

SHB 2384 - H AMD 967

By Representative Donaghy

ADOPTED 02/12/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 46.63
4 RCW to read as follows:

5 The definitions in this section apply throughout this section and
6 sections 2 through 6 of this act unless the context clearly requires
7 otherwise.

8 (1) "Automated traffic safety camera" means a device that uses a
9 vehicle sensor installed to work in conjunction with an intersection
10 traffic control system, a railroad grade crossing control system, or
11 a speed measuring device, and a camera synchronized to automatically
12 record one or more sequenced photographs, microphotographs, or
13 electronic images of the front or rear of a motor vehicle at the time
14 the vehicle fails to stop when facing a steady red traffic control
15 signal or an activated railroad grade crossing control signal, or
16 exceeds a speed limit as detected by a speed measuring device.
17 "Automated traffic safety camera" also includes a device used to
18 detect stopping at intersection or crosswalk violations; stopping
19 when traffic obstructed violations; public transportation only lane
20 violations; and stopping or traveling in restricted lane violations.

21 (2) "Hospital speed zone" means the marked area within hospital
22 property and extending 300 feet from the border of the hospital
23 property (a) consistent with hospital use; and (b) where signs are
24 posted to indicate the location is within a hospital speed zone,
25 where "hospital" has the same meaning as in RCW 70.41.020.

26 (3) "Public park speed zone" means the marked area within public
27 park property and extending 300 feet from the border of the public
28 park property (a) consistent with active park use; and (b) where
29 signs are posted to indicate the location is within a public park
30 speed zone.

31 (4) "Public transportation vehicle" means any motor vehicle,
32 streetcar, train, trolley vehicle, ferry boat, or any other device,

1 vessel, or vehicle that is owned or operated by a transit authority
2 or an entity providing service on behalf of a transit authority that
3 is used for the purpose of carrying passengers and that operates on
4 established routes. "Transit authority" has the same meaning as
5 provided in RCW 9.91.025.

6 (5) "School speed zone" has the same meaning as described in RCW
7 46.61.440 (1) and (2).

8 (6) "School walk zone" means a roadway identified under RCW
9 28A.160.160 or roadways within a one-mile radius of a school that
10 students use to travel to school by foot, bicycle, or other means of
11 active transportation.

12 (7) "Work zone" means an area of any city or county roadway with
13 construction, maintenance, or utility work with a duration of 30
14 calendar days or more. A work zone is identified by the placement of
15 temporary traffic control devices that may include signs,
16 channelizing devices, barriers, pavement markings, and/or work
17 vehicles with warning lights. It extends from the first warning sign
18 or high intensity rotating, flashing, oscillating, or strobe lights
19 on a vehicle to the end road work sign or the last temporary traffic
20 control device or vehicle.

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.63
22 RCW to read as follows:

23 (1) Nothing in this section prohibits a law enforcement officer
24 from issuing a notice of traffic infraction to a person in control of
25 a vehicle at the time a violation occurs under RCW 46.63.030(1) (a),
26 (b), or (c).

27 (2) Cities and counties may authorize the use of traffic safety
28 cameras through an ordinance adopted by the local legislative
29 authority.

30 (3) The local legislative authority must prepare an analysis of
31 the locations within the jurisdiction where automated traffic safety
32 cameras are proposed to be located before adding traffic safety
33 cameras or relocating any existing camera to a new location within
34 the jurisdiction. The analysis must include equity considerations
35 including the impact of the camera placement on livability,
36 accessibility, economics, education, and environmental health, and
37 shall consider the outcome of that analysis when identifying where to
38 locate an automated traffic safety camera. The analysis must also
39 show a demonstrated need for traffic cameras based on rates of

1 collision and documented traffic reports showing near collisions, and
2 on anticipated or actual ineffectiveness or infeasibility of other
3 mitigation measures.

4 (4) Automated traffic safety cameras may not be used on an on-
5 ramp to a limited access facility as defined in RCW 47.52.010.

6 (5) A city may use automated traffic safety cameras to enforce
7 traffic ordinances in this section on state highways that are also
8 classified as city streets under chapter 47.24 RCW.

