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**SUBSTITUTE SENATE BILL 6630**

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**State of Washington**

**56th Legislature**

**2000 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Haugen, Oke, Gardner, Horn, Goings, Heavey, Morton, Costa and Rasmussen)

Read first time 02/08/2000.

1 AN ACT Relating to traffic safety improvement; amending RCW  
2 46.61.440, 46.63.110, and 46.68.041; reenacting and amending RCW  
3 43.59.150; adding a new section to chapter 43.59 RCW; adding a new  
4 section to chapter 46.64 RCW; creating a new section; repealing RCW  
5 46.68.260; prescribing penalties; and providing an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds that the number of  
8 traffic crashes resulting in serious or fatal injuries on Washington  
9 roadways is unacceptably high. The vast majority of these crashes  
10 result from dangerous driving behavior, often occurring when traffic  
11 infractions and traffic crimes are committed. Given that over half of  
12 Washington cities receive less than one hundred twenty-five dollars per  
13 quarter from the impaired driver safety account, it is the intent of  
14 the legislature to consolidate accounts that target traffic safety in  
15 order to distribute funds on a project basis, thus enabling small  
16 cities and counties to receive sufficient funding for important traffic  
17 safety projects. It is the intent of the legislature to increase fines  
18 in order to deter the behavior leading to traffic infractions and  
19 crimes, thus reducing the injuries and deaths that result from traffic

1 crashes. It is further intended that the increased portion of fines  
2 identified in this act will be used solely to fund programs to reduce  
3 traffic crashes and reduce the severity of injuries from those crashes  
4 and for other traffic safety purposes as outlined in this act.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.59 RCW  
6 to read as follows:

7 The traffic safety improvement account is created in the state  
8 treasury. The purpose of this account is to improve traffic safety by  
9 funding programs through the Washington traffic safety commission,  
10 particularly those directed by this chapter. The school zone safety  
11 account, the bicycle and pedestrian safety account, and the impaired  
12 driving safety account are abolished as separate accounts and are  
13 merged into the traffic safety improvement account. All receipts from  
14 additional penalties collected under RCW 46.63.110(7) or section 6 of  
15 this act, fifty percent of the penalties collected under RCW  
16 46.61.527(3) or 46.61.440, and all receipts as directed by RCW  
17 46.68.041(2) must be deposited into this account. Expenditures from  
18 the account may be used only by the Washington traffic safety  
19 commission to fund traffic safety improvement projects. Funded  
20 projects should include, but not be limited to support for community  
21 traffic safety task forces, state match required by the Washington  
22 traffic safety commission to qualify for federal highway safety grants,  
23 the drug recognition expert program, traffic safety public information  
24 and education efforts, support for local communities implementing  
25 traffic safety laws passed by the legislature, school zone safety  
26 programs, bicycle and pedestrian safety efforts, and other programs  
27 consistent with this chapter. Only the director of the traffic safety  
28 commission or the director's designee may authorize expenditures from  
29 the account. The account is subject to allotment procedures under  
30 chapter 43.88 RCW, but no appropriation is required for expenditures  
31 until July 1, 2001, after which date moneys in the account may be spent  
32 only after appropriation. Any expenditures before July 1, 2001, are  
33 subject to review by the transportation committees of the legislature.

34 **Sec. 3.** RCW 43.59.150 and 1999 c 372 s 9 and 1999 c 351 s 1 are  
35 each reenacted and amended to read as follows:

36 ((+1)) The Washington state traffic safety commission shall  
37 establish a program for improving bicycle and pedestrian safety, and

1 shall cooperate with the stakeholders and independent representatives  
2 to form an advisory committee to develop programs and create public  
3 private partnerships which promote bicycle and pedestrian safety. The  
4 traffic safety commission shall periodically report and make  
5 recommendations to the ((legislative)) transportation committees of the  
6 legislature on the progress of the bicycle and pedestrian safety  
7 committee.

8 ~~((2) The bicycle and pedestrian safety account is created in the  
9 state treasury to support bicycle and pedestrian education or safety  
10 programs.))~~

11 **Sec. 4.** RCW 46.61.440 and 1997 c 80 s 2 are each amended to read  
12 as follows:

13 (1) Subject to RCW 46.61.400(1), and except in those instances  
14 where a lower maximum lawful speed is provided by this chapter or  
15 otherwise, it shall be unlawful for the operator of any vehicle to  
16 operate the same at a speed in excess of twenty miles per hour when  
17 operating any vehicle upon a highway either inside or outside an  
18 incorporated city or town when passing any marked school or playground  
19 crosswalk when such marked crosswalk is fully posted with standard  
20 school speed limit signs or standard playground speed limit signs. The  
21 speed zone at the crosswalk shall extend three hundred feet in either  
22 direction from the marked crosswalk.

23 (2) A person found to have committed any infraction relating to  
24 speed restrictions within a school or playground speed zone shall be  
25 assessed a monetary penalty equal to twice the penalty assessed under  
26 RCW 46.63.110. This penalty may not be waived, reduced, or suspended.

