

HOUSE BILL REPORT

SSB 5391

As Passed House:

April 4, 2007

Title: An act relating to photo enforcement of traffic infractions.

Brief Description: Modifying photo enforcement of traffic infraction provisions.

Sponsors: By Senate Committee on Transportation (originally sponsored by Senators Kilmer, Swecker, Haugen and Rockefeller; by request of Board For Judicial Administration).

Brief History:

Committee Activity:

Transportation: 3/15/07, 3/28/07 [DP].

Floor Activity:

Passed House: 4/4/07, 65-30.

Brief Summary of Substitute Bill

- Requires toll violations detected through the use of photo enforcement systems to be treated as parking infractions, conforming them with the treatment of infractions detected with automated traffic safety cameras.
- Sets the penalty for toll violations detected through photo enforcement systems at \$40 plus three times the amount of the toll evaded.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 19 members: Representatives Clibborn, Chair; Flannigan, Vice Chair; Jarrett, Ranking Minority Member; Appleton, Campbell, Dickerson, Eddy, Hankins, Hudgins, Lovick, Rodne, Rolfes, Simpson, Springer, B. Sullivan, Takko, Upthegrove, Wallace and Wood.

Minority Report: Without recommendation. Signed by 6 members: Representatives Schindler, Assistant Ranking Minority Member; Armstrong, Curtis, Ericksen, Hailey and Kristiansen.

Staff: David Munnecke (786-7315).

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.

Background:

It is a traffic infraction to refuse to pay a toll or otherwise avoid a toll at a publicly operated toll facility. In 2004, Substitute House Bill 2475 allowed for the detection of toll violations through the use of a photo enforcement system. The photo enforcement system may record images of vehicles and vehicle license plates only, and the infractions issued through such a system are not part of the registered owners' driving records.

Automated traffic safety cameras were authorized during the 2005 legislative session to detect stoplight, railroad crossing or school speed violations. Infractions detected through the use of this equipment must be processed in the same manner as parking infractions and are not part of the registered owners' driving record.

Summary of Bill:

Toll violations detected through the use of photo enforcement systems must be processed in the same manner as parking infractions, conforming with the treatment accorded other violations detected through photo enforcement systems.

The penalty for toll violation infractions issued through the use of photo enforcement systems is set at \$40, plus three times the cash toll for a standard passenger vehicle during peak hours. The \$40 penalty goes to the local jurisdiction processing the violation, and the penalty equal to three times the cash toll must be deposited into the account in which tolls are deposited for the respective facility.

Appropriation: None.**Fiscal Note:** Available.**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.**Staff Summary of Public Testimony:**

(In support) This bill conforms the 2004 and 2005 statutes regarding photo enforcement. It also establishes a statewide penalty amount, which is designed to be low enough that people will pay it and high enough to be a deterrent to scofflaws.

This bill is critical since the house bill did not pass off the floor. It is also necessary for the proper functioning of both the toll enforcement system and the infraction enforcement system in Pierce County.

(Opposed) None.

Persons Testifying: Senator Kilmer, prime sponsor; Jeff Hall, Board for Judicial Administration; Judge James Heller, Pierce County District Court; and Greg Selstead, Department of Transportation.

Persons Signed In To Testify But Not Testifying: None.