

HOUSE BILL ANALYSIS

HB 2776

Title: An act relating to deferred findings and collection of an administrative fee in an infraction case.

Brief Description: Providing for deferred findings and collection of an administrative fee in an infraction case.

Sponsors: Representatives Constantine, Carrell, Lantz and Hurst.

Brief Summary of Bill

- Allows a court hearing a traffic infraction to defer findings for up to one year and impose conditions and costs upon the person.

HOUSE COMMITTEE ON JUDICIARY

Staff: Trudes Hutcheson (786-7384).

Background:

When a person is issued a notice of traffic infraction, the notice represents a determination that the infraction occurred. The person may either: (a) pay the fine through the mail; (b) set up a hearing to contest the notice of infraction; or (c) set up a hearing to explain mitigating circumstances regarding the infraction.

In a hearing to contest the infraction, the court may consider any written report submitted by the officer and statements from any witnesses. If the court makes a finding that a traffic infraction was committed, the court must forward an abstract regarding the finding to the Department of Licensing.

The department may, upon request, provide a certified abstract of a person's driving record to: (a) the individual named in the abstract; (b) an employer or prospective employer; (c) the insurance carrier of the individual; (d) an alcohol/drug assessment or treatment agency if the individual has applied or been assigned for evaluation or treatment; or (e) city or county prosecuting attorneys.

Summary of Bill:

A court may defer findings regarding traffic infractions for up to one year and impose conditions on the person who allegedly committed the infraction.

The court may impose on the person any costs appropriate for the administrative processing. After the end of the deferral period, the court may dismiss the infraction if the person has met all the conditions of deferral.

Fiscal Note: Not requested.

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