**5723-S AMH YOUN H2867.1 - NOT FOR FLOOR USE**

**SSB 5723** - H AMD **526**

By Representative Young

**OUT OF ORDER 04/09/2019**

On page 2, line 21, after "RCW 46.63.110(3)" insert "when an affirmative determination is made by the law enforcement officer who determines that a violation of (a) of this subsection occurred that the operator of the motorcycle, motor-driven cycle, or moped was not in violation of an offense under this chapter at the time the violation of (a) of this subsection occurred"

On page 3, line 19, after "RCW 46.63.110(3)" insert "when an affirmative determination is made by the law enforcement officer who determines that a violation of this subsection (2) occurred that the individual traveling as a pedestrian or on a bicycle, riding an animal, or using a farm tractor or implement of husbandry without an enclosed shell was not in violation of an offense under this chapter at the time the violation of this subsection (2) occurred"

On page 4, line 18, after "RCW 46.63.110(3)" insert "when an affirmative determination is made by the law enforcement officer who determines that a violation of this section occurred that the vulnerable user of a public way was not in violation of an offense under this chapter at the time the violation of this section occurred"

On page 5, line 16, after "RCW 46.63.110(3)" insert "when an affirmative determination is made by the law enforcement officer who determines that a violation of this section occurred that the vulnerable user of a public way was not in violation of an offense under this chapter at the time the violation of this section occurred"

On page 5, line 38, after "RCW 46.63.110(3)" insert "when an affirmative determination is made by the law enforcement officer who determines that a violation of this section occurred that the vulnerable user of a public way was not in violation of an offense under this chapter at the time the violation of this section occurred"

On page 7, line 7, after "RCW 46.63.110(3)" insert "when an affirmative determination is made by the law enforcement officer who determines that a violation of this section occurred that the vulnerable user of a public way was not in violation of an offense under this chapter at the time the violation of this section occurred"

On page 7, line 26, after "RCW 46.63.110(3)" insert "when an affirmative determination is made by the law enforcement officer who determines that a violation of this section occurred that the vulnerable user of a public way was not in violation of an offense under this chapter at the time the violation of this section occurred"

EFFECT: Requires that, for the additional fine for traffic infractions for improper overtaking and passing, following too closely, and failure to stop or yield to be imposed, an affirmative determination must be made by the law enforcement officer that the vulnerable roadway user was not in violation of any rules of the road at the time the traffic infraction occurred.