

FINAL BILL REPORT

SHB 1650

C 270 L 06

Synopsis as Enacted

Brief Description: Modifying civil and traffic infraction provisions.

Sponsors: By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Newhouse, Lovick and Rodne; by request of Integrated Justice Information Board).

House Committee on Criminal Justice & Corrections
Senate Committee on Judiciary

Background:

Traffic Infractions and Citations.

When issued a traffic infraction, the person cited must sign the ticket as an acknowledgment of his or her receipt of the notice of infraction and as a promise to respond as directed in the notice. A notice of traffic infraction represents a determination that an infraction has been committed. Signing the notice of infraction is not a waiver of the right to contest this determination. A traffic infraction is a non-criminal offense. However, failure to sign a notice of infraction acknowledging receipt of the notice is a gross misdemeanor.

If a law enforcement officer serves a traffic citation and notice to appear on a person who has been arrested for any violation of the traffic laws or regulations punishable as a misdemeanor, the person must give his or her written promise to appear in court by signing the citation as a condition precedent to his or her release. Signing the citation is not an admission of guilt.

Other Civil Infractions.

A civil infraction is a non-criminal offense for which imprisonment may not be imposed. Civil infraction notices are required by statute to include a statement which the cited person must sign, stating that he or she promises to respond to the notice of civil infraction in one of the ways allowed by statute. The notices must also state that failure to respond to a notice of civil infraction as promised, or to appear at a requested hearing, is a misdemeanor.

Summary:

The requirement that a person who is cited for a traffic or other civil infraction or citation must sign the notice of infraction or citation is removed, and the refusal to sign such notices is decriminalized. The requirement that a person who is arrested for a traffic law violation punishable as a misdemeanor must sign a notice of written promise to appear in court in order to secure his or her release is removed. A person who receives a statement of his or her options and procedures for responding to a notice of civil infraction, and who thereafter fails to exercise one of those options in a timely manner, is guilty of a misdemeanor.

Votes on Final Passage:

House	98	0	
Senate	48	0	(Senate amended)
House	95	0	(House concurred)

Effective: June 7, 2006