
SENATE BILL 5521

State of Washington

69th Legislature

2025 Regular Session

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

Read first time 01/27/25. Referred to Committee on Law & Justice.

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

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

6 NEW SECTION. **Sec. 1.** The legislature finds the following:

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

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

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

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

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.01
2 RCW to read as follows:

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

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

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

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

22 (5) For purposes of this section:

23 (a) "Low-income road user" means a recipient of public assistance
24 under Title 74 RCW, a participant in the Washington women, infants,
25 and children program, a person who is eligible for medicaid under RCW
26 74.09.510, or a person who receives an annual income, after taxes, of
27 125 percent or less of the federally established poverty level.

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

30 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.64
31 RCW to read as follows:

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

35 (i) Any criminal code violation;

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

38 (iii) Any safety belt violation;

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

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

5 (vi) A violation of RCW 46.37.190; or

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

8 (b) Enforcement of nonmoving violations, and violations of RCW
9 46.20.342(1)(c) (ii), (v), and (viii), may only be accomplished as a
10 secondary action when an operator of a motor vehicle has been stopped
11 or detained under (a) of this subsection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28 (5) For purposes of this section:

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

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

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

34 (d) "Serious risk to the safety of the operator or others on the
35 roadway" means that, based on the totality of the circumstances, it
36 is reasonable for an objective observer to believe that an equipment
37 violation may cause a collision or injury to the operator or other
38 persons or vehicles in the vicinity. Depending on the circumstances,
39 such a serious risk may include, but is not limited to: Having both
40 taillights, headlights, or brake lights off or nonfunctioning during

1 nighttime or where weather conditions limit visibility; a shattered
2 windshield impairing the operator's ability to see; or a dragging
3 muffler.

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

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.63
7 RCW to read as follows:

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

12 (2) For purposes of this section:

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

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

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