9 (6)(a) At a minimum, a local ordinance adopted pursuant to this
10 section must contain the restrictions described in this section and
11 provisions for public notice and signage. Cities and counties using
12 automated traffic safety cameras before July 24, 2005, are subject to
13 the restrictions described in this section, but are not required to
14 adopt an authorizing ordinance.

15 (b)(i) Cities and counties using automated traffic safety cameras
16 must post an annual report on the city or county's website of the
17 number of traffic crashes that occurred at each location where an
18 automated traffic safety camera is located, as well as the number of
19 notices of infraction issued for each camera. Beginning December 1,
20 2025, the annual report must include the percentage of revenues
21 received from fines issued from automated traffic safety camera
22 infractions that were used to pay for the costs of the automated
23 traffic safety camera program and must describe the uses of revenues
24 that exceeded the costs of operation and administration of the
25 automated traffic safety camera program by the city or county.

26 (ii) The Washington traffic safety commission must provide an
27 annual report to the transportation committees of the legislature,
28 and post the report to its website for public access, beginning
29 December 1, 2025, that includes aggregated information on the use of
30 automated traffic safety cameras in the state that includes an
31 assessment of the impact of their use, information required in city
32 and county annual reports under (b)(i) of this subsection, and
33 information on the number of automated traffic safety cameras in use
34 by type and location, with an analysis of camera placement in the
35 context of area demographics and household incomes. Cities and
36 counties using automated traffic safety cameras must provide the
37 commission with the data it requests for the report required under
38 this subsection in a form and manner specified by the commission.

39 (7) All locations where an automated traffic safety camera is
40 used on roadways or intersections must be clearly marked by placing

1 signs at least 30 days prior to activation of the camera in locations
2 that clearly indicate to a driver either that: (a) The driver is
3 within an area where automated traffic safety cameras are authorized;
4 or (b) the driver is entering an area where violations are enforced
5 by an automated traffic safety camera. The signs must be readily
6 visible to a driver approaching an automated traffic safety camera.
7 Signs placed in automated traffic safety camera locations after June
8 7, 2012, must follow the specifications and guidelines under the
9 manual of uniform traffic control devices for streets and highways as
10 adopted by the department of transportation under chapter 47.36 RCW.

11 (8) Automated traffic safety cameras may only record images of
12 the vehicle and vehicle license plate and only while an infraction is
13 occurring. The image must not reveal the face of the driver or of
14 passengers in the vehicle. The primary purpose of camera placement is
15 to record images of the vehicle and vehicle license plate when an
16 infraction is occurring. Cities and counties must consider installing
17 automated traffic safety cameras in a manner that minimizes the
18 impact of camera flash on drivers.

19 (9) A notice of infraction must be mailed to the registered owner
20 of the vehicle within 14 days of the violation, or to the renter of a
21 vehicle within 14 days of establishing the renter's name and address
22 under subsection (18) of this section. The notice of infraction must
23 include with it a certificate or facsimile thereof, based upon
24 inspection of photographs, microphotographs, or electronic images
25 produced by an automated traffic safety camera, stating the facts
26 supporting the notice of infraction. This certificate or facsimile is
27 prima facie evidence of the facts contained in it and is admissible
28 in a proceeding charging a violation under this chapter. The
29 photographs, microphotographs, or electronic images evidencing the
30 violation must be available for inspection and admission into
31 evidence in a proceeding to adjudicate the liability for the
32 infraction. A person receiving a notice of infraction based on
33 evidence detected by an automated traffic safety camera may respond
34 to the notice by mail.

35 (10) The registered owner of a vehicle is responsible for an
36 infraction under RCW 46.63.030(1)(d) unless the registered owner
37 overcomes the presumption in RCW 46.63.075, or, in the case of a
38 rental car business, satisfies the conditions under subsection (18)
39 of this section. If appropriate under the circumstances, a renter

1 identified under subsection (18)(a) of this section is responsible
2 for an infraction.

