
HOUSE BILL 3111

State of Washington 59th Legislature 2006 Regular Session

By Representative Appleton

Read first time 01/20/2006. Referred to Committee on Transportation.

1 AN ACT Relating to traffic infractions involving rental vehicles;
2 and amending RCW 46.63.073.

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

4 **Sec. 1.** RCW 46.63.073 and 2005 c 331 s 2 are each amended to read
5 as follows:

6 (1)(a) In the event a traffic infraction is based on a vehicle's
7 identification, and the registered owner of the vehicle is a rental car
8 business, the law enforcement agency shall, before a notice of
9 infraction may be issued, provide a written notice to the rental car
10 business that a notice of infraction may be issued to the rental car
11 business if the rental car business does not, within thirty days of
12 receiving the written notice, provide to the issuing agency by return
13 mail:

14 ((+a)) (i) A statement under oath stating the name and known
15 mailing address of the individual driving or renting the vehicle when
16 the infraction occurred; or

17 ((+b)) (ii) A statement under oath that the business is unable to
18 determine who was driving or renting the vehicle at the time the
19 infraction occurred.

1 Timely mailing of this statement to the issuing law enforcement
2 agency relieves a rental car business of any liability under this
3 chapter for the notice of infraction. In lieu of identifying the
4 vehicle operator, the rental car business may pay the applicable
5 penalty.

6 ~~((+2))~~ (b) For the purpose of this ~~((section))~~ subsection, a
7 "traffic infraction based on a vehicle's identification" includes, but
8 is not limited to, parking infractions, high-occupancy toll lane
9 violations, and violations recorded by automated traffic safety
10 cameras.

11 (2)(a) In the event a parking infraction is issued by a private
12 parking facility and is based on a vehicle's identification, and the
13 registered owner of the vehicle is a rental car business, the parking
14 facility shall provide a written notice of the infraction to the rental
15 car business within thirty days of the infraction date. The rental car
16 business receiving the written notice of the infraction shall provide
17 to the parking facility by return mail:

18 (i) A statement under oath stating the name and known mailing
19 address of the individual driving or renting the vehicle when the
20 infraction occurred; or

21 (ii) A statement under oath that the business is unable to
22 determine who was driving or renting the vehicle at the time the
23 infraction occurred.

24 Timely mailing of this statement to the parking facility relieves
25 a rental car business of any liability under this chapter for the
26 notice of infraction. In lieu of identifying the vehicle operator, the
27 rental car business may pay the applicable penalty.

28 (b) For the purpose of this subsection, a "traffic infraction based
29 on a vehicle's identification" is limited to parking infractions
30 occurring on a parking facility's premises.

--- END ---