

# SENATE BILL REPORT

## HB 1087

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As Reported By Senate Committee On:  
Law & Justice, March 16, 1995

**Title:** An act relating to correcting an unconstitutional provision about jurisdiction for violations dealing with motor vehicles.

**Brief Description:** Correcting an unconstitutional provision concerning jurisdiction for violations dealing with motor vehicles.

**Sponsors:** Representatives Hickel and Appelwick; by request of Law Revision Commission.

**Brief History:**

**Committee Activity:** Law & Justice: 3/16/95 [DP].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Smith, Chair; Haugen, Johnson, Long, McCaslin, Roach and Schow.

**Staff:** Susan Carlson (786-7418)

**Background:** The Washington Constitution provides that the superior courts have exclusive jurisdiction over the trial of felony crimes. A statute in Title 46 RCW, the Motor Vehicles Code, grants concurrent jurisdiction over all violations of the code to superior, district and municipal courts. However, some violations of the Motor Vehicles Code are felonies, such as vehicular homicide and vehicular assault. As a result, in 1967 the Washington Supreme Court held that section of the code unconstitutional.

The Law Revision Commission has recommended amendment of the Motor Vehicles Code to conform with the court's decision and the Constitution.

**Summary of Bill:** District and municipal courts have concurrent jurisdiction with superior court over all violations of the Motor Vehicles Code, except the trial of felony charges on the merits.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** No one.