3 (11) Notwithstanding any other provision of law, all photographs,
4 microphotographs, or electronic images, or any other personally
5 identifying data prepared under this section are for the exclusive
6 use of authorized city or county employees in the discharge of duties
7 under this section and are not open to the public and may not be used
8 in a court in a pending action or proceeding unless the action or
9 proceeding relates to a violation under this section. No photograph,
10 microphotograph, or electronic image, or any other personally
11 identifying data may be used for any purpose other than enforcement
12 of violations under this section nor retained longer than necessary
13 to enforce this section.

14 (12) If a county or city has established an automated traffic
15 safety camera program as authorized under this section, the
16 compensation paid to the manufacturer or vendor of the equipment used
17 must be based only upon the value of the equipment and services
18 provided or rendered in support of the system and may not be based
19 upon a portion of the fine or civil penalty imposed or the revenue
20 generated by the equipment.

21 (13)(a) Except as provided in (c) of this subsection, a county or
22 a city may only use revenue generated by an automated traffic safety
23 camera program as authorized under this section for traffic safety
24 purposes including, but not limited to, projects designed to
25 implement the complete streets approach as defined in RCW 47.04.010,
26 changes in physical infrastructure to reduce speeds through road
27 design, changes to improve safety for active transportation users,
28 improve access and safety for road users with mobility, sight, or
29 other disabilities, and for the cost to administer, install, operate,
30 and maintain the automated traffic safety cameras, including the cost
31 of processing infractions.

32 (b) The automated traffic safety camera program revenue used by a
33 county or city for traffic safety purposes must include the use of
34 revenue in census tracts of the city or county that have household
35 incomes in the lowest quartile determined by the most currently
36 available census data and areas that experience rates of injury
37 crashes that are above average for the city or county. Funding
38 contributed from traffic safety program revenue must be, at a
39 minimum, proportionate to the share of the population of the county
40 or city who are residents of these low-income communities and

1 communities experiencing high injury crash rates. This share must be
2 directed to investments that provide direct and meaningful traffic
3 safety benefits to these communities. Revenue used to administer,
4 install, operate, and maintain automated traffic safety cameras,
5 including the cost of processing infractions, are excluded from
6 determination of the proportionate share of revenues under this
7 subsection (13)(b).

8 (c) Jurisdictions that have automated traffic safety camera
9 programs in effect prior to the effective date of this section, for
10 which an ordinance in effect as of January 1, 2024, directs the
11 manner in which revenue generated from automated traffic safety
12 cameras authorized under section 3 or 5(2)(c) of this act must be
13 used, may continue to allocate revenue for these infractions in
14 accordance with that ordinance, as well as for the purposes
15 established in (a) and (b) of this subsection.

16 (14) A county or city may adopt the use of an online ability-to-
17 pay calculator to process and grant requests for reduced fines or
18 reduced civil penalties for automated traffic safety camera
19 violations.

20 (15) Registered owners of vehicles who receive notices of
21 infraction for automated traffic safety camera-enforced infractions
22 and are recipients of public assistance under Title 74 RCW or
23 participants in the Washington women, infants, and children program,
24 and who request reduced penalties for infractions detected through
25 the use of automated traffic safety camera violations, must be
26 granted reduced penalty amounts of 25 percent of what would otherwise
27 be assessed. Registered owners of vehicles who receive notices of
28 infraction must be provided with information on their eligibility and
29 the opportunity to apply for a reduction in penalty amounts through
30 the mail or internet.

31 (16) Infractions detected through the use of automated traffic
32 safety cameras are not part of the registered owner's driving record
33 under RCW 46.52.101 and 46.52.120. Additionally, infractions
34 generated by the use of automated traffic safety cameras under this
35 section must be processed in the same manner as parking infractions,
36 including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120,
37 and 46.20.270(2). The amount of the fine issued for an infraction
38 generated through the use of an automated traffic safety camera may
39 not exceed the amount of a fine issued for other parking infractions
40 within the jurisdiction. However, the amount of the fine issued for a

1 traffic control signal violation detected through the use of an
2 automated traffic safety camera may not exceed the monetary penalty
3 for a violation of RCW 46.61.050 as provided under RCW 46.63.110,
4 including all applicable statutory assessments; and the amount of
5 fine issued for other automated traffic safety camera violations
6 detected through the use of an automated traffic safety camera may
7 not exceed two-thirds of the monetary penalty for a violation of an
8 unscheduled infraction as prescribed by the supreme court in
9 accordance with RCW 46.63.110(3), including two-thirds of all
10 applicable statutory assessments.

