

HB 1282 - H AMD 372

By Representative Goodman

NOT CONSIDERED 12/23/2019

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

3 **"Sec. 1.** RCW 46.16A.110 and 2014 c 80 s 3 are each amended to
4 read as follows:

5 (1) A registered owner or the registered owner's authorized
6 representative must apply for a renewal vehicle registration to the
7 department, county auditor or other agent, or subagent appointed by
8 the director on a form approved by the director. The application for
9 a renewal vehicle registration must be accompanied by:

10 (a) A draft, money order, certified bank check, or cash for all
11 fees and taxes required by law for the application for a renewal
12 vehicle registration; and

13 (b) The Washington state driver's license number of the
14 registered owner of the vehicle, unless the registered owner is not
15 required to have a Washington state driver's license under RCW
16 46.16A.050(1)(b).

17 (2)(a) When a vehicle changes ownership, the person taking
18 ownership or his or her authorized representative must apply for a
19 renewal vehicle registration as provided in subsection (1) of this
20 section and, except as provided in (b) of this subsection, pay all
21 the taxes and fees that are due at the time of registration renewal.
22 For the purposes of this section, when a vehicle is sold to a vehicle
23 dealer for resale, the application for a renewal registration need
24 not be made until the vehicle is sold by the vehicle dealer.

25 (b) The person taking ownership or his or her authorized
26 representative must be given credit for the portion of a motor
27 vehicle excise tax, including the motor vehicle excise tax collected
28 under RCW 81.104.160, that reflects the remaining period for which
29 the tax was initially paid by the previous owner.

30 (3) An application and the fees and taxes for a renewal vehicle
31 registration must be handled in the same manner as an original
32 vehicle registration application. The registration does not need to

1 show the name of the lienholder when the application for renewal
2 vehicle registration becomes the renewal registration upon
3 validation.

4 (4) A person expecting to be out of state during the normal
5 renewal period of a vehicle registration may renew a vehicle
6 registration and have license plates or tabs preissued by applying
7 for a renewal as described in subsection (1) of this section. A
8 vehicle registration may be renewed for the subsequent registration
9 year up to eighteen months before the current expiration date and
10 must be displayed from the date of issue or from the day of the
11 expiration of the current registration year, whichever date is later.

12 (5) An application for a renewal vehicle registration is not
13 required for those vehicles owned, rented, or leased by:

14 (a) The state of Washington, or by any county, city, town, school
15 district, or other political subdivision of the state of Washington;
16 or

17 (b) A governing body of an Indian tribe located within this state
18 and recognized as a governmental entity by the United States
19 department of the interior.

20 **Sec. 2.** RCW 46.20.245 and 2005 c 288 s 1 are each amended to
21 read as follows:

22 (1) Whenever the department proposes to withhold the driving
23 privilege of a person or disqualify a person from operating a
24 commercial motor vehicle, and this action is made mandatory by the
25 provisions of this chapter or other law, the department must give
26 notice to the person in writing by posting in the United States mail,
27 appropriately addressed, postage prepaid, or by personal service.
28 Notice by mail is given upon deposit in the United States mail.
29 Notice given under this subsection must specify the date upon which
30 the driving privilege is to be withheld which shall not be less than
31 ~~((forty-five))~~ ninety days after the original notice is given. Notice
32 by mail must also include information on payment plan opportunities
33 that may be available to the recipient.

34 (2) Within fifteen days after notice has been given to a person
35 under subsection (1) of this section, the person may request in
36 writing an administrative review before the department. If the
37 request is mailed, it must be postmarked within fifteen days after
38 the date the department has given notice. If a person fails to
39 request an administrative review within fifteen days after the date

1 the department gives notice, the person is considered to have
2 defaulted and loses his or her right to an administrative review
3 unless the department finds good cause for a request after the
4 fifteen-day period.

5 (a) An administrative review under this subsection shall consist
6 solely of an internal review of documents and records submitted or
7 available to the department, unless the person requests an interview
8 before the department, in which case all or any part of the
9 administrative review may, at the discretion of the department, be
10 conducted by telephone or other electronic means.

11 (b) The only issues to be addressed in the administrative review
12 are:

13 (i) Whether the records relied on by the department identify the
14 correct person; and

15 (ii) Whether the information transmitted from the court or other
16 reporting agency or entity regarding the person accurately describes
17 the action taken by the court or other reporting agency or entity.

18 (c) For the purposes of this section, the notice received from a
19 court or other reporting agency or entity, regardless of form or
20 format, is prima facie evidence that the information from the court
21 or other reporting agency or entity regarding the person is accurate.
22 A person requesting administrative review has the burden of showing
23 by a preponderance of the evidence that the person is not subject to
24 the withholding of the driving privilege.

25 (d) The action subject to the notification requirements of
26 subsection (1) of this section shall be stayed during the
27 administrative review process.

28 (e) Judicial review of a department order affirming the action
29 subject to the notification requirements of subsection (1) of this
30 section after an administrative review shall be available in the same
31 manner as provided in RCW 46.20.308(~~((+9))~~) (8). The department shall
32 certify its record to the court within thirty days after service upon
33 the department of the petition for judicial review. The action
34 subject to the notification requirements of subsection (1) of this
35 section shall not automatically be stayed during the judicial review.
36 If judicial relief is sought for a stay or other temporary remedy
37 from the department's action, the court shall not grant relief unless
38 the court finds that the appellant is likely to prevail in the appeal
39 and that without a stay the appellant will suffer irreparable injury.

1 (3) The department may adopt rules that are considered necessary
2 or convenient by the department for purposes of administering this
3 section, including, but not limited to, rules regarding expedited
4 procedures for issuing orders and expedited notice procedures.

5 (4) This section does not apply where an opportunity for an
6 informal settlement, driver improvement interview, or formal hearing
7 is otherwise provided by law or rule of the department.

8 **Sec. 3.** RCW 46.20.245 and 2019 c ... s 2 (section 2 of this act)
9 are each amended to read as follows:

10 (1) Whenever the department proposes to withhold the driving
11 privilege of a person or disqualify a person from operating a
12 commercial motor vehicle, and this action is made mandatory by the
13 provisions of this chapter or other law, the department must give
14 notice to the person in writing by posting in the United States mail,
15 appropriately addressed, postage prepaid, or by personal service.
16 Notice by mail is given upon deposit in the United States mail.
17 Notice given under this subsection must specify the date upon which
18 the driving privilege is to be withheld which shall not be less than
19 ninety days after the original notice is given. Notice by mail must
20 also include information on local and consolidated payment plan
21 opportunities that may be available to the recipient, including the
22 address of the department web site address required under section 12
23 of this act.

24 (2) Within fifteen days after notice has been given to a person
25 under subsection (1) of this section, the person may request in
26 writing an administrative review before the department. If the
27 request is mailed, it must be postmarked within fifteen days after
28 the date the department has given notice. If a person fails to
29 request an administrative review within fifteen days after the date
30 the department gives notice, the person is considered to have
31 defaulted and loses his or her right to an administrative review
32 unless the department finds good cause for a request after the
33 fifteen-day period.

34 (a) An administrative review under this subsection shall consist
35 solely of an internal review of documents and records submitted or
36 available to the department, unless the person requests an interview
37 before the department, in which case all or any part of the
38 administrative review may, at the discretion of the department, be
39 conducted by telephone or other electronic means.

1 (b) The only issues to be addressed in the administrative review
2 are:

3 (i) Whether the records relied on by the department identify the
4 correct person; and

5 (ii) Whether the information transmitted from the court or other
6 reporting agency or entity regarding the person accurately describes
7 the action taken by the court or other reporting agency or entity.

