

SENATE BILL REPORT

SB 6140

AS PASSED SENATE, FEBRUARY 12, 1992

Brief Description: Recodifying the penalty for failure to comply with a written promise to appear after a traffic infraction.

SPONSORS: Senators Nelson, A. Smith, Erwin and Madsen

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Newhouse, Rasmussen, and A. Smith.

Staff: Dick Armstrong (786-7460)

Hearing Dates: January 23, 1992

BACKGROUND:

RCW 46.64.020 establishes a misdemeanor violation whenever a person fails to appear or respond to a notice of a traffic infraction. The statute also establishes a gross misdemeanor whenever a person drives and has two or more notices of failure to appear or respond on his or her driving record.

It is confusing for the courts, defendants and attorneys when a person is cited for such crimes because it sometimes is unclear whether the person is being charged with a misdemeanor or gross misdemeanor violation.

It is suggested that provisions of the statute relating to gross misdemeanor violations be re-enacted into a separate RCW section to give better notice to courts, defendants and attorneys on what criminal charge is alleged.

SUMMARY:

The provisions of RCW 46.64.020 which create a misdemeanor crime for driving with two or more notices of failure to appear or respond are re-enacted into a separate RCW section.

There are no substantive changes made to the statutes by this re-enactment.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

The bill will eliminate confusion for the courts, defendants,
and attorneys on the precise nature of the criminal charges.

TESTIMONY AGAINST: None

TESTIFIED: Judge Robert McBeth, Judge Vicki Seitz, District Court
Judges Association