11 (17) In addition to the penalty amounts for automated traffic
12 safety camera infractions authorized in subsection (16) of this
13 section, automated traffic safety camera infraction penalties must
14 also include the fee specified in RCW 46.63.110(7)(c) to be deposited
15 in the traumatic brain injury account created in RCW 74.31.060. This
16 fee is waived for registered owners of vehicles granted the penalty
17 reduction specified in subsection (15) of this section.

18 (18) If the registered owner of the vehicle is a rental car
19 business, the law enforcement agency must, before a notice of
20 infraction being issued under this section, provide a written notice
21 to the rental car business that a notice of infraction may be issued
22 to the rental car business if the rental car business does not,
23 within 18 days of receiving the written notice, provide to the
24 issuing agency by return mail:

25 (a) A statement under oath stating the name and known mailing
26 address of the individual driving or renting the vehicle when the
27 infraction occurred; or

28 (b) A statement under oath that the business is unable to
29 determine who was driving or renting the vehicle at the time the
30 infraction occurred because the vehicle was stolen at the time of the
31 infraction. A statement provided under this subsection must be
32 accompanied by a copy of a filed police report regarding the vehicle
33 theft; or

34 (c) In lieu of identifying the vehicle operator, the rental car
35 business may pay the applicable penalty. Timely mailing of this
36 statement to the issuing law enforcement agency relieves a rental car
37 business of any liability under this chapter for the notice of
38 infraction.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.63
2 RCW to read as follows:

3 (1) Automated traffic safety cameras may be used to detect
4 stoplight violations, subject to section 2 of this act.

5 (2) Automated traffic safety cameras used to detect stoplight
6 violations are restricted to intersections of two or more arterials
7 with traffic control signals that have yellow change interval
8 durations in accordance with RCW 47.36.022, which interval durations
9 may not be reduced after placement of the camera.

10 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.63
11 RCW to read as follows:

12 (1) Automated traffic safety cameras may be used to detect
13 railroad grade crossing violations, subject to section 2 of this act.

14 (2) Automated traffic safety cameras at rail crossings may be
15 used only to detect instances when a vehicle fails to stop when
16 facing an activated railroad grade crossing control signal.

17 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.63
18 RCW to read as follows:

19 (1) Automated traffic safety cameras may be used to detect speed
20 violations, subject to section 2 of this act.

21 (2) Automated traffic safety cameras may be used to detect speed
22 violations within the following locations:

23 (a) Hospital speed zones;

24 (b) Public park speed zones;

25 (c) School speed zones;

26 (d) School walk zones;

27 (e) Work zones on city streets, including on state highways also
28 classified as city streets under chapter 47.24 RCW, and county roads
29 as defined in RCW 46.04.150; and

30 (f) State highways within city limits that are classified as city
31 streets under chapter 47.24 RCW.

32 (3) In addition to the automated traffic safety cameras that may
33 be authorized for specified zones or roads in subsection (2) of this
34 section, the local legislative authority may authorize the use of one
35 additional automated traffic safety camera per 10,000 population to
36 detect speed violations in locations deemed by the local legislative
37 authority to experience higher crash risks due to excessive vehicle
38 speeds. For automated traffic safety cameras authorized to detect

1 speed violations as part of a pilot program prior to the effective
2 date of this section, the location must be deemed by a local
3 legislative authority to have experienced higher crash risks due to
4 excessive vehicle speeds prior to installation of the automated
5 traffic safety camera.

6 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.63
7 RCW to read as follows:

8 (1) Subject to section 2 of this act, automated traffic safety
9 cameras may be used in cities with populations of 10,000 residents or
10 greater to detect one or more of the following violations:

- 11 (a) Stopping when traffic obstructed violations;
- 12 (b) Stopping at intersection or crosswalk violations;
- 13 (c) Public transportation only lane violations; or
- 14 (d) Stopping or traveling in restricted lane violations.

