

SENATE BILL REPORT

SB 5126

As of January 24, 2019

Title: An act relating to expanding the traumatic brain injury fee to other traffic-related offenses.

Brief Description: Expanding the traumatic brain injury fee to other traffic-related offenses.

Sponsors: Senators McCoy, Darneille and Hunt.

Brief History:

Committee Activity: Transportation: 1/23/19.

Brief Summary of Bill

- Expands the traumatic brain injury fee to traffic-related offenses generated through cameras.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Kelly Simpson (786-7403)

Background: Under current law, traffic infractions generally include both a base penalty and additional fees and assessments deposited in various accounts. One such additional fee is a \$2.00 traumatic brain injury (TBI) fee. The TBI fee is deposited in the state TBI account to support various activities and services related to TBI. The Department of Social and Health Services administers the funds, after appropriation by the Legislature. The TBI fee may be reduced or waived by the court.

Currently, the TBI fee is not imposed on traffic-related offenses detected through the use of cameras, such as photo toll enforcement, automated traffic safety cameras, or automated school bus safety cameras. These offenses are administered separately from the general traffic infraction process. In the case of photo toll enforcement, those offenses are administered through the Washington State Department of Transportation. In the case of automated traffic safety cameras and automated school bus safety cameras, those offenses are administered at the local government level.

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.

Summary of Bill: The \$2.00 TBI fee is assessed on civil penalties for nonpayment of tolls detected through a camera, and fines issued through automated traffic safety cameras and automated school bus safety cameras.

Appropriation: None.

Fiscal Note: Requested on January 17, 2019.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: Many TBI survivors suffer various problems like anxiety, PTSD, and suicide. A key to helping with TBI survivors is to first identify it in survivors. Having more TBI funds available helps with education and awareness, and helps survivors and their caregivers. More TBI funding is needed throughout Washington State. TBI funding helps maintain services for survivors and caregivers. Twenty-two percent of TBI survivors also have epilepsy. When the original TBI law was enacted, traffic cameras were not around, so the law needs updating to reflect the frequent use of traffic cameras to detect certain traffic-related offenses.

Persons Testifying: PRO: Senator John McCoy, Prime Sponsor; Nick Mehrnoosh, Program Specialist - Eastern WA University; Stephanie Frizzell; Dennis Flannigan ; Karen Kaizuka; Edwina Waehling; Mike Hoover; Daniella Clark; Robert Elliott, TBI support group; Micheal Brown, volunteer.

Persons Signed In To Testify But Not Testifying: No one.