8 (c) For the purposes of this section, the notice received from a
9 court or other reporting agency or entity, regardless of form or
10 format, is prima facie evidence that the information from the court
11 or other reporting agency or entity regarding the person is accurate.
12 A person requesting administrative review has the burden of showing
13 by a preponderance of the evidence that the person is not subject to
14 the withholding of the driving privilege.

15 (d) The action subject to the notification requirements of
16 subsection (1) of this section shall be stayed during the
17 administrative review process.

18 (e) Judicial review of a department order affirming the action
19 subject to the notification requirements of subsection (1) of this
20 section after an administrative review shall be available in the same
21 manner as provided in RCW 46.20.308(8). The department shall certify
22 its record to the court within thirty days after service upon the
23 department of the petition for judicial review. The action subject to
24 the notification requirements of subsection (1) of this section shall
25 not automatically be stayed during the judicial review. If judicial
26 relief is sought for a stay or other temporary remedy from the
27 department's action, the court shall not grant relief unless the
28 court finds that the appellant is likely to prevail in the appeal and
29 that without a stay the appellant will suffer irreparable injury.

30 (3) The department may adopt rules that are considered necessary
31 or convenient by the department for purposes of administering this
32 section, including, but not limited to, rules regarding expedited
33 procedures for issuing orders and expedited notice procedures.

34 (4) This section does not apply where an opportunity for an
35 informal settlement, driver improvement interview, or formal hearing
36 is otherwise provided by law or rule of the department.

37 **Sec. 4.** RCW 46.20.289 and 2016 c 203 s 6 are each amended to
38 read as follows:

1 (1) The department shall suspend all driving privileges of a
2 person when the department receives notice from a court under RCW
3 46.64.025 that the person has failed to comply with the terms of a
4 traffic-related criminal complaint or criminal citation.

5 (2) The department shall suspend all driving privileges of a
6 person when the following criteria are met:

7 (a) The department receives notice from a court under RCW
8 46.63.070(6), 46.63.110(6), or 46.64.025 that the person has:

9 (i) Failed to respond to a notice of traffic infraction for a
10 moving violation((τ));

11 (ii) Failed to appear at a requested hearing for a moving
12 violation((τ));

13 (iii) Violated a written promise to appear in court for a notice
14 of infraction for a moving violation((τ)); or ((has))

15 (iv) Failed to comply with the terms of a notice of traffic
16 infraction(~~(, criminal complaint, or citation for a moving violation,~~
17 ~~or when)); and~~

18 (b) The person has received one or more other traffic infractions
19 for moving violations issued under RCW 46.63.030 for one or more
20 incidents that are separate and distinct from the incident for which
21 the traffic infraction was issued under RCW 46.63.030 for which the
22 notice under (a) of this subsection was issued that have not been
23 adjudicated for which the person failed to respond to a notice of
24 traffic infraction, failed to appear at a requested hearing, violated
25 a written promise to appear in court for a notice of traffic
26 infraction, or failed to comply with the terms of a notice of traffic
27 infraction, provided the person is not in compliance with a payment
28 plan for the infractions under RCW 46.63.110(6), at the time the
29 determination of qualification to receive a driver's license
30 suspension occurs.

31 (3) The department shall suspend all driving privileges of a
32 person when the department receives notice from another state under
33 Article IV of the nonresident violator compact under RCW 46.23.010 or
34 from a jurisdiction that has entered into an agreement with the
35 department under RCW 46.23.020, other than for a standing, stopping,
36 or parking violation, provided that the traffic infraction or traffic
37 offense is committed on or after July 1, 2005.

38 (4) A suspension under this section takes effect pursuant to the
39 provisions of RCW 46.20.245, and remains in effect until the
40 department has received a certificate from the court showing that the

1 case has been adjudicated, and until the person meets the
2 requirements of RCW 46.20.311. In the case of failure to respond to a
3 traffic infraction issued under RCW 46.55.105, the department shall
4 suspend all driving privileges in accordance with subsection (2) of
5 this section until the person provides evidence from the court that
6 all penalties and restitution have been paid.

7 (5) A suspension under this section does not take effect if,
8 prior to the effective date of the suspension, the department
9 receives a certificate from the court showing that the case has been
10 adjudicated.

11 **Sec. 5.** RCW 46.20.289 and 2019 c ... s 4 (section 4 of this act)
12 are each amended to read as follows:

13 (1) The department shall suspend all driving privileges of a
14 person when the department receives notice from a court under RCW
15 46.64.025 that the person has failed to comply with the terms of a
16 traffic-related criminal complaint or criminal citation.

17 (2) The department shall suspend all driving privileges of a
18 person when the following criteria are met:

19 (a) The department receives notice from a court under RCW
20 46.63.070(6), 46.63.110(6), or 46.64.025, or section 12(9) of this
21 act that the person has:

22 (i) Failed to respond to a notice of traffic infraction for a
23 moving violation;

24 (ii) Failed to appear at a requested hearing for a moving
25 violation;

26 (iii) Violated a written promise to appear in court for a notice
27 of infraction for a moving violation; or

28 (iv) Failed to comply with the terms of a notice of traffic
29 infraction; and

30 (b) The person has received one or more other traffic infractions
31 for moving violations issued under RCW 46.63.030 for one or more
32 incidents that are separate and distinct from the incident for which
33 the traffic infraction was issued under RCW 46.63.030 for which the
34 notice under (a) of this subsection was issued that have not been
35 adjudicated for which the person failed to respond to a notice of
36 traffic infraction, failed to appear at a requested hearing, violated
37 a written promise to appear in court for a notice of traffic
38 infraction, or failed to comply with the terms of a notice of traffic
39 infraction, provided the person is not in compliance with a payment

1 plan for the infractions under RCW 46.63.110(6) or section 12(9) of
2 this act, at the time the determination of qualification to receive a
3 driver's license suspension occurs.

4 (3) The department shall suspend all driving privileges of a
5 person when the department receives notice from another state under
6 Article IV of the nonresident violator compact under RCW 46.23.010 or
7 from a jurisdiction that has entered into an agreement with the
8 department under RCW 46.23.020, other than for a standing, stopping,
9 or parking violation, provided that the traffic infraction or traffic
10 offense is committed on or after July 1, 2005.

11 (4) A suspension under this section takes effect pursuant to the
12 provisions of RCW 46.20.245, and remains in effect until the
13 department has received a certificate from the court showing that the
14 case has been adjudicated, and until the person meets the
15 requirements of RCW 46.20.311. In the case of failure to respond to a
16 traffic infraction issued under RCW 46.55.105, the department shall
17 suspend all driving privileges in accordance with subsection (2) of
18 this section until the person provides evidence from the court that
19 all penalties and restitution have been paid.

20 (5) A suspension under this section does not take effect if,
21 prior to the effective date of the suspension, the department
22 receives a certificate from the court showing that the case has been
23 adjudicated.

