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**SENATE BILL 5521**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Senators Valdez, Kauffman, Alvarado, Hasegawa, and Nobles

AN ACT Relating to improving traffic safety; adding a new section to chapter 47.01 RCW; adding a new section to chapter 46.64 RCW; adding a new section to chapter 46.63 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds the following:

(1) The state of Washington and its political subdivisions undertake to protect the safety of all individuals who use public roadways, including people who drive, bike, walk, and roll;

(2) Recognizing that traffic collisions have increased, the legislature seeks to focus limited enforcement resources on the leading causes of fatalities and injuries, including impaired driving, distracted driving, unrestrained passengers, and speeding;

(3) Data shows that prioritizing safety stops reduces traffic accidents and fatalities, increases enforcement of dangerous driving, and reduces racial disproportionality in traffic stops; and

(4) Traffic stop enforcement that includes solutions for low-income users will increase compliance, equity, and accessibility, while relieving financial hardships, so that individuals' ability to drive to work and contribute to the economic vitality of the state are improved.

NEW SECTION. **Sec.**  A new section is added to chapter 47.01 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, a grant program is established to support local initiatives that provide solution-oriented responses to nonmoving violations for low-income road users.

(2) The department shall administer the grant program, which must award grants for nonpunitive intervention programs for nonmoving violations, such as helmet voucher programs, registration fee offset programs, fix-it tickets, repair vouchers, and community education workshop, to help low-income road users achieve compliance with nonmoving violations.

(3) Grants must be awarded to applicants based on locally developed proposals to establish or expand existing programs, including programs with community led organizations. Eligible applicants under the grant program include cities, counties, tribal governmental entities, tribal organizations, law enforcement agencies, community colleges, and nonprofit organizations.

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

(5) For purposes of this section:

(a) "Low-income road user" means a recipient of public assistance under Title 74 RCW, a participant in the Washington women, infants, and children program, a person who is eligible for medicaid under RCW 74.09.510, or a person who receives an annual income, after taxes, of 125 percent or less of the federally established poverty level.

(b) "Nonmoving violations" has the same meaning as in section 3 of this act.

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

(1)(a) A peace officer may stop, or otherwise detain, an operator of a vehicle to enforce one or more of the following as a primary offense:

(i) Any criminal code violation;

(ii) Any moving violation, except RCW 46.20.342(1)(c) (ii), (v), or (viii);

(iii) Any safety belt violation;

(iv) A vehicle that does not have any license plates, or that has a license plate not matching with the registered make, model, year, and color of the vehicle;

(v) A vehicle with an expired registration of over 12 months;

(vi) A violation of RCW 46.37.190; or

(vii) Any equipment violation that presents a serious risk to the safety of the operator or others on the roadway.

(b) Enforcement of nonmoving violations, and violations of RCW 46.20.342(1)(c) (ii), (v), and (viii), may only be accomplished as a secondary action when an operator of a motor vehicle has been stopped or detained under (a) of this subsection.

(2)(a) Upon first contact with the operator of the vehicle, the peace officer must immediately inform the operator of the initial reason for the stop.

(b) The peace officer may question the operator of the vehicle within the scope of the initial reason for the stop. The peace officer may not question beyond the scope of the initial reason for the stop, unless the peace officer detects evidence that establishes reasonable suspicion sufficient to question the operator on a subject outside the scope of the initial reason for the stop.

(c) A peace officer may request a consent search of the operator of the vehicle, or the vehicle itself, if the initial offense necessitating the stop under subsection (1)(a) of this section is a gross misdemeanor or a felony. Before engaging in any consent search, the peace officer must obtain written consent from the operator of the vehicle. To obtain consent, the peace officer must provide the operator with an oral explanation and a written consent form that explains the purpose of the search, that the search is voluntary, that such person may ask to speak with an attorney, and that such person may choose not to consent to the search or decline the search at any point. The form must state that such person will not be punished or suffer retaliation for not consenting or declining a search. The form must be available, at minimum, in English and either Spanish or the most prevalent language spoken within the jurisdiction, and explained orally to a person who is unable to read the form, using, when necessary, an interpreter from the district communications center language line or other agency resources.

(d) Nothing in this chapter abrogates any other constitutional, common law, or statutory right of action available to an individual.

(3) Any evidence recovered during a stop, detention, or consent search that does not comply with subsections (1) and (2) of this section shall be inadmissible in any criminal proceeding.

(4) Beginning January 1, 2026, a peace officer who stops or detains an operator of a vehicle under this section must report the following information:

(a) The initial reason for the stop and, if applicable, the serious risk necessitating a primary stop for an equipment violation;

(b) The location and duration of the contact with the vehicle operator during the traffic stop;

(c) Whether the stop was recorded and, if so, by what means, such as a body worn camera;

(d) The known age, gender, and perceived race and ethnicity of the operator of the vehicle, and if applicable, the language of interpretation used;

(e) The license plate number, make, model, and year of the vehicle;

(f) Whether a consent search was requested, and whether the operator provided or declined written consent to the search request;

(g) If a consent search was conducted, who and what was searched;

(h) Whether any property was seized, with a specific description of such property, or whether any contraband such as a firearm, other weapon, or controlled substance was found, including the specific type, size, and amount of any such contraband, if applicable; and

(i) Whether the stop resulted in no further action; the issuance of a verbal warning, written warning, or citation; an arrest; or any other action.

(5) For purposes of this section:

(a) "Moving violation" is defined by rule under RCW 46.20.2891.

(b) "Nonmoving violation" means any equipment violation, or paperwork violation relating to insurance, registration, licensing, or inspection.

(c) "Peace officer" has the same meaning as in RCW 43.101.010.

(d) "Serious risk to the safety of the operator or others on the roadway" means that, based on the totality of the circumstances, it is reasonable for an objective observer to believe that an equipment violation may cause a collision or injury to the operator or other persons or vehicles in the vicinity. Depending on the circumstances, such a serious risk may include, but is not limited to: Having both taillights, headlights, or brake lights off or nonfunctioning during nighttime or where weather conditions limit visibility; a shattered windshield impairing the operator's ability to see; or a dragging muffler.

(e) "Vehicle" has the same meaning as in RCW 46.04.670, but does not include any commercial motor vehicle as defined in RCW 46.32.005.

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

(1) A peace officer may mail a warning of a traffic infraction for a nonmoving violation to the registered owner of a vehicle, without stopping or detaining the operator of the vehicle, when the infraction is committed in the officer's presence.

(2) For purposes of this section:

(a) "Nonmoving violation" means any equipment violation, or paperwork violation relating to registration, licensing, or inspection.

(b) "Vehicle" has the same meaning as in RCW 46.04.670, but does not include any commercial motor vehicle as defined in RCW 46.32.005.

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