

SENATE BILL REPORT

SB 5789

As of February 17, 2019

Title: An act relating to establishing additional uses for automated traffic safety cameras for traffic congestion reduction and increased safety.

Brief Description: Establishing additional uses for automated traffic safety cameras for traffic congestion reduction and increased safety.

Sponsors: Senators Liias, Nguyen, Saldaña and Wilson, C..

Brief History:

Committee Activity: Transportation: 2/18/19.

Brief Summary of Bill

- Creates the Active Transportation Safety Account and requires monies appropriated from the account be used to fund grant projects or programs for bicycle, pedestrian, and nonmotorist safety improvement administered by the Washington Traffic Safety Commission.
- Increases the types of violations that can be detected through an automated traffic safety camera and requires the penalty monies be deposited into the Active Transportation Safety Account.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Kim Johnson (786-7472)

Background: Under current law, local governments may adopt an ordinance authorizing using automated traffic safety cameras to detect stoplight, railroad crossing, or school speed zone violations. Camera use is restricted to two arterial intersections, railroad crossings, and school speed zones. The camera locations must be posted with signs 30 days prior to the start of enforcement. The local government must publish an annual report on its website of the number of accidents that occurred at each location where a camera is located, as well as, the number of infraction notices issued for each camera

A notice of traffic infraction must be mailed to the registered owner of the vehicle within 14 days of the violation. A law enforcement officer must issue the notice of infraction and must

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include a certificate stating the facts supporting the notice. The cameras may only take pictures of the vehicle and vehicle's license plate while an infraction is occurring, and must not reveal the face of the driver or passengers. Photos and electronic images are not available to the public and may not be used in a court in a pending action or proceeding unless that action or proceeding relates to a traffic infraction for which their use has been authorized.

Infractions detected through the use of cameras are not part of the registered owner's driving record. Infractions generated by the use of automated traffic safety cameras are processed in the same manner as parking infractions. The fine issued for an infraction detected through the use of an automated traffic safety camera may not exceed the amount of a fine issued for other parking infractions within the jurisdiction.

The registered owner of a vehicle is held responsible for the infraction unless the registered owner states under oath in a written statement to the court or in testimony before the court, the vehicle was stolen or in the care, custody, or control of some other person at the time of the infraction.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): The following violations may be detected through the use of an automated traffic safety camera:

- stopping when traffic obstructed;
- stopping at intersection or crosswalk;
- public transportation only-lane; and
- stopping, standing, and parking at locations restricted for emergency response vehicle entry or exit or the boarding or disembarking of public transportation vehicles, including public ferries.

The active transportation safety account is created in the state treasury. Monies in the account may only be spent after appropriation to fund grant projects or programs for bicycle, pedestrian, and nonmotorist safety improvement administered by the Washington Traffic Safety Commission. Penalty monies collected from new violations that may be detected through an automated traffic safety camera must be deposited into the new Active Transportation Safety Account.

Automated traffic safety cameras may be located at midblock on arterials.

A definition is provided for public transportation vehicle and transit authority for purposes of automated traffic safety camera violations.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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