24 **Sec. 6.** RCW 46.20.291 and 2016 c 203 s 5 are each amended to
25 read as follows:

26 The department is authorized to suspend the license of a driver
27 upon a showing by its records or other sufficient evidence that the
28 licensee:

29 (1) Has committed an offense for which mandatory revocation or
30 suspension of license is provided by law;

31 (2) Has, by reckless or unlawful operation of a motor vehicle,
32 caused or contributed to an accident resulting in death or injury to
33 any person or serious property damage;

34 (3) Has been convicted of offenses against traffic regulations
35 governing the movement of vehicles, or found to have committed
36 traffic infractions, with such frequency as to indicate a disrespect
37 for traffic laws or a disregard for the safety of other persons on
38 the highways;

1 (4) Is incompetent to drive a motor vehicle under RCW
2 46.20.031(3);

3 (5) Has failed to respond to a notice of traffic infraction,
4 failed to appear at a requested hearing, violated a written promise
5 to appear in court, or has failed to comply with the terms of a
6 notice of traffic infraction, criminal complaint, or citation, (~~as~~)
7 and has met the additional criteria for driver's license and driving
8 privileges suspension provided in RCW 46.20.289(2), where applicable;

9 (6) Is subject to suspension under RCW 46.20.305 or 9A.56.078;

10 (7) Has committed one of the prohibited practices relating to
11 drivers' licenses defined in RCW 46.20.0921; or

12 (8) Has been certified by the department of social and health
13 services as a person who is not in compliance with a child support
14 order or a residential or visitation order as provided in RCW
15 74.20A.320.

16 **Sec. 7.** RCW 46.20.342 and 2015 c 149 s 1 are each amended to
17 read as follows:

18 (1) It is unlawful for any person to drive a motor vehicle in
19 this state while that person is in a suspended or revoked status or
20 when his or her privilege to drive is suspended or revoked in this or
21 any other state. Any person who has a valid Washington driver's
22 license is not guilty of a violation of this section.

23 (a) A person found to be a habitual offender under chapter 46.65
24 RCW, who violates this section while an order of revocation issued
25 under chapter 46.65 RCW prohibiting such operation is in effect, is
26 guilty of driving while license suspended or revoked in the first
27 degree, a gross misdemeanor. Upon the first such conviction, the
28 person shall be punished by imprisonment for not less than ten days.
29 Upon the second conviction, the person shall be punished by
30 imprisonment for not less than ninety days. Upon the third or
31 subsequent conviction, the person shall be punished by imprisonment
32 for not less than one hundred eighty days. If the person is also
33 convicted of the offense defined in RCW 46.61.502 or 46.61.504, when
34 both convictions arise from the same event, the minimum sentence of
35 confinement shall be not less than ninety days. The minimum sentence
36 of confinement required shall not be suspended or deferred. A
37 conviction under this subsection does not prevent a person from
38 petitioning for reinstatement as provided by RCW 46.65.080.

1 (b) A person who violates this section while an order of
2 suspension or revocation prohibiting such operation is in effect and
3 while the person is not eligible to reinstate his or her driver's
4 license or driving privilege, other than for a suspension for the
5 reasons described in (c) of this subsection, is guilty of driving
6 while license suspended or revoked in the second degree, a gross
7 misdemeanor. For the purposes of this subsection, a person is not
8 considered to be eligible to reinstate his or her driver's license or
9 driving privilege if the person is eligible to obtain an ignition
10 interlock driver's license but did not obtain such a license. This
11 subsection applies when a person's driver's license or driving
12 privilege has been suspended or revoked by reason of:

13 (i) A conviction of a felony in the commission of which a motor
14 vehicle was used;

15 (ii) A previous conviction under this section;

16 (iii) A notice received by the department from a court or
17 diversion unit as provided by RCW 46.20.265, relating to a minor who
18 has committed, or who has entered a diversion unit concerning an
19 offense relating to alcohol, legend drugs, controlled substances, or
20 imitation controlled substances;

21 (iv) A conviction of RCW 46.20.410, relating to the violation of
22 restrictions of an occupational driver's license, a temporary
23 restricted driver's license, or an ignition interlock driver's
24 license;

25 (v) A conviction of RCW 46.20.345, relating to the operation of a
26 motor vehicle with a suspended or revoked license;

27 (vi) A conviction of RCW 46.52.020, relating to duty in case of
28 injury to or death of a person or damage to an attended vehicle;

29 (vii) A conviction of RCW 46.61.024, relating to attempting to
30 elude pursuing police vehicles;

31 (viii) A conviction of RCW 46.61.212(4), relating to reckless
32 endangerment of emergency zone workers;

33 (ix) A conviction of RCW 46.61.500, relating to reckless driving;

34 (x) A conviction of RCW 46.61.502 or 46.61.504, relating to a
35 person under the influence of intoxicating liquor or drugs;

36 (xi) A conviction of RCW 46.61.520, relating to vehicular
37 homicide;

38 (xii) A conviction of RCW 46.61.522, relating to vehicular
39 assault;

1 (xiii) A conviction of RCW 46.61.527(4), relating to reckless
2 endangerment of roadway workers;

3 (xiv) A conviction of RCW 46.61.530, relating to racing of
4 vehicles on highways;

5 (xv) A conviction of RCW 46.61.685, relating to leaving children
6 in an unattended vehicle with motor running;

7 (xvi) A conviction of RCW 46.61.740, relating to theft of motor
8 vehicle fuel;

9 (xvii) A conviction of RCW 46.64.048, relating to attempting,
10 aiding, abetting, coercing, and committing crimes;

11 (xviii) An administrative action taken by the department under
12 chapter 46.20 RCW;

13 (xix) A conviction of a local law, ordinance, regulation, or
14 resolution of a political subdivision of this state, the federal
15 government, or any other state, of an offense substantially similar
16 to a violation included in this subsection; or

17 (xx) A finding that a person has committed a traffic infraction
18 under RCW 46.61.526 and suspension of driving privileges pursuant to
19 RCW 46.61.526 (4) (b) or (7) (a) (ii).

20 (c) A person who violates this section when his or her driver's
21 license or driving privilege is, at the time of the violation,
22 suspended or revoked solely because (i) the person must furnish proof
23 of satisfactory progress in a required alcoholism or drug treatment
24 program, (ii) the person must furnish proof of financial
25 responsibility for the future as provided by chapter 46.29 RCW, (iii)
26 the person has failed to comply with the provisions of chapter 46.29
27 RCW relating to uninsured accidents, (iv) the person has failed to
28 respond to a notice of traffic infraction, failed to appear at a
29 requested hearing, violated a written promise to appear in court, or
30 has failed to comply with the terms of a notice of traffic infraction
31 or citation(~~(, as)~~) and has met the additional criteria for driver's
32 license and driving privileges suspension provided in RCW
33 46.20.289(2), where applicable, (v) the person has committed an
34 offense in another state that, if committed in this state, would not
35 be grounds for the suspension or revocation of the person's driver's
36 license, (vi) the person has been suspended or revoked by reason of
37 one or more of the items listed in (b) of this subsection, but was
38 eligible to reinstate his or her driver's license or driving
39 privilege at the time of the violation, (vii) the person has received
40 traffic citations or notices of traffic infraction that have resulted

1 in a suspension under RCW 46.20.267 relating to intermediate drivers'
2 licenses, or (viii) the person has been certified by the department
3 of social and health services as a person who is not in compliance
4 with a child support order as provided in RCW 74.20A.320, or any
5 combination of (c) (i) through (viii) of this subsection, is guilty of
6 driving while license suspended or revoked in the third degree, a
7 misdemeanor. For the purposes of this subsection, a person is not
8 considered to be eligible to reinstate his or her driver's license or
9 driving privilege if the person is eligible to obtain an ignition
10 interlock driver's license but did not obtain such a license.