15 (2) A transit authority may not take disciplinary action
16 regarding a warning or infraction issued pursuant to this section
17 against an employee who was operating a public transportation vehicle
18 at the time the violation that was the basis of the warning or
19 infraction was detected.

20 **Sec. 7.** RCW 46.16A.120 and 2012 c 83 s 5 are each amended to
21 read as follows:

22 (1) Each court and government agency located in this state having
23 jurisdiction over standing, stopping, and parking violations, the use
24 of a photo toll system under RCW 46.63.160, the use of automated
25 traffic safety cameras under (~~RCW 46.63.170~~) sections 2 through 6
26 of this act, and the use of automated school bus safety cameras under
27 RCW 46.63.180 may forward to the department any outstanding:

- 28 (a) Standing, stopping, and parking violations;
- 29 (b) Civil penalties for toll nonpayment detected through the use
30 of photo toll systems issued under RCW 46.63.160;
- 31 (c) Automated traffic safety camera infractions issued under RCW
32 46.63.030(1)(d); and
- 33 (d) Automated school bus safety camera infractions issued under
34 RCW 46.63.030(1)(e).

35 (2) Violations, civil penalties, and infractions described in
36 subsection (1) of this section must be reported to the department in
37 the manner described in RCW 46.20.270(3).

38 (3) The department shall:

1 (a) Record the violations, civil penalties, and infractions on
2 the matching vehicle records; and

3 (b) Send notice approximately (~~one hundred twenty~~) 120 days in
4 advance of the current vehicle registration expiration date to the
5 registered owner listing the dates and jurisdictions in which the
6 violations, civil penalties, and infractions occurred, the amounts of
7 unpaid fines and penalties, and the surcharge to be collected. Only
8 those violations, civil penalties, and infractions received by the
9 department (~~one hundred twenty~~) 120 days or more before the current
10 vehicle registration expiration date will be included in the notice.
11 Violations, civil penalties, and infractions received by the
12 department later than (~~one hundred twenty~~) 120 days before the
13 current vehicle registration expiration date that are not satisfied
14 will be delayed until the next vehicle registration expiration date.

15 (4) The department, county auditor or other agent, or subagent
16 appointed by the director shall not renew a vehicle registration if
17 there are any outstanding standing, stopping, and parking violations,
18 and other civil penalties issued under RCW 46.63.160 for the vehicle
19 unless:

20 (a) The outstanding standing, stopping, or parking violations and
21 civil penalties were received by the department within (~~one hundred
22 twenty~~) 120 days before the current vehicle registration expiration;

23 (b) There is a change in registered ownership; or

24 (c) The registered owner presents proof of payment of each
25 violation, civil penalty, and infraction provided in this section and
26 the registered owner pays the surcharge required under RCW 46.17.030.

27 (5) The department shall:

28 (a) Forward a change in registered ownership information to the
29 court or government agency who reported the outstanding violations,
30 civil penalties, or infractions; and

31 (b) Remove the outstanding violations, civil penalties, and
32 infractions from the vehicle record.

33 **Sec. 8.** RCW 46.63.030 and 2023 c 17 s 1 are each amended to read
34 as follows:

35 (1) A law enforcement officer has the authority to issue a notice
36 of traffic infraction:

37 (a) When the infraction is committed in the officer's presence,
38 except as provided in RCW 46.09.485;

1 (b) When the officer is acting upon the request of a law
2 enforcement officer in whose presence the traffic infraction was
3 committed;

4 (c) If an officer investigating at the scene of a motor vehicle
5 accident has reasonable cause to believe that the driver of a motor
6 vehicle involved in the accident has committed a traffic infraction;

7 (d) When the infraction is detected through the use of an
8 automated traffic safety camera under (~~RCW 46.63.170~~) sections 2
9 through 6 of this act. A trained and authorized civilian employee of
10 a general authority Washington law enforcement agency, as defined in
11 RCW 10.93.020, or an employee of a local public works or
12 transportation department performing under the supervision of a
13 qualified traffic engineer and designated by a city or county, has
14 the authority to review infractions detected through the use of an
15 automated traffic safety camera under sections 2 through 6 of this
16 act and to issue notices of infraction consistent with section 2(9)
17 of this act. These employees must be sufficiently trained and
18 certified in reviewing infractions and issuing notices of infraction
19 by qualified peace officers or by traffic engineers employed in the
20 jurisdiction's public works or transportation department. Nothing in
21 this subsection impairs decision and effects collective bargaining
22 rights under chapter 41.56 RCW;

23 (e) When the infraction is detected through the use of an
24 automated school bus safety camera under RCW 46.63.180; or

25 (f) When the infraction is detected through the use of a speed
26 safety camera system under RCW 46.63.200.

