

2 EHB 1254 - S COMM AMD  
3 By Committee on Law & Justice

4 ADOPTED 2/27/98

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 46.52.100 and 1995 c 219 s 3 are each amended to read  
8 as follows:

9 Every district court, municipal court, and clerk of superior court  
10 shall keep or cause to be kept a record of every traffic complaint,  
11 traffic citation, notice of infraction, or other legal form of traffic  
12 charge deposited with or presented to the court or a traffic violations  
13 bureau, and shall keep a record of every official action by the court  
14 or its traffic violations bureau in reference thereto, including but  
15 not limited to a record of every conviction, forfeiture of bail,  
16 judgment of acquittal, finding that a traffic infraction has been  
17 committed, dismissal of a notice of infraction, and the amount of fine,  
18 forfeiture, or penalty resulting from every traffic complaint,  
19 citation, or notice of infraction deposited with or presented to the  
20 district court, municipal court, superior court, or traffic violations  
21 bureau. In the case of a record of a conviction for a violation of RCW  
22 46.61.502 or 46.61.504, and notwithstanding any other provision of law,  
23 the record shall be maintained by the court permanently.

24 The Monday following the conviction, forfeiture of bail, or finding  
25 that a traffic infraction was committed for violation of any provisions  
26 of this chapter or other law regulating the operating of vehicles on  
27 highways, every magistrate of the court or clerk of the court of record  
28 in which such conviction was had, bail was forfeited, or the finding  
29 made shall prepare and immediately forward to the director of licensing  
30 at Olympia an abstract of the record of the court covering the case,  
31 which abstract must be certified by the person so required to prepare  
32 the same to be true and correct. Report need not be made of any  
33 finding involving the illegal parking or standing of a vehicle.

34 The abstract must be made upon a form or forms furnished by the  
35 director and shall include the name and address of the party charged,  
36 the number, if any, of the party's driver's or chauffeur's license, the

1 registration number of the vehicle involved if required by the  
2 director, the nature of the offense, the date of hearing, the plea, the  
3 judgment, whether the offense was an alcohol-related offense as defined  
4 in RCW 46.01.260(2), whether bail forfeited, whether the determination  
5 that a traffic infraction was committed was contested, and the amount  
6 of the fine, forfeiture, or penalty as the case may be.

7 Every court of record shall also forward a like report to the  
8 director upon the conviction of any person of a felony in the  
9 commission of which a vehicle was used.

10 The failure of any such judicial officer to comply with any of the  
11 requirements of this section shall constitute misconduct in office and  
12 shall be grounds for removal therefrom.

13 The director shall keep all abstracts received hereunder at the  
14 director's office in Olympia and the same shall be open to public  
15 inspection during reasonable business hours.

16 Venue in all district courts shall be before one of the two nearest  
17 district judges in incorporated cities and towns nearest to the point  
18 the violation allegedly occurred: PROVIDED, That in counties with  
19 populations of one hundred twenty-five thousand or more such cases may  
20 be tried in the county seat at the request of the defendant.

21 It shall be the duty of the officer, prosecuting attorney, or city  
22 attorney signing the charge or information in any case involving a  
23 charge of driving under the influence of intoxicating liquor or any  
24 drug immediately to make request to the director for an abstract of  
25 convictions and forfeitures which the director shall furnish."

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29 In line 1 of the title, after "records;" strike the remainder of  
30 the title and insert "and amending RCW 46.52.100."

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