11 (2) Upon receiving a record of conviction or infraction of any
12 person or upon receiving an order by any juvenile court or any duly
13 authorized court officer of the conviction or infraction of any
14 juvenile under this section, the department shall:

15 (a) For a conviction of driving while suspended or revoked in the
16 first degree, as provided by subsection (1)(a) of this section,
17 extend the period of administrative revocation imposed under chapter
18 46.65 RCW for an additional period of one year from and after the
19 date the person would otherwise have been entitled to apply for a new
20 license or have his or her driving privilege restored; or

21 (b) For a conviction of driving while suspended or revoked in the
22 second degree, as provided by subsection (1)(b) of this section, not
23 issue a new license or restore the driving privilege for an
24 additional period of one year from and after the date the person
25 would otherwise have been entitled to apply for a new license or have
26 his or her driving privilege restored; or

27 (c) Not extend the period of suspension or revocation if the
28 conviction was under subsection (1)(c) of this section. If the
29 conviction was under subsection (1)(a) or (b) of this section and the
30 court recommends against the extension and the convicted person has
31 obtained a valid driver's license, the period of suspension or
32 revocation shall not be extended.

33 **Sec. 8.** RCW 46.16A.040 and 2017 c 147 s 4 are each amended to
34 read as follows:

35 (1) An owner or the owner's authorized representative must apply
36 for an original vehicle registration to the department, county
37 auditor or other agent, or subagent appointed by the director on a
38 form furnished by the department. The application must contain:

1 (a) A description of the vehicle, including its make, model,
2 vehicle identification number, type of body, and power to be used;

3 (b) The name and address of the person who is the registered
4 owner of the vehicle and, if the vehicle is subject to a security
5 interest, the name and address of the secured party;

6 (c) The purpose for which the vehicle is to be used;

7 (d) The licensed gross weight for the vehicle, which is:

8 (i) The adult seating capacity, including the operator, as
9 provided for in RCW 46.16A.455(1) if the vehicle will be operated as
10 a for hire vehicle or auto stage and has a seating capacity of more
11 than six; or

12 (ii) The gross weight declared by the applicant as required in
13 RCW 46.16A.455(2) if the vehicle will be operated as a motor truck,
14 tractor, or truck tractor;

15 (e) The empty scale weight of the vehicle; (~~and~~)

16 (f) The Washington state driver's license number of the
17 registered owner of the vehicle, unless the registered owner is not
18 required to have a Washington state driver's license under RCW
19 46.16A.050(1)(b); and

20 (g) Other information that the department may require.

21 (2) The registered owner or the registered owner's authorized
22 representative shall sign the application for an original vehicle
23 registration and certify that the statements on the application are
24 true to the best of the applicant's knowledge.

25 (3) The application for an original vehicle registration must be
26 accompanied by a draft, money order, certified bank check, or cash
27 for all fees and taxes due for the application for an original
28 vehicle registration.

29 (4) Whenever any person, after applying for or receiving a
30 vehicle registration, moves from the address named in the application
31 or in the registration issued to him or her, or changes his or her
32 name of record, the person shall, within ten days thereafter, notify
33 the department of the name or address change as provided in RCW
34 46.08.195.

35 **Sec. 9.** RCW 46.63.110 and 2012 c 82 s 1 are each amended to read
36 as follows:

37 (1) A person found to have committed a traffic infraction shall
38 be assessed a monetary penalty. No penalty may exceed two hundred and

1 fifty dollars for each offense unless authorized by this chapter or
2 title.

3 (2) The monetary penalty for a violation of (a) RCW 46.55.105(2)
4 is two hundred fifty dollars for each offense; (b) RCW 46.61.210(1)
5 is five hundred dollars for each offense. No penalty assessed under
6 this subsection (2) may be reduced.

7 (3) The supreme court shall prescribe by rule a schedule of
8 monetary penalties for designated traffic infractions. This rule
9 shall also specify the conditions under which local courts may
10 exercise discretion in assessing fines and penalties for traffic
11 infractions. The legislature respectfully requests the supreme court
12 to adjust this schedule every two years for inflation.

13 (4) There shall be a penalty of twenty-five dollars for failure
14 to respond to a notice of traffic infraction except where the
15 infraction relates to parking as defined by local law, ordinance,
16 regulation, or resolution or failure to pay a monetary penalty
17 imposed pursuant to this chapter. A local legislative body may set a
18 monetary penalty not to exceed twenty-five dollars for failure to
19 respond to a notice of traffic infraction relating to parking as
20 defined by local law, ordinance, regulation, or resolution. The local
21 court, whether a municipal, police, or district court, shall impose
22 the monetary penalty set by the local legislative body.

23 (5) Monetary penalties provided for in chapter 46.70 RCW which
24 are civil in nature and penalties which may be assessed for
25 violations of chapter 46.44 RCW relating to size, weight, and load of
26 motor vehicles are not subject to the limitation on the amount of
27 monetary penalties which may be imposed pursuant to this chapter.

28 (6) Whenever a monetary penalty, fee, cost, assessment, or other
29 monetary obligation is imposed by a court under this chapter, it is
30 immediately payable and is enforceable as a civil judgment under
31 Title 6 RCW. If the court determines, in its discretion, that a
32 person is not able to pay a monetary obligation in full, and not more
33 than one year has passed since the later of July 1, 2005, or the date
34 the monetary obligation initially became due and payable, the court
35 shall enter into a payment plan with the person, unless the person
36 has previously been granted a payment plan with respect to the same
37 monetary obligation, or unless the person is in noncompliance of any
38 existing or prior payment plan, in which case the court may, at its
39 discretion, implement a payment plan. If the court has notified the
40 department that the person has failed to pay or comply and the person

1 has subsequently entered into a payment plan and made an initial
2 payment, the court shall notify the department that the infraction
3 has been adjudicated, and the department shall rescind any suspension
4 of the person's driver's license or driver's privilege based on
5 failure to respond to that infraction. "Payment plan," as used in
6 this section, means a plan that requires reasonable payments based on
7 the financial ability of the person to pay. The person may
8 voluntarily pay an amount at any time in addition to the payments
9 required under the payment plan.

10 (a) If a payment required to be made under the payment plan is
11 delinquent or the person fails to complete a community restitution
12 program on or before the time established under the payment plan,
13 unless the court determines good cause therefor and adjusts the
14 payment plan or the community restitution plan accordingly, the court
15 may refer the unpaid monetary penalty, fee, cost, assessment, or
16 other monetary obligation for civil enforcement until all monetary
17 obligations, including those imposed under subsections (3) and (4) of
18 this section, have been paid, and court authorized community
19 restitution has been completed, or until the court has entered into a
20 new time payment or community restitution agreement with the person.
21 For those infractions subject to suspension under RCW 46.20.289, the
22 court shall notify the department of the person's failure to meet the
23 conditions of the plan, and the department shall suspend the person's
24 driver's license or driving privileges provided the criteria for
25 driving privilege suspension in RCW 46.20.289 have been met.

26 (b) If a person has not entered into a payment plan with the
27 court and has not paid the monetary obligation in full on or before
28 the time established for payment, the court may refer the unpaid
29 monetary penalty, fee, cost, assessment, or other monetary obligation
30 to a collections agency until all monetary obligations have been
31 paid, including those imposed under subsections (3) and (4) of this
32 section, or until the person has entered into a payment plan under
33 this section. For those infractions subject to suspension under RCW
34 46.20.289, the court shall notify the department of the person's
35 delinquency, and the department shall suspend the person's driver's
36 license or driving privileges provided the criteria for driving
37 privilege suspension in RCW 46.20.289 have been met.

38 (c) If the payment plan is to be administered by the court, the
39 court may assess the person a reasonable administrative fee to be
40 wholly retained by the city or county with jurisdiction. The

1 administrative fee shall not exceed ten dollars per infraction or
2 twenty-five dollars per payment plan, whichever is less.

