

HB 2511 - S AMD

By Senator Mulliken

1 On page 2, after line 38, insert the following:

2 "Sec. 2. RCW 46.63.110 and 2003 c 380 s 2 are each amended to read
3 as follows:

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

8 (2) The monetary penalty for a violation of RCW 46.61.688 is
9 twenty-five dollars for each offense. No penalty assessed under this
10 subsection (2) may be reduced.

11 ((+2))(3) The monetary penalty for a violation of RCW 46.55.105(2)
12 is two hundred fifty dollars for each offense. No penalty assessed
13 under this subsection ((+2))(3) may be reduced.

14 ((+3))(4) The supreme court shall prescribe by rule a schedule of
15 monetary penalties for designated traffic infractions. This rule shall
16 also specify the conditions under which local courts may exercise
17 discretion in assessing fines and penalties for traffic infractions.
18 The legislature respectfully requests the supreme court to adjust this
19 schedule every two years for inflation.

20 ((+4))(5) There shall be a penalty of twenty-five dollars for
21 failure to respond to a notice of traffic infraction except where the
22 infraction relates to parking as defined by local law, ordinance,
23 regulation, or resolution or failure to pay a monetary penalty imposed
24 pursuant to this chapter. A local legislative body may set a monetary
25 penalty not to exceed twenty-five dollars for failure to respond to a
26 notice of traffic infraction relating to parking as defined by local
27 law, ordinance, regulation, or resolution. The local court, whether a
28 municipal, police, or district court, shall impose the monetary penalty
29 set by the local legislative body.

30 ((+5))(6) Monetary penalties provided for in chapter 46.70 RCW
31 which are civil in nature and penalties which may be assessed for
32 violations of chapter 46.44 RCW relating to size, weight, and load of

1 motor vehicles are not subject to the limitation on the amount of
2 monetary penalties which may be imposed pursuant to this chapter.

3 ~~((+6+))~~(7) Whenever a monetary penalty is imposed by a court under
4 this chapter it is immediately payable. If the person is unable to pay
5 at that time the court may, in its discretion, grant an extension of
6 the period in which the penalty may be paid. If the penalty is not
7 paid on or before the time established for payment the court shall
8 notify the department of the failure to pay the penalty, and the
9 department shall suspend the person's driver's license or driving
10 privilege until the penalty has been paid and the penalty provided in
11 subsection ~~((+4+))~~(5) of this section has been paid.

12 ~~((+7+))~~(8) In addition to any other penalties imposed under this
13 section and not subject to the limitation of subsection (1) of this
14 section, a person found to have committed a traffic infraction shall be
15 assessed a fee of five dollars per infraction. Under no circumstances
16 shall this fee be reduced or waived. Revenue from this fee shall be
17 forwarded to the state treasurer for deposit in the emergency medical
18 services and trauma care system trust account under RCW 70.168.040.

19 ~~((+8+))~~(9)(a) In addition to any other penalties imposed under this
20 section and not subject to the limitation of subsection (1) of this
21 section, a person found to have committed a traffic infraction other
22 than of RCW 46.61.527 shall be assessed an additional penalty of twenty
23 dollars. The court may not reduce, waive, or suspend the additional
24 penalty unless the court finds the offender to be indigent. If a
25 community restitution program for offenders is available in the
26 jurisdiction, the court shall allow offenders to offset all or a part
27 of the penalty due under this subsection ~~((+8+))~~(9) by participation in
28 the community restitution program.

29 (b) Eight dollars and fifty cents of the additional penalty under
30 (a) of this subsection shall be remitted to the state treasurer. The
31 remaining revenue from the additional penalty must be remitted under
32 chapters 2.08, 3.46, 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted
33 under this subsection to the state treasurer must be deposited as
34 provided in RCW 43.08.250. The balance of the revenue received by the
35 county or city treasurer under this subsection must be deposited into
36 the county or city current expense fund. Moneys retained by the city
37 or county under this subsection shall constitute reimbursement for any
38 liabilities under RCW 43.135.060."