27 (2) A court may issue a notice of traffic infraction upon receipt
28 of a written statement of the officer that there is reasonable cause
29 to believe that an infraction was committed.

30 (3) If any motor vehicle without a driver is found parked,
31 standing, or stopped in violation of this title or an equivalent
32 administrative regulation or local law, ordinance, regulation, or
33 resolution, the officer finding the vehicle shall take its
34 registration number and may take any other information displayed on
35 the vehicle which may identify its user, and shall conspicuously
36 affix to the vehicle a notice of traffic infraction.

37 (4) In the case of failure to redeem an abandoned vehicle under
38 RCW 46.55.120, upon receiving a complaint by a registered tow truck
39 operator that has incurred costs in removing, storing, and disposing
40 of an abandoned vehicle, an officer of the law enforcement agency

1 responsible for directing the removal of the vehicle shall send a
2 notice of infraction by certified mail to the last known address of
3 the person responsible under RCW 46.55.105. The notice must be
4 entitled "Littering—Abandoned Vehicle" and give notice of the
5 monetary penalty. The officer shall append to the notice of
6 infraction, on a form prescribed by the department of licensing, a
7 notice indicating the amount of costs incurred as a result of
8 removing, storing, and disposing of the abandoned vehicle, less any
9 amount realized at auction, and a statement that monetary penalties
10 for the infraction will not be considered as having been paid until
11 the monetary penalty payable under this chapter has been paid and the
12 court is satisfied that the person has made restitution in the amount
13 of the deficiency remaining after disposal of the vehicle.

14 **Sec. 9.** RCW 46.63.075 and 2023 c 17 s 2 are each amended to read
15 as follows:

16 (1) In a traffic infraction case involving an infraction detected
17 through the use of an automated traffic safety camera under ((RCW
18 ~~46.63.170~~)) sections 2 through 6 of this act, detected through the
19 use of a speed safety camera system under RCW 46.63.200, or detected
20 through the use of an automated school bus safety camera under RCW
21 46.63.180, proof that the particular vehicle described in the notice
22 of traffic infraction was in violation of any such provision of
23 sections 2 through 6 of this act or RCW ((~~46.63.170~~,)) 46.63.200 ((~~7~~))
24 and 46.63.180, together with proof that the person named in the
25 notice of traffic infraction was at the time of the violation the
26 registered owner of the vehicle, constitutes in evidence a prima
27 facie presumption that the registered owner of the vehicle was the
28 person in control of the vehicle at the point where, and for the time
29 during which, the violation occurred.

30 (2) This presumption may be overcome only if the registered owner
31 states, under oath, in a written statement to the court or in
32 testimony before the court that the vehicle involved was, at the
33 time, stolen or in the care, custody, or control of some person other
34 than the registered owner.

35 **Sec. 10.** RCW 46.68.480 and 2023 c 431 s 8 are each amended to
36 read as follows:

37 The Cooper Jones active transportation safety account is created
38 in the state treasury. All ((~~receipts from penalties collected under~~

1 ~~RCW 46.63.170~~) funds designated by the legislature shall be
2 deposited into the account. Expenditures from the account may be used
3 only to fund grant projects or programs for bicycle, pedestrian, and
4 nonmotorist safety improvement administered by the Washington traffic
5 safety commission. By December 1, 2024, and every two years
6 thereafter, the commission shall report to the transportation
7 committees of the legislature regarding the activities funded from
8 the account. The account is subject to allotment procedures under
9 chapter 43.88 RCW. Moneys in the account may be spent only after
10 appropriation.

