
SENATE BILL 6435

State of Washington 58th Legislature 2004 Regular Session

By Senators Parlette, Haugen and Horn

Read first time 01/20/2004. Referred to Committee on Judiciary.

1 AN ACT Relating to the notice of traffic infraction form; and
2 amending RCW 46.63.060.

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

4 **Sec. 1.** RCW 46.63.060 and 1993 c 501 s 9 are each amended to read
5 as follows:

6 (1) A notice of traffic infraction represents a determination that
7 an infraction has been committed. The determination will be final
8 unless contested as provided in this chapter.

9 (2) The form for the notice of traffic infraction shall be
10 prescribed by rule of the supreme court and shall include the
11 following:

12 (a) A statement that the notice represents a determination that a
13 traffic infraction has been committed by the person named in the notice
14 and that the determination shall be final unless contested as provided
15 in this chapter;

16 (b) A statement that a traffic infraction is a noncriminal offense
17 for which imprisonment may not be imposed as a sanction; that the
18 penalty for a traffic infraction may include sanctions against the

1 person's driver's license including suspension, revocation, or denial;
2 that the penalty for a traffic infraction related to standing,
3 stopping, or parking may include nonrenewal of the vehicle license;

4 (c) A statement of the specific traffic infraction for which the
5 notice was issued;

6 (d) A statement of the monetary penalty established for the traffic
7 infraction, additional mandatory penalties or fees, possible court
8 costs if a hearing for the purpose of contesting the determination is
9 held, and possible costs assessed if the court agrees to defer
10 findings;

11 (e) A statement of the options provided in this chapter for
12 responding to the notice and the procedures necessary to exercise these
13 options;

14 (f) A statement of the procedure and circumstances in which the
15 court may grant a request for deferred findings and the consequences of
16 the deferral;

17 (g) A statement that at any hearing to contest the determination
18 the state has the burden of proving, by a preponderance of the
19 evidence, that the infraction was committed; and that the person may
20 subpoena witnesses including the officer who issued the notice of
21 infraction;

22 (~~(g)~~) (h) A statement that at any hearing requested for the
23 purpose of explaining mitigating circumstances surrounding the
24 commission of the infraction the person will be deemed to have
25 committed the infraction and may not subpoena witnesses;

26 (~~(h)~~) (i) A statement that the person must respond to the notice
27 as provided in this chapter within fifteen days or the person's
28 driver's license or driving privilege will be suspended by the
29 department until any penalties imposed pursuant to this chapter have
30 been satisfied;

31 (~~(i)~~) (j) A statement that failure to appear at a hearing
32 requested for the purpose of contesting the determination or for the
33 purpose of explaining mitigating circumstances will result in the
34 suspension of the person's driver's license or driving privilege, or in
35 the case of a standing, stopping, or parking violation, refusal of the
36 department to renew the vehicle license, until any penalties imposed
37 pursuant to this chapter have been satisfied;

1 (~~(j)~~) (k) A statement, which the person shall sign, that the
2 person promises to respond to the notice of infraction in one of the
3 ways provided in this chapter.

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