27 ~~((3) The school zone safety account is created in the custody of  
28 the state treasurer. Fifty percent of the moneys collected under  
29 subsection (2) of this section shall be deposited into the account.  
30 Expenditures from the account may be used only by the Washington  
31 traffic safety commission solely to fund projects in local communities  
32 to improve school zone safety, pupil transportation safety, and student  
33 safety in school bus loading and unloading areas. Only the director of  
34 the traffic safety commission or the director's designee may authorize  
35 expenditures from the account. The account is subject to allotment  
36 procedures under chapter 43.88 RCW, but no appropriation is required  
37 for expenditures until July 1, 1999, after which date moneys in the  
38 account may be spent only after appropriation.))~~

1       **Sec. 5.** RCW 46.63.110 and 1997 c 331 s 3 are each amended to read  
2 as follows:

3       (1) A person found to have committed a traffic infraction shall be  
4 assessed a monetary penalty. No penalty may exceed two hundred and  
5 fifty dollars for each offense unless authorized by this chapter or  
6 title.

7       (2) The supreme court shall prescribe by rule a schedule of  
8 monetary penalties for designated traffic infractions. This rule shall  
9 also specify the conditions under which local courts may exercise  
10 discretion in assessing fines and penalties for traffic infractions.  
11 The legislature respectfully requests the supreme court to adjust this  
12 schedule every two years for inflation.

13       (3) There shall be a penalty of twenty-five dollars for failure to  
14 respond to a notice of traffic infraction except where the infraction  
15 relates to parking as defined by local law, ordinance, regulation, or  
16 resolution or failure to pay a monetary penalty imposed pursuant to  
17 this chapter. A local legislative body may set a monetary penalty not  
18 to exceed twenty-five dollars for failure to respond to a notice of  
19 traffic infraction relating to parking as defined by local law,  
20 ordinance, regulation, or resolution. The local court, whether a  
21 municipal, police, or district court, shall impose the monetary penalty  
22 set by the local legislative body.

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

28       (5) Whenever a monetary penalty is imposed by a court under this  
29 chapter it is immediately payable. If the person is unable to pay at  
30 that time the court may, in its discretion, grant an extension of the  
31 period in which the penalty may be paid. If the penalty is not paid on  
32 or before the time established for payment the court shall notify the  
33 department of the failure to pay the penalty, and the department shall  
34 suspend the person's driver's license or driving privilege until the  
35 penalty has been paid and the penalty provided in subsection (3) of  
36 this section has been paid.

37       (6) In addition to any other penalties imposed under this section  
38 and not subject to the limitation of subsection (1) of this section, a  
39 person found to have committed a traffic infraction shall be assessed

1 a fee of five dollars per infraction. Under no circumstances shall  
2 this fee be reduced or waived. Revenue from this fee shall be  
3 forwarded to the state treasurer for deposit in the emergency medical  
4 services and trauma care system trust account under RCW 70.168.040.

5 (7) In addition to any other penalties imposed under this section  
6 and not subject to the limitation of subsection (1) of this section, a  
7 person found to have committed a traffic infraction other than of RCW  
8 46.61.440 or 46.61.527 will be assessed an additional penalty of ten  
9 dollars. The court may not reduce, waive, or suspend the additional  
10 penalty unless the court finds the offender to be indigent. Revenue  
11 from the additional penalty must be forwarded to the state treasurer  
12 for deposit in the traffic safety improvement account under section 2  
13 of this act.

14 NEW SECTION. Sec. 6. A new section is added to chapter 46.64 RCW  
15 to read as follows:

16 In addition to any other penalties imposed for conviction of a  
17 violation of this title that is a misdemeanor, gross misdemeanor, or  
18 felony, the court must impose an additional penalty of fifty dollars.  
19 The court may not reduce, waive, or suspend the additional penalty  
20 unless the court finds the offender to be indigent. Revenue from the  
21 additional penalty must be forwarded to the state treasurer for deposit  
22 in the traffic safety improvement account under section 2 of this act.

23 **Sec. 7.** RCW 46.68.041 and 1998 c 212 s 3 are each amended to read  
24 as follows:

25 (1) Except as provided in subsection (2) of this section, the  
26 department shall forward all funds accruing under the provisions of  
27 chapter 46.20 RCW together with a proper identifying, detailed report  
28 to the state treasurer who shall deposit such moneys to the credit of  
29 the highway safety fund.

30 (2) Sixty-three percent of each fee collected by the department  
31 under RCW 46.20.311 (1)(b)(ii), (2)(b)(ii), and (3)(b) shall be  
32 deposited in the (~~impaired driving~~) traffic safety improvement  
33 account.

34 NEW SECTION. Sec. 8. RCW 46.68.260 (Impaired driving safety  
35 account) and 1998 c 212 s 2 are each repealed.

1      NEW SECTION.    **Sec. 9.**    This act takes effect July 1, 2000.

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