

SHB 1793 - H AMD 427

By Representative Caldier

WITHDRAWN 04/15/2019

1 On page 4, line 12, after "law" strike ", all" and insert "~~(~~
2 ~~all~~)~~);~~:"

3 (i) No"
4

5 On page 4, beginning on line 14, beginning with "are" strike all
6 material through "not" on line 15 and insert "~~((are for the exclusive~~
7 ~~use of law enforcement in the discharge of duties under this section~~
8 ~~and are not open to the public))~~ are open to the public.

9 (ii) All photographs, microphotographs, or electronic images
10 prepared under this section that are taken by automated traffic safety
11 cameras used to detect stoplight violations, railroad crossing
12 violations, school speed zone violations, or speed violations subject
13 to (c) of this subsection, are for the exclusive use of law
14 enforcement in the discharge of duties under this section"
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16 On page 4, line 18, after "image" insert "taken by an automated
17 traffic safety camera used to detect the violations specified in this
18 subsection"
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20 On page 4, after line 20, insert the following:

21 "(iii)(A) All photographs, microphotographs, and electronic images
22 prepared under this section that are taken by automated traffic safety
23 cameras used to detect the violations listed in (g)(iii)(B) of this
24 subsection may be used for the following purposes only: (I) The
25 enforcement of civil infractions by law enforcement as authorized
26 under this section, including court proceedings relating to the
27 enforcement of those civil infractions; and (II) the investigation and

1 prosecution of gross misdemeanor and felony crimes pursuant to a
2 lawfully issued search warrant. A photograph, microphotograph, or
3 electronic image taken by an automated traffic safety camera used to
4 detect the violations specified in (g)(iii)(B) of this subsection may
5 not be used for any other purpose and may not be used in court for any
6 other pending action or proceeding. Except when otherwise directed by
7 a court order, no photograph, microphotograph, or electronic image may
8 be retained longer than necessary to enforce this section.

9 (B) Photographs, microphotographs, and electronic images may be
10 used and retained as specified in (g)(iii)(A) of this subsection when
11 they are taken by automated traffic safety cameras that are used to
12 detect the following violations: stopping when traffic obstructed
13 violations; stopping at intersection or crosswalk violations; public
14 transportation only lane violations; and stopping, standing, or
15 parking violations at locations restricted for emergency response
16 vehicle entry or exit or the boarding or disembarking of public
17 transportation vehicles, including public ferries."

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EFFECT: Expands the manner in which a photograph, electronic image, or other specified record collected by an automated traffic safety camera used to detect the violations for which camera use is expanded in the bill can be used to include use for the purposes of a criminal investigation and prosecution of gross misdemeanor and felony crimes pursuant to a lawfully issued search warrant.

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