11 **Sec. 11.** RCW 46.63.110 and 2023 c 388 s 2 are each amended to
12 read as follows:

13 (1)(a) A person found to have committed a traffic infraction
14 shall be assessed a monetary penalty. No penalty may exceed \$250 for
15 each offense unless authorized by this chapter or title.

16 (b) The court may waive or remit any monetary penalty, fee, cost,
17 assessment, or other monetary obligation associated with a traffic
18 infraction unless the specific monetary obligation in question is
19 prohibited from being waived or remitted by state law.

20 (2) The monetary penalty for a violation of (a) RCW 46.55.105(2)
21 is \$250 for each offense; (b) RCW 46.61.210(1) is \$500 for each
22 offense. No penalty assessed under this subsection (2) may be
23 reduced.

24 (3) The supreme court shall prescribe by rule a schedule of
25 monetary penalties for designated traffic infractions. This rule
26 shall also specify the conditions under which local courts may
27 exercise discretion in assessing fines and penalties for traffic
28 infractions. The legislature respectfully requests the supreme court
29 to adjust this schedule every two years for inflation.

30 (4) There shall be a penalty of \$25 for failure to respond to a
31 notice of traffic infraction except where the infraction relates to
32 parking as defined by local law, ordinance, regulation, or resolution
33 or failure to pay a monetary penalty imposed pursuant to this
34 chapter. A local legislative body may set a monetary penalty not to
35 exceed \$25 for failure to respond to a notice of traffic infraction
36 relating to parking as defined by local law, ordinance, regulation,
37 or resolution. The local court, whether a municipal, police, or
38 district court, shall impose the monetary penalty set by the local
39 legislative body.

1 (5) Monetary penalties provided for in chapter 46.70 RCW which
2 are civil in nature and penalties which may be assessed for
3 violations of chapter 46.44 RCW relating to size, weight, and load of
4 motor vehicles are not subject to the limitation on the amount of
5 monetary penalties which may be imposed pursuant to this chapter.

6 (6) Whenever a monetary penalty, fee, cost, assessment, or other
7 monetary obligation is imposed by a court under this chapter, it is
8 immediately payable and is enforceable as a civil judgment under
9 Title 6 RCW. If the court determines that a person is not able to pay
10 a monetary obligation in full, the court shall enter into a payment
11 plan with the person in accordance with RCW 46.63.190 and standards
12 that may be set out in court rule.

13 (7) In addition to any other penalties imposed under this section
14 and not subject to the limitation of subsection (1) of this section,
15 a person found to have committed a traffic infraction shall be
16 assessed:

17 (a) A fee of \$5 per infraction. Under no circumstances shall this
18 fee be reduced or waived. Revenue from this fee shall be forwarded to
19 the state treasurer for deposit in the emergency medical services and
20 trauma care system trust account under RCW 70.168.040;

21 (b) A fee of \$10 per infraction. Under no circumstances shall
22 this fee be reduced or waived. Revenue from this fee shall be
23 forwarded to the state treasurer for deposit in the general fund; and

24 (c) A fee of \$5 per infraction. Under no circumstances shall this
25 fee be reduced or waived, except as provided in section 2 of this
26 act. Revenue from this fee shall be forwarded to the state treasurer
27 for deposit in the traumatic brain injury account established in RCW
28 74.31.060.

29 (8)(a) In addition to any other penalties imposed under this
30 section and not subject to the limitation of subsection (1) of this
31 section, a person found to have committed a traffic infraction other
32 than of RCW 46.61.527 or 46.61.212 shall be assessed an additional
33 penalty of \$24. The court may not reduce, waive, or suspend the
34 additional penalty unless the court finds the offender to be
35 indigent. If a court authorized community restitution program for
36 offenders is available in the jurisdiction, the court shall allow
37 offenders to offset all or a part of the penalty due under this
38 subsection (8) by participation in the court authorized community
39 restitution program.

