

SHB 1513 - H AMD 83

By Representative Graham

NOT CONSIDERED 01/02/2024

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

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4 "NEW SECTION. **Sec. 1.** Subject to the availability of amounts
5 appropriated for this specific purpose, a grant program is
6 established. The Washington traffic safety commission shall develop
7 and implement a grant program to support local initiatives that
8 provide solution-oriented responses to nonmoving violations for low-
9 income road users. The commission must prioritize the award of
10 grants to local initiatives that expand or establish civilian
11 intervention programs for nonmoving violations, and focus on
12 nonpunitive interventions such as helmet voucher programs, fee
13 offset programs, fix-it tickets, and repair vouchers that provide
14 solutions for vehicle equipment failures for low-income road users.

15 (1) Grants must be awarded to local jurisdictions based on
16 locally developed proposals to establish or expand existing
17 programs, including programs with community-lead organizations.
18 Eligible jurisdictions under the grant program include cities,
19 counties, tribal government entities, tribal organizations, or
20 nonprofit organizations.

21 (2) Prior to awarding any grants, the commission shall develop
22 grant compliance criteria for nonprofit grant recipients including,
23 but not limited to, registration with the office of the secretary of
24 the state, a demonstration of a nexus between grant-funded
25 activities and the mission of the organization, guidelines on
26 permissible overhead allocations, a list of recommended core grant
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1 funded initiatives, and a requirement for interaction with local law
2 enforcement.

3 (3) The commission shall report on its website by December 1st
4 of each year on the recipients, locations, and types of projects
5 funded under this program.

6 (4) Beginning September 1, 2024, and biennially thereafter, the
7 commission shall provide a report to the governor and the
8 transportation committees of the legislature detailing findings on
9 the effectiveness of programs funded under this section and any
10 recommendations for enhancements or modifications to the grant
11 program established under this section.

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13 **Sec. 2.** RCW 46.63.030 and 2013 2nd sp.s. c 23 s 23 are each
14 amended to read as follows:

15 (1) A law enforcement officer has the authority to issue a
16 notice of traffic infraction:

17 (a) When the infraction is committed in the officer's presence,
18 except as provided in RCW 46.09.485;

19 (b) When the officer is acting upon the request of a law
20 enforcement officer in whose presence the traffic infraction was
21 committed;

22 (c) If an officer investigating at the scene of a motor vehicle
23 accident has reasonable cause to believe that the driver of a motor
24 vehicle involved in the accident has committed a traffic infraction;

25 (d) When the infraction is detected through the use of an
26 automated traffic safety camera under RCW 46.63.170; or

27 (e) When the infraction is detected through the use of an
28 automated school bus safety camera under RCW 46.63.180.

29 (2) A law enforcement officer has the authority to issue a
30 citation by mail for a notice of infraction for any noncriminal
31 offenses under this chapter, in lieu of a traffic stop, and where
32 consistent with agency policy.

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1 (3) A court may issue a notice of traffic infraction upon
2 receipt of a written statement of the officer that there is
3 reasonable cause to believe that an infraction was committed.

4 (~~(3)~~) (4) If any motor vehicle without a driver is found
5 parked, standing, or stopped in violation of this title or an
6 equivalent administrative regulation or local law, ordinance,
7 regulation, or resolution, the officer finding the vehicle shall
8 take its registration number and may take any other information
9 displayed on the vehicle which may identify its user, and shall
10 conspicuously affix to the vehicle a notice of traffic infraction.

11 (~~(4)~~) (5) In the case of failure to redeem an abandoned
12 vehicle under RCW 46.55.120, upon receiving a complaint by a
13 registered tow truck operator that has incurred costs in removing,
14 storing, and disposing of an abandoned vehicle, an officer of the
15 law enforcement agency responsible for directing the removal of the
16 vehicle shall send a notice of infraction by certified mail to the
17 last known address of the person responsible under RCW 46.55.105.
18 The notice must be entitled "Littering—Abandoned Vehicle" and give
19 notice of the monetary penalty. The officer shall append to the
20 notice of infraction, on a form prescribed by the department of
21 licensing, a notice indicating the amount of costs incurred as a
22 result of removing, storing, and disposing of the abandoned vehicle,
23 less any amount realized at auction, and a statement that monetary
24 penalties for the infraction will not be considered as having been
25 paid until the monetary penalty payable under this chapter has been
26 paid and the court is satisfied that the person has made restitution
27 in the amount of the deficiency remaining after disposal of the
28 vehicle.

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30 NEW SECTION. **Sec. 3.** A new section is added to chapter 10.118
31 RCW to read as follows:

32 (1) Each peace officer in the state as defined in RCW 43.101.010
33 must report each incident when they stop or detain an operator of a
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1 vehicle, or where a citation is issued by mail. Each report must
2 include the following information:

3 (a) The date, time, location (address, latitude and longitude,
4 or GPS information), and duration of the incident;

5 (b) The primary reason for the stop or mailed citation, and
6 whether it was peace officer initiated or in response to a call for
7 service from the public;

8 (c) Make, model, and year of the vehicle;

9 (d) The agency or agencies employing the peace officer;

10 (e) The name of the peace officer;

11 (f) Whether there was a stop initiated, an arrest made, or a
12 citation mailed; and

13 (g) Whether dashboard or body worn camera footage was recorded
14 for the incident.

15 (2) For the purposes of this section, "vehicle" has the same
16 meaning as in RCW 46.04.670, but does not include any commercial
17 motor vehicle as defined in RCW 46.32.005."

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19 Correct the title.

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EFFECT: Makes the following changes to the grant program,
traffic citations, and data collection:

- Removes provisions limiting an officers' use of stops and detentions for nonmoving violations.
- Removes requirements that officers receive written consent for vehicle or passenger search.
- Allows officers to issue citations by mail for non-criminal offenses in lieu of traffic stops.
- Modifies reporting requirements to reflect information applicable for mailed citations, rather than traffic stops.
- Requires Traffic Safety Commission, rather than Department of Commerce, to implement grant program, and to develop grant compliance criteria for non-profit grant recipients.
- Removes law enforcement as recipient of grant program.

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