3 (d) Nothing in this section precludes a court from contracting
4 with outside entities to administer its payment plan system. When
5 outside entities are used for the administration of a payment plan,
6 the court may assess the person a reasonable fee for such
7 administrative services, which fee may be calculated on a periodic,
8 percentage, or other basis.

9 (e) If a court authorized community restitution program for
10 offenders is available in the jurisdiction, the court may allow
11 conversion of all or part of the monetary obligations due under this
12 section to court authorized community restitution in lieu of time
13 payments if the person is unable to make reasonable time payments.

14 (7) In addition to any other penalties imposed under this section
15 and not subject to the limitation of subsection (1) of this section,
16 a person found to have committed a traffic infraction shall be
17 assessed:

18 (a) A fee of five dollars per infraction. Under no circumstances
19 shall this fee be reduced or waived. Revenue from this fee shall be
20 forwarded to the state treasurer for deposit in the emergency medical
21 services and trauma care system trust account under RCW 70.168.040;

22 (b) A fee of ten dollars per infraction. Under no circumstances
23 shall this fee be reduced or waived. Revenue from this fee shall be
24 forwarded to the state treasurer for deposit in the Washington auto
25 theft prevention authority account; and

26 (c) A fee of two dollars per infraction. Revenue from this fee
27 shall be forwarded to the state treasurer for deposit in the
28 traumatic brain injury account established in RCW 74.31.060.

29 (8)(a) In addition to any other penalties imposed under this
30 section and not subject to the limitation of subsection (1) of this
31 section, a person found to have committed a traffic infraction other
32 than of RCW 46.61.527 or 46.61.212 shall be assessed an additional
33 penalty of twenty dollars. The court may not reduce, waive, or
34 suspend the additional penalty unless the court finds the offender to
35 be indigent. If a court authorized community restitution program for
36 offenders is available in the jurisdiction, the court shall allow
37 offenders to offset all or a part of the penalty due under this
38 subsection (8) by participation in the court authorized community
39 restitution program.

1 (b) Eight dollars and fifty cents of the additional penalty under
2 (a) of this subsection shall be remitted to the state treasurer. The
3 remaining revenue from the additional penalty must be remitted under
4 chapters 2.08, 3.46, 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted
5 under this subsection to the state treasurer must be deposited in the
6 state general fund. The balance of the revenue received by the county
7 or city treasurer under this subsection must be deposited into the
8 county or city current expense fund. Moneys retained by the city or
9 county under this subsection shall constitute reimbursement for any
10 liabilities under RCW 43.135.060.

11 (9) If a legal proceeding, such as garnishment, has commenced to
12 collect any delinquent amount owed by the person for any penalty
13 imposed by the court under this section, the court may, at its
14 discretion, enter into a payment plan.

15 (10) The monetary penalty for violating RCW 46.37.395 is: (a) Two
16 hundred fifty dollars for the first violation; (b) five hundred
17 dollars for the second violation; and (c) seven hundred fifty dollars
18 for each violation thereafter.

19 **Sec. 10.** RCW 46.63.110 and 2019 c ... s 9 (section 9 of this
20 act) are each amended to read as follows:

21 (1) A person found to have committed a traffic infraction shall
22 be assessed a monetary penalty. No penalty may exceed two hundred and
23 fifty dollars for each offense unless authorized by this chapter or
24 title.

25 (2) The monetary penalty for a violation of (a) RCW 46.55.105(2)
26 is two hundred fifty dollars for each offense; (b) RCW 46.61.210(1)
27 is five hundred dollars for each offense. No penalty assessed under
28 this subsection (2) may be reduced.

29 (3) The supreme court shall prescribe by rule a schedule of
30 monetary penalties for designated traffic infractions. This rule
31 shall also specify the conditions under which local courts may
32 exercise discretion in assessing fines and penalties for traffic
33 infractions. The legislature respectfully requests the supreme court
34 to adjust this schedule every two years for inflation.

35 (4) There shall be a penalty of twenty-five dollars for failure
36 to respond to a notice of traffic infraction except where the
37 infraction relates to parking as defined by local law, ordinance,
38 regulation, or resolution or failure to pay a monetary penalty
39 imposed pursuant to this chapter. A local legislative body may set a

1 monetary penalty not to exceed twenty-five dollars for failure to
2 respond to a notice of traffic infraction relating to parking as
3 defined by local law, ordinance, regulation, or resolution. The local
4 court, whether a municipal, police, or district court, shall impose
5 the monetary penalty set by the local legislative body.

6 (5) Monetary penalties provided for in chapter 46.70 RCW which
7 are civil in nature and penalties which may be assessed for
8 violations of chapter 46.44 RCW relating to size, weight, and load of
9 motor vehicles are not subject to the limitation on the amount of
10 monetary penalties which may be imposed pursuant to this chapter.

11 (6) Whenever a monetary penalty, fee, cost, assessment, or other
12 monetary obligation is imposed by a court under this chapter, it is
13 immediately payable and is enforceable as a civil judgment under
14 Title 6 RCW. If the court determines, in its discretion, that a
15 person is not able to pay a monetary obligation in full, and not more
16 than one year has passed since the later of July 1, 2005, or the date
17 the monetary obligation initially became due and payable, the court
18 shall enter into a local payment plan with the person, unless the
19 person has previously been granted a local payment plan with respect
20 to the same monetary obligation, or unless the person is in
21 noncompliance of any existing or prior local payment plan, in which
22 case the court may, at its discretion, implement a local payment
23 plan. If the court has notified the department that the person has
24 failed to pay or comply and the person has subsequently entered into
25 a local payment plan and made an initial payment, the court shall
26 notify the department that the infraction has been adjudicated, and
27 the department shall rescind any suspension of the person's driver's
28 license or driver's privilege based on failure to respond to that
29 infraction. "Payment plan," as used in this section, means a plan
30 that requires reasonable payments based on the financial ability of
31 the person to pay. The person may voluntarily pay an amount at any
32 time in addition to the payments required under the payment plan.

33 (a) If a payment required to be made under the local payment plan
34 is delinquent or the person fails to complete a community restitution
35 program on or before the time established under the local payment
36 plan, unless the court determines good cause therefor and adjusts the
37 local payment plan or the community restitution plan accordingly, the
38 court may refer the unpaid monetary penalty, fee, cost, assessment,
39 or other monetary obligation for civil enforcement until all monetary
40 obligations, including those imposed under subsections (3) and (4) of

1 this section, have been paid, and court authorized community
2 restitution has been completed, or until the court has entered into a
3 new time payment or community restitution agreement with the person.
4 For those infractions subject to suspension under RCW 46.20.289, the
5 court shall notify the department of the person's failure to meet the
6 conditions of the plan, and the department shall suspend the person's
7 driver's license or driving privileges provided the criteria for
8 driving privilege suspension in RCW 46.20.289 have been met.

9 (b) If a person has not entered into a local payment plan with
10 the court and has not paid the monetary obligation in full on or
11 before the time established for payment, the court may refer the
12 unpaid monetary penalty, fee, cost, assessment, or other monetary
13 obligation to a collections agency until all monetary obligations
14 have been paid, including those imposed under subsections (3) and (4)
15 of this section, or until the person has entered into a local payment
16 plan under this section or has entered into a consolidated payment
17 plan as authorized under section 12 of this act. For those
18 infractions subject to suspension under RCW 46.20.289, the court
19 shall notify the department of the person's delinquency, and the
20 department shall suspend the person's driver's license or driving
21 privileges provided the criteria for driving privilege suspension in
22 RCW 46.20.289 have been met.

23 (c) If the local payment plan is to be administered by the court,
24 the court may assess the person a reasonable administrative fee to be
25 wholly retained by the city or county with jurisdiction. The
26 administrative fee shall not exceed ten dollars per infraction or
27 twenty-five dollars per payment plan, whichever is less.

