

Judiciary Committee

HB 2035

Title: An act relating to information on civil traffic infractions.

Brief Description: Concerning information on civil traffic infractions.

Sponsors: Representatives Harmsworth, Hayes, Shea and Young.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none"> • Requires the Administrative Office of the Courts (AOC) to remove identifying information about dismissed civil infraction cases from publicly accessible internet search engines, databases, or online websites maintained by the AOC.
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Hearing Date: 1/9/18

Staff: Ingrid Lewis (786-7289).

Background:

A failure to follow the rules of the road, and equivalent local laws, is generally a traffic infraction, and not classified as a criminal offense. A law enforcement officer may issue a notice of a traffic infraction when the infraction was committed in the officer's presence, at the request of another officer in whose presence the infraction was committed, if the officer has reasonable cause to believe that a driver involved in an accident has committed a traffic infraction, or through the use of automated safety cameras.

An infraction case is initiated by the issuance, service, and filing of a notice of infraction. When a notice of infraction has been issued, the notice is filed with a court having jurisdiction over the infraction or with a violations bureau subject to a court's supervision. A notice of traffic infraction represents a determination that an infraction has been committed; this determination is final unless it is contested by the violator. Generally, an infraction case is brought in the district or municipal court where the infraction occurred. If the court finds that the infraction was

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committed, an appropriate order is entered into the court records. If the court finds that the infraction was not committed, the court enters an order dismissing the case.

The Administrative Office of the Courts maintains web-based court case management systems that allow the public to access case information from district, municipal, and superior courts.

Summary of Bill:

The Administrative Office of the Courts (AOC) is required to remove any identifying information about civil traffic infraction cases from publicly accessible internet search engines, databases, or online websites maintained by the AOC where a court has determined that the infraction did not occur and the notice has been dismissed.

Appropriation: None.

Fiscal Note: Requested on 1/4/18.

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