1 (b) \$12.50 of the additional penalty under (a) of this subsection
2 shall be remitted to the state treasurer. The remaining revenue from
3 the additional penalty must be remitted under chapters 2.08, 3.46,
4 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted under this
5 subsection to the state treasurer must be deposited as follows: \$8.50
6 in the state general fund and \$4 in the driver licensing technology
7 support account created under RCW 46.68.067. The moneys deposited
8 into the driver licensing technology support account must be used to
9 support information technology systems used by the department to
10 communicate with the judicial information system, manage driving
11 records, and implement court orders. The balance of the revenue
12 received by the county or city treasurer under this subsection must
13 be deposited into the county or city current expense fund. Moneys
14 retained by the city or county under this subsection shall constitute
15 reimbursement for any liabilities under RCW 43.135.060.

16 (9) If a legal proceeding, such as garnishment, has commenced to
17 collect any delinquent amount owed by the person for any penalty
18 imposed by the court under this section, the person may request a
19 payment plan pursuant to RCW 46.63.190.

20 (10) The monetary penalty for violating RCW 46.37.395 is: (a)
21 \$250 for the first violation; (b) \$500 for the second violation; and
22 (c) \$750 for each violation thereafter.

23 (11) The additional monetary penalty for a violation of RCW
24 46.20.500 is not subject to assessments or fees provided under this
25 section.

26 (12) The additional monetary fine for a violation of RCW
27 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190, and 46.61.205
28 is not subject to assessments or fees provided under this section.

29 (13) The additional monetary penalties for a violation of RCW
30 46.61.165 are not subject to assessments or fees provided under this
31 section.

32 NEW SECTION. **Sec. 12.** RCW 46.63.170 (Automated traffic safety
33 cameras—Definition) and 2022 c 182 s 424, 2022 c 182 s 423, 2020 c
34 224 s 1, 2015 3rd sp.s. c 44 s 406, 2015 1st sp.s. c 10 s 702, & 2013
35 c 306 s 711 are each repealed."

36 Correct the title.

EFFECT: (1) Applies the definition of school speed zone in use for rules of the road violations to the authorization to use traffic cameras in school speed zones.

(2) Modifies the definition of school walk zone to include all roadways within a 1-mile radius of a school that students use to travel to school by foot, bicycle, or other means of active transportation.

(3) Mandates that the traffic camera location analysis required of cities and counties include a demonstrated need for traffic cameras based on rates of collision and documented near collisions, and ineffectiveness or infeasibility of other mitigation measures.

(4) Sets an initial deadline for the addition of revenue-related information to be included in the annual reports cities and counties post on their websites to December 1, 2025.

(5) Requires the Washington Traffic Safety Commission (WTSC) to provide an annual report to the Transportation Committees of the Legislature, that it also must post on its website for public access, beginning December 1, 2025, which includes aggregated information on the use of traffic cameras.

(6) Mandates that signs required to be posted prior to activation of a traffic camera be readily visible to a driver approaching a traffic camera.

(7) Modifies the requirement that the use of revenue generated by traffic cameras in a city or county include the use of revenue in overburdened communities that is, at a minimum, proportionate to the share of population, to require proportionate use, at a minimum, of revenue in census tracts with household incomes in the lowest quartile and in areas that experience above average rates of injury crashes.

(8) Exempts from the requirement that traffic camera revenue must be used for traffic safety purposes, for their red-light and school zone traffic cameras only, jurisdictions with traffic camera programs in effect prior to the effective date of the bill that have an ordinance in place as of January 1, 2024, that established the manner in which traffic camera revenue from red-light and school zone traffic cameras may be used.

(9) Limits the maximum penalty amount for traffic camera violations, other than red-light violations, to two-thirds the monetary penalty for a violation of an unscheduled infraction as set by the Washington Supreme Court, inclusive of applicable statutory assessments (currently \$145).

(10) Authorizes any traffic camera authorized by a pilot program to detect speed violations as of the effective date of the bill to remain in use under the speed camera authorization for higher crash risk areas (1 traffic camera per 10,000 in population), provided the location experienced higher crash risks prior to installation of the traffic camera.

(11) Modifies the authorization for a noncommissioned officer or public employee designated by a city or county to review traffic camera violations and issue notices of infraction to require that the employee be a civilian employee who works for a law enforcement agency or a local public works or transportation department, and be

sufficiently trained and certified by peace officers or traffic engineers.

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