

HOUSE BILL REPORT

SSB 5367

As Passed House:

April 5, 1995

Title: An act relating to the penalty for failing to obey an officer.

Brief Description: Clarifying penalties for failure to obey an officer.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Smith and Roach).

Brief History:

Committee Activity:

Law & Justice: 3/17/95, 3/21/95 [DP].

Floor Activity:

Passed House: 4/5/95, 96-1.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 16 members: Representatives Padden, Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Sheahan; Smith; Thibaudeau and Veloria.

Staff: Edie Adams (786-7180).

Background: The Motor Vehicle Title provides that it is unlawful for any person to willfully fail or refuse to comply with a lawful order of an authorized flagman, or a police officer or fire fighter invested with authority to direct, control, or regulate traffic. It is also unlawful for a motor vehicle operator to refuse, when requested by a police officer, to give his or her name and address, certificated registration, insurance card, or driver's license, or to refuse or fail to stop. No penalty is provided for these offenses.

All unlawful acts or failures to act relating to traffic under the Motor Vehicle Title are designated traffic infractions, and may not be classified as criminal offenses unless specifically authorized. The failure to obey a police officer, flagman, or fire fighter, and the refusal to give information or cooperate with a police officer may be classified as criminal offenses.

Summary of Bill: The willful failure or refusal to comply with the lawful orders of an authorized flagman or police officer or fire fighter invested with the authority to direct, control, or regulate traffic is designated a misdemeanor offense.

The refusal of a motor vehicle operator to stop when signaled, to give his or her name, or to produce his or her certificate of registration, insurance card, or driver's license when requested by a police officer are designated misdemeanor offenses.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The bill just clarifies that these offenses are misdemeanor crimes. They have been treated that way for years.

Testimony Against: None.

Testified: Linda Hull, Port of Seattle (pro).