

# HOUSE BILL REPORT

## HB 1118

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to regulating the use of traffic safety cameras.

**Brief Description:** Regulating traffic safety cameras.

**Sponsors:** Representatives Lovick, Delvin, O'Brien, Armstrong, Ogden, Edmonds, Cooper, Fisher, Boldt, Mitchell, Simpson and Fromhold.

**Brief History:**

**Committee Activity:**

Transportation: 2/21/01, 3/6/01 [DPS].

### Brief Summary of Substitute Bill

- The use of traffic safety cameras to record traffic infractions is detailed.
- The traffic infraction does not go against the registered owner's driving record, although the registered owner is responsible for the ticket.
- Exceptions are provided for rental car businesses that follow certain rules.
- The Traffic Safety Commission must report on the use of the cameras to the House and Senate Transportation Committees at specific times.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 21 members: Representatives Fisher, Democratic Co-Chair; Mitchell, Republican Co-Chair; Cooper, Democratic Vice Chair; Hankins, Republican Vice Chair; Lovick, Democratic Vice Chair; Anderson, Edmonds, Haigh, Hatfield, Hurst, Jackley, Jarrett, Marine, Morell, Murray, Ogden, Reardon, Rockefeller, Romero, Simpson and Wood.

**Minority Report:** Without recommendation. Signed by 8 members: Representatives Ericksen, Republican Vice Chair; Ahern, Armstrong, G. Chandler, Schindler, Skinner, Sump and Woods.

**Staff:** Penny Nerup (786-7335).

**Background:**

There is no law that authorizes law enforcement to use automated traffic enforcement systems, such as traffic safety cameras, at railroad crossings, at red lights, or to detect speeding. There is no law that prevents law enforcement from using these systems; however, most law enforcement is concerned about using these devices without guidance from the Legislature.

Currently, the Traffic Safety Commission is monitoring a pilot project that uses traffic safety cameras at stop lights in Lakewood, Washington.

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**Summary of Substitute Bill:**

Local governments are authorized to use traffic safety cameras subject to the following conditions: 1) an ordinance must first be enacted by the jurisdiction; 2) cameras may only be used to detect speeding, stoplight, or railroad crossing violations; 3) pictures may only be taken of the vehicle and vehicle license plate and only while an infraction is occurring; and 4) zones where the cameras are used must be plainly marked with signs.

The Department of Transportation is permitted to establish traffic safety camera zones to detect speeding, stoplight, or railroad crossing violations.

Notice of traffic infractions captured by the camera must be mailed to the registered owner of the vehicle within 14 days of the date of the infraction. The registered owner is responsible for the infraction but, like parking infractions, it does not become part of the registered owner's driving record. If the registered owner submits an affidavit stating that the vehicle was stolen, sold, or in the custody of another person or provides testimony to that effect in court, the owner will not be responsible for the infraction.

If the notice of traffic infraction is sent to a rental car business, the infraction will be dismissed if the rental car business, within 14 days of receiving the notice, provides the name and mailing address of the person renting the vehicle when the infraction occurred.

The Traffic Safety Commission may adopt rules about standards for the traffic safety camera equipment, placement of signs that indicate a zone where the cameras are used, and may make recommendations on educating the public about the use of traffic safety cameras. The commission must also report on the use, outcomes, and other relevant issues to the House and Senate Transportation Committees by January 1, 2002, and for four years thereafter.

**Substitute Bill Compared to Original Bill:**

The original bill does not include the Department of Transportation. Technical corrections clarify that pictures can only be taken of vehicles while an infraction is occurring and that infractions captured by traffic safety cameras are treated like stopping, standing, or parking violations.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Use of traffic safety cameras would provide increased safety and uniform standards for their use throughout the state. The Department of Transportation would like to be able to use the cameras to deter speeding in work zones.

**Testimony Against:** None.

**Testified:** (Support) Jim Parsons, Office of the Sheriff; Janet Theisen, city of Vancouver; Rick Jensen, Lockheed Martin IMS; Becky Bernard, Lockheed Martin IMS; Mel Sorensen, National Association of Independent Insurers; and Steve Lind, Traffic Safety Commission.

(Support with Amendment) Toby Rickman, Department of Transportation.