28 (d) Nothing in this section precludes a court from contracting
29 with outside entities to administer its payment plan system. When
30 outside entities are used for the administration of a payment plan,
31 the court may assess the person a reasonable fee for such
32 administrative services, which fee may be calculated on a periodic,
33 percentage, or other basis.

34 (e) If a court authorized community restitution program for
35 offenders is available in the jurisdiction, the court may allow
36 conversion of all or part of the monetary obligations due under this
37 section to court authorized community restitution in lieu of time
38 payments if the person is unable to make reasonable time payments.

39 (7) In addition to any other penalties imposed under this section
40 and not subject to the limitation of subsection (1) of this section,

1 a person found to have committed a traffic infraction shall be
2 assessed:

3 (a) A fee of five dollars per infraction. Under no circumstances
4 shall this fee be reduced or waived. Revenue from this fee shall be
5 forwarded to the state treasurer for deposit in the emergency medical
6 services and trauma care system trust account under RCW 70.168.040;

7 (b) A fee of ten dollars per infraction. Under no circumstances
8 shall this fee be reduced or waived. Revenue from this fee shall be
9 forwarded to the state treasurer for deposit in the Washington auto
10 theft prevention authority account; and

11 (c) A fee of two dollars per infraction. Revenue from this fee
12 shall be forwarded to the state treasurer for deposit in the
13 traumatic brain injury account established in RCW 74.31.060.

14 (8)(a) In addition to any other penalties imposed under this
15 section and not subject to the limitation of subsection (1) of this
16 section, a person found to have committed a traffic infraction other
17 than of RCW 46.61.527 or 46.61.212 shall be assessed an additional
18 penalty of twenty dollars. The court may not reduce, waive, or
19 suspend the additional penalty unless the court finds the offender to
20 be indigent. If a court authorized community restitution program for
21 offenders is available in the jurisdiction, the court shall allow
22 offenders to offset all or a part of the penalty due under this
23 subsection (8) by participation in the court authorized community
24 restitution program.

25 (b) Eight dollars and fifty cents of the additional penalty under
26 (a) of this subsection shall be remitted to the state treasurer. The
27 remaining revenue from the additional penalty must be remitted under
28 chapters 2.08, 3.46, 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted
29 under this subsection to the state treasurer must be deposited in the
30 state general fund. The balance of the revenue received by the county
31 or city treasurer under this subsection must be deposited into the
32 county or city current expense fund. Moneys retained by the city or
33 county under this subsection shall constitute reimbursement for any
34 liabilities under RCW 43.135.060.

35 (9) If a legal proceeding, such as garnishment, has commenced to
36 collect any delinquent amount owed by the person for any penalty
37 imposed by the court under this section, the court may, at its
38 discretion, enter into a payment plan.

39 (10) The monetary penalty for violating RCW 46.37.395 is: (a) Two
40 hundred fifty dollars for the first violation; (b) five hundred

1 dollars for the second violation; and (c) seven hundred fifty dollars
2 for each violation thereafter.

3 NEW SECTION. **Sec. 11.** (1)(a) The legislature finds that the
4 current system for addressing unpaid traffic fines is inequitable and
5 disproportionately burdens people with limited economic means. The
6 department of licensing shall convene a work group of stakeholders to
7 explore options for addressing this inequity and disproportionality
8 by reforming the manner in which unpaid traffic fines are collected,
9 the driver's licensing consequences of unpaid traffic fines, and the
10 legal consequences of driving without a valid driver's license. The
11 effort must include an examination of options for consolidated or
12 individual payment plans for unpaid traffic fines, other options for
13 collecting unpaid traffic fines and holding drivers accountable for
14 moving violations without suspending driver's licenses, policies that
15 can increase the rate of drivers who have valid insurance, and the
16 traffic safety risk posed by drivers whose licenses are suspended
17 solely due to unpaid traffic fines compared to the traffic safety
18 risk posed by drivers with an equivalent number of paid moving
19 violations.

20 (b) The effort must also include an examination of the
21 effectiveness of requiring that the registered vehicle owner's
22 driver's license number be provided at the time of vehicle
23 registration and registration renewal to increase the rate at which
24 driver's license suspension notifications reach driver's license
25 holders, as well as an assessment of the effectiveness of the
26 department of licensing's efforts to provide payment plan information
27 to individuals who receive notices of driver's license suspension and
28 methods in addition to mail that could be used to provide
29 notification of pending driver's license suspension and payment plan
30 options to these individuals.

31 (2) The following must be invited to participate in the
32 stakeholder work group:

33 (a) The administrator for the courts or the administrator for the
34 courts' designee;

35 (b) A district or municipal court judge, appointed by the
36 district and municipal court judges' association;

37 (c) A prosecutor, appointed by the Washington association of
38 prosecuting attorneys, or the prosecutor's designee;

1 (d) A municipal prosecutor appointed by the city of Seattle
2 attorney's office;

3 (e) A public defender, jointly appointed by the Washington
4 defender association and the Washington association of criminal
5 defense lawyers;

6 (f) A representative of the American civil liberties union;

7 (g) A district or municipal court administrator or manager,
8 appointed by the district and municipal court management association;

9 (h) A representative of a civil legal aid organization, appointed
10 by the office of civil legal aid;

11 (i) A representative of the Washington association of sheriffs
12 and police chiefs;

13 (j) A representative of a statewide association of police chiefs
14 and sheriffs, selected by the association;

15 (k) The director of the Washington traffic safety commission or
16 the director's designee;

17 (l) A representative of a statewide association of city
18 governments, selected by the association;

19 (m) A representative of a statewide association of counties,
20 selected by the association;

21 (n) A representative of a statewide association of collection
22 professionals;

23 (o) A representative of Northwest justice project;

24 (p) A representative of columbia legal services;

25 (q) A representative of statewide poverty action network; and

26 (r) A representative of the faith action network.

27 (3) The stakeholder work group shall convene as necessary.

28 (4) The stakeholder work group shall provide final feedback and
29 recommendations to the department of licensing no later than October
30 1, 2019.

31 (5) The department of licensing shall submit a report detailing
32 its findings and recommendations to the appropriate committees of the
33 legislature, which must include an assessment of the estimated fiscal
34 impact to government associated with these recommendations, no later
35 than November 1, 2019.

36 NEW SECTION. **Sec. 12.** A new section is added to chapter 46.63
37 RCW to read as follows:

38 (1) There is created a program for the consolidation of traffic-
39 based financial obligations from multiple courts of limited

1 jurisdiction into a consolidated payment plan, to provide a path for
2 the reinstatement of driving privileges that are or may be suspended
3 because of failure to comply with the terms of a notice of traffic
4 infraction, criminal complaint, or citation for a moving violation.

5 (a) The administrative office of the courts shall oversee the
6 program created by this section, and shall contract with a private
7 agency or entity to act as program administrator to implement,
8 administer, and service the consolidated payment plans authorized
9 under the program created by this section.

10 (i) For the purposes of this section, the administrative office
11 of the courts shall have authority equivalent to courts of limited
12 jurisdiction as provided in RCW 3.02.045 and 46.63.110 to use one or
13 more attorneys, accounts receivable companies, or collection agencies
14 for purposes of collecting outstanding traffic-based financial
15 obligations or administering payment plans and use credit cards or
16 debit cards for purposes of billing and collecting unpaid traffic-
17 based financial obligations, and, in the case of credit cards, assess
18 as court costs the moneys paid for remuneration for services or
19 charges paid to financial institutions.

