurisdiction;

18 (h) Uniform guidelines for establishing reasonable, affordable
19 payment plans that are based on an individual's income and capacity
20 to pay, as well as policies and procedures for recording the terms of
21 such plans in a written document provided to program participants;

22 (i) Policies and procedures to remit money received on a monthly
23 basis to courts that includes an accounting of the involved case
24 numbers and their remaining balances due; and

25 (j) Policies and procedures for establishing default for when a
26 program participant fails to meet the terms of the payment plan, for
27 other grounds for terminating program participation, and to provide
28 timely notice to courts.

29 NEW SECTION. **Sec. 3.** (1) Notwithstanding any other provision in
30 this act, the plan required by this act must not:

31 (a) Provide for or make recommendations regarding the
32 reinstatement of driving privileges when the revocation of a person's
33 driving privileges is made mandatory by the provisions of chapter
34 46.20 RCW or other law; or

35 (b) Include provisions or recommendations related to altering the
36 original amount of any traffic-based financial obligation imposed by
37 any court of limited jurisdiction.

38 (2) Nothing herein prohibits local jurisdictions or state
39 agencies from offering training in how to provide participants with

1 life skills, driver's education, or budget management classes, or
2 from offering other resources targeted towards addressing the social
3 barriers facing participants with chronically suspended driver's
4 licenses for unpaid traffic fines.

5 NEW SECTION. **Sec. 4.** The office of the attorney general shall
6 submit a report detailing its recommendations and the plan and
7 program required by this act to the Washington state supreme court,
8 the governor, and appropriate committees of the legislature no later
9 than December 1, 2017.

10 NEW SECTION. **Sec. 5.** This act expires December 31, 2017."

11 Correct the title.

EFFECT: Adds a section providing direction, similar with that found in EHB 2659, with respect to what the plan and program for the efficient statewide consolidation of an individual's traffic-based financial obligations must, may, and must not include, with the following difference: The amendment includes direction to provide recommendations with respect to whether or not to include obligations arising from red light camera violations, as did EHB 2659, but does not include another piece of that subsection that would require recommendations regarding parking and other nonmoving violations.

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