

HOUSE BILL REPORT

HB 2035

As Reported by House Committee On:
Judiciary

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.

Brief History:

Committee Activity:

Judiciary: 1/9/18, 1/23/18 [DPS].

Brief Summary of Substitute Bill

- Requires the Administrative Office of the Courts (AOC) to remove identifying information about parking infraction cases from publicly accessible websites maintained by the AOC.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Goodman, Haler, Hansen, Kirby, Klippert, Muri, Orwall, Shea and Valdez.

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.

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.

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 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 Substitute Bill:

The Administrative Office of the Courts is required to remove personally identifying information assigned to parking infractions from its publicly accessible websites.

Substitute Bill Compared to Original Bill:

The substitute bill applies to parking infractions, including automated traffic safety camera infractions.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute 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) Under current law, a registered owner of a vehicle receives notice of an infraction caught on a traffic safety camera. The court record attributes the infraction to the registered owner, not the driver of the vehicle who committed the infraction. This bill is to clean up the court record so that personal information about a registered owner is not displayed to the public if the infraction is found not to have been committed.

(Opposed) None.

(Other) The Administrative Office of the Courts has several online portals as a way to implement the constitutional mandate for open courts. Individuals can access these portals as a way to see high level case identification status. If a person is issued a red light camera citation, the citation is tied to the vehicle, not the driver. The courts attach a name to a defendant record only when the citation is paid.

Persons Testifying: (In support) Representative Harmsworth, prime sponsor.

(Other) Brady Horenstein, Administrative Office of the Courts.

Persons Signed In To Testify But Not Testifying: None.