20 (ii) Any program administrator that the administrative office of
21 the courts contracts with under this section shall be licensed to
22 operate in the state, and preference in the awarding of any contract
23 shall be given to private agencies or entities with principals who
24 have experience operating on behalf of one or more courts of limited
25 jurisdiction in Washington.

26 (iii) Any program administrator that the administrative office of
27 the courts contracts with under this section shall provide at least
28 one payment option for participants that does not require or involve
29 additional payment processing fees.

30 (b) In consultation with the Washington state district and
31 municipal court judges' association and a statewide association
32 representing collection agencies, the administrative office of the
33 courts shall develop an online and paper application form to be used
34 by applicants for the program created by this section. The
35 application form shall include a section asking a prospective
36 participant to attest, under penalty of perjury, if that person's
37 annual income, after taxes, is one hundred twenty-five percent or
38 less of the current federally established poverty level, or if that
39 person receives one or more of the following types of public
40 assistance: Temporary assistance for needy families; aged, blind, or

1 disabled assistance benefits; medical care services under RCW
2 74.09.035; pregnant women assistance benefits; poverty-related
3 veterans' benefits; food stamps or food stamp benefits transferred
4 electronically; refugee resettlement benefits; medicaid; or
5 supplemental security income.

6 (c) The administrative office of the courts may assess program
7 participants a one-time payment plan establishment fee up to the
8 amount allowed under RCW 46.20.341(2)(e). The fee shall be included
9 in the total to be paid by the program participant. The fee hereby
10 authorized is not subject to chapters 3.50, 3.62, and 35.20 RCW, and
11 shall be used by the administrative office of the courts to support
12 oversight of the program, with five percent of the establishment fee
13 deposited into the state general fund to be transmitted by the state
14 treasurer to the department to support public education about the
15 program and what is required for a person to have that person's
16 driving privileges restored. The public education provided by the
17 department must include a department web site that provides
18 individuals with contact information for the administrative office of
19 the courts and courts of limited jurisdiction to obtain information
20 on payment plan opportunities.

21 (d) The administrative office of the courts may adopt policies
22 that are necessary or convenient for purposes of administering the
23 program created by this section including, but not limited to,
24 policies governing the creation of the application form, payment plan
25 terms, and other procedural rules or administrative matters within
26 the purview of the judiciary. Prior to issuing any new policy for the
27 program, the administrative office of the courts is encouraged to
28 solicit public comment and consult with stakeholders, including, but
29 not limited to, the Washington state district and municipal court
30 judges' association, civil legal aid organizations, and a statewide
31 association representing collection agencies.

32 (2) A person qualifies for entry into the program created by this
33 section if:

34 (a) That person's driving privileges have been suspended pursuant
35 to RCW 46.20.289, that person has partially met the criteria for
36 driver's license suspension listed under RCW 46.20.289(2)(a), or that
37 person has received a notice as provided in RCW 46.20.245 of a
38 proposed suspension of driving privileges pursuant to RCW 46.20.289;
39 and

1 (b) That person has unpaid traffic-based financial obligations
2 imposed by two or more different courts of limited jurisdiction,
3 which could, independently or in combination, serve as a basis for
4 suspension of driving privileges if the person owing does not pay in
5 full or the department does not receive certification from the
6 appropriate court that the case is adjudicated.

7 (3) Even if a person qualifies under subsection (2) of this
8 section, a person is ineligible to participate in the program created
9 by this section if:

10 (a) The person has been removed from the program created by this
11 section more than twice in the thirty-six month period preceding the
12 date of application for failing to comply with the terms of a payment
13 plan; or

14 (b) The unpaid traffic-based financial obligations from different
15 jurisdictions have been referred to the same collecting attorney or
16 collection agency, which is offering payment plan terms equivalent to
17 the payment plan offered under the program created by this section.

18 (4) Any person qualifying for the program created by this section
19 may enter the program by completing the application developed under
20 subsection (1) of this section, submitting the application to the
21 program administrator, entering into a payment plan with the program
22 administrator, and making the first payment as required under said
23 payment plan.

24 (5) Upon a person entering the program as provided in subsection
25 (3) of this section, the program administrator shall promptly notify
26 the relevant courts to which the program participant owes traffic-
27 based financial obligations, as well as the collecting attorneys,
28 accounts receivable companies, or collection agencies utilized by
29 those courts, to inform the courts and their contracted collectors of
30 the participant's entry in the program. Upon receiving notice that a
31 person has entered the program created by this section, the courts
32 shall promptly notify the department that the infraction or case for
33 which the participant owes traffic-based financial obligations has
34 been adjudicated, and the court's contracted collecting attorneys,
35 accounts receivable companies, or collection agencies shall suspend
36 collection efforts to allow the program administrator to administer
37 the consolidated payment plan created by this section.

38 (6) As remuneration for administering the consolidated payment
39 plan, the program administrator shall retain as revenue for itself
40 sixty percent of the unpaid collection fees assessed under RCW

1 19.16.500, minus any court or legal costs paid by the local
2 collecting attorney or collection agency related to a legal
3 proceeding to collect the delinquent traffic-based financial
4 obligations.

5 (7) While participating in the program created by this section, a
6 participant must make regular monthly payments pursuant to the
7 payment plan he or she entered into with the program administrator.

8 (a) The administrative office of the courts shall establish
9 policies governing payment plans offered by the program created by
10 this section.

11 (b) Through December 31, 2024, the standard payment plan terms
12 offered by the program created by this section shall be as follows:

13 (i) For balances of five hundred dollars or less, a monthly
14 payment of twenty-five dollars;

15 (ii) For balances of one thousand dollars or less, but more than
16 five hundred dollars, a monthly payment of thirty-five dollars;

17 (iii) For balances of more than one thousand dollars, a monthly
18 payment of fifty dollars; and

19 (iv) A monthly payment of twenty-five dollars, regardless of the
20 outstanding balance, for participants with incomes at or below one
21 hundred twenty-five percent of the current federally established
22 poverty level, or for participants receiving one or more of the
23 following types of public assistance: Temporary assistance for needy
24 families; aged, blind, or disabled assistance benefits; medical care
25 services under RCW 74.09.035; pregnant women assistance benefits;
26 poverty-related veterans' benefits; food stamps or food stamp
27 benefits transferred electronically; refugee resettlement benefits;
28 medicaid; or supplemental security income.

29 After December 31, 2024, the administrative office of the courts
30 may adopt new standard payment plan terms under the authority
31 provided in this section.

32 (c) Notwithstanding any other provision in this section, a
33 program participant may at any time elect to pay more than the
34 minimum standard payment amount. In addition, any program participant
35 may petition any court to which the program participant owes traffic-
36 based financial obligations that have been consolidated under the
37 program created by this section, and have that court assess the
38 participant's ability to pay. The court hearing the petition, in its
39 discretion, may order a monthly payment amount lower than the amount
40 of the standard payment plan identified in this section.

1 (d) Provided a participant continues to comply with the terms of
2 the payment plan, the participant may remain in the program created
3 by this section until such time that all traffic-based financial
4 obligations subject to consolidation are paid in full.

5 Payment plan terms shall set out the conditions under which a
6 failure to comply with said terms will result in removal from the
7 program, and shall at a minimum include that removal from the program
8 will result if any payment due becomes more than forty-five days
9 delinquent.

10 (8) While the participant is participating in the program created
11 by this section, all unpaid accrued interest on the participant's
12 traffic-based financial obligations subject to consolidation under
13 the program shall be provisionally suspended.

14 (a) If a participant satisfies a traffic-based financial
15 obligation subject to consolidation under the program by making all
16 required payments and otherwise meeting the terms of the payment
17 plan, all provisionally suspended unpaid accrued interest on the
18 satisfied traffic-based financial obligation shall be waived.

19 (b) If a participant is removed from the program, the
20 provisionally suspended unpaid accrued interest on the unsatisfied
21 traffic-based financial obligations subject to consolidation under
22 the program shall be reinstated.

23 (c) Nothing in this section shall be interpreted to limit a
24 court's ability to independently waive, reduce, or suspend a portion
25 or all of a fine or penalty.

26 (9) If a participant is removed from the program created by this
27 section, the program administrator shall promptly notify the relevant
28 courts to which the program participant still owes traffic-based
29 financial obligations. Upon receiving the notice that the participant
30 was removed from the program, the court shall promptly notify the
31 department of the person's failure to meet the conditions of the
32 payment plan if the criteria in RCW 46.20.289 have otherwise been
33 satisfied, and the department shall suspend the person's driving
34 privileges when notified.

35 (10) Notwithstanding any other provision in this section, a
36 traffic-based financial obligation shall not be eligible for
37 consolidation under the program if a legal proceeding, such as
38 garnishment, has commenced to collect the delinquent traffic-based
39 financial obligation owed by the person, unless the court, in its
40 discretion, authorizes the traffic-based financial obligation to be

1 included in the consolidated payment plan pursuant to its authority
2 under RCW 46.63.110(9).

3 (11) Payments made to the program administrator for the
4 consolidated payment plans created by this section shall first be
5 applied to the program establishment fee, with the remainder divided
6 equally among the number of courts of limited jurisdiction that
7 originally ordered the traffic-based financial obligations
8 consolidated under the program. Revenue collected under the program
9 created by this section shall be distributed to the appropriate
10 courts of limited jurisdiction, or to the collecting attorneys,
11 accounts receivable companies, or collection agencies that contract
12 with said courts for distribution to the courts based upon the terms
13 of the applicable contract, on a periodic basis not less frequently
14 than monthly.

15 (12) For the purposes of this section:

16 (a) "Participant" means a person who has qualified and entered
17 the program created by this section.

18 (b) "Payment plan" has the same meaning as in RCW 46.63.110(6).

19 (c) "Program" means the program for the consolidation of traffic-
20 based financial obligations created by this section.

21 (d) "Program administrator" means the contracted private agency
22 or entity tasked with implementing, administering, and servicing the
23 consolidated payment plans authorized under the program created by
24 this section.

25 (e) "Traffic-based financial obligation" means any monetary
26 penalty, fee, cost, assessment, or other monetary obligation imposed
27 when a person is either found to have committed a traffic infraction
28 or convicted of a traffic misdemeanor or gross misdemeanor offense.

29 NEW SECTION. **Sec. 13.** A new section is added to chapter 46.64
30 RCW to read as follows:

31 Whenever a court of limited jurisdiction imposes a monetary
32 penalty, fee, cost, assessment, or other monetary obligation under
33 this chapter for conviction of a violation of this title that is a
34 misdemeanor or gross misdemeanor, the person who owes such
35 obligations, if otherwise eligible, may consolidate the obligations
36 with the program authorized under section 12 of this act.

1 NEW SECTION. **Sec. 14.** The administrator for the courts and the
2 director of the department of licensing may take the necessary steps
3 to ensure that this act is implemented on its effective date.

4 NEW SECTION. **Sec. 15.** Sections 1, 2, 4, and 6 through 9 of this
5 act take effect January 1, 2020.

6 NEW SECTION. **Sec. 16.** Sections 3, 5, 10, and 12 through 14 of
7 this act take effect January 1, 2021.

8 NEW SECTION. **Sec. 17.** Section 11 of this act is necessary for
9 the immediate preservation of the public peace, health, or safety, or
10 support of the state government and its existing public institutions,
11 and takes effect immediately."

12 Correct the title.

EFFECT: (1) Strikes the bill in its entirety.

(2) Extends the notice the Department of Licensing (DOL) must provide before it proposes to withhold the driving privilege of a person from forty-five to ninety days after the original notice is given, and requires DOL to provide payment plan information to recipients.

(3) Changes the grounds for suspension related to failure to respond to a notice of traffic infraction for a moving violation, failure to appear at a requested hearing, violation of a written promise to appear in court for a notice of traffic infraction, or failure to comply with the terms of a notice of traffic infraction (noncriminal only), requiring that, for suspension to occur, a person must receive one or more separate traffic infractions for moving violations that have not yet been adjudicated, which occurred as part of a separate incident, and for which the person failed to respond, failed to appear, violated a written promise to appear, or failed to comply with the terms of the notice of traffic infraction, provided the person is not in compliance with a court payment plan for these traffic infractions.

(4) Requires a registered owner provide his or her Washington state driver's license number at the time of vehicle registration and registration renewal, except for cases where the registered owner is not required to have a Washington state driver's license.

(5) Establishes a stakeholder work group to be convened by DOL, with certain membership specified, that is required to explore options to reform the manner in which unpaid traffic fines are collected, the driver's licensing consequences of unpaid traffic fines, and the legal consequences of driving without a valid driver's license, as well as the impact of requiring that driver's license numbers be provided at the time of vehicle registration and registration renewal on driver's license suspension notification and of DOL-provided payment plan information dissemination at the time of notification, and identification of alternative notification

opportunities, with a report due to the Legislature by November 1, 2019.

(6) Establishes a program for the payment of multiple traffic-based financial obligations from multiple courts for individuals who meet certain maximum annual income or public benefits requirements to be overseen by the Administrative Office of the Courts (AOC) for the use of individuals whose driving privileges are, or are at risk of, being suspended because of a failure to comply with the terms of a notice of traffic infraction, criminal complaint, or criminal citation, failure to appear at a requested hearing, violation of a written promise to appear in court for a notice of traffic infraction, or failure to comply with the terms of a notice of traffic infraction, criminal complaint, or criminal citation.

(7) Requires the AOC to contract with a private agency or entity to serve as the program administrator over the payment plans, with the AOC required to give preference of the awarding of any contract to entities with experience operating on behalf of one or more courts of limited jurisdiction in the state.

(8) Permits the AOC to assess program participants a one-time payment plan establishment fee of up to \$100, with revenues to be used to support oversight of the program, five percent of which are to be provided to DOL to support public education about the program, including the establishment of a department web site with payment plan contact information.

(9) Limits program participation to individuals whose driving privileges have been suspended, or are at risk of being suspended, for the reasons noted in (1) above and who have unpaid traffic-based financial obligations imposed by two or more different courts of limited jurisdiction, and who have not been removed from this program more than twice in a 36-month period and have not been offered payment plan terms equivalent to this program's by a collecting attorney or collection agency.

(10) Requires the program administrator to inform the relevant courts of an individual's participation, and the courts notified to notify DOL that the obligations have been adjudicated.

(11) Requires that a person to be removed from a payment plan if the person fails to make a payment more than 45 days after it is due.

(12) Requires the program administrator to inform the relevant courts if a participant is removed from the program, the courts notified to notify DOL of the participant's failure to meet conditions of the payment plan if suspension criteria have otherwise been met, and DOL to suspend the person's driving privileges when notified.

(13) Specifies standard payment plan terms for the program through December 31, 2024, with some discretion granted to courts to adjust these, and permits the AOC to adopt new standard payment plan terms after that date.

(14) Permits the program administrator to retain 60 percent of the unpaid collection fees assessed, less any court or legal costs paid by the local collecting attorney or collection agency related to legal proceedings.

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