

HOUSE BILL REPORT

HB 1373

As Reported by House Committee On:
Transportation

Title: An act relating to photo enforcement of traffic infractions.

Brief Description: Modifying photo enforcement of traffic infraction provisions.

Sponsors: Representatives Lantz, Seaquist, Rolfes, Green and Appleton; by request of Board For Judicial Administration.

Brief History:

Committee Activity:

Transportation: 2/1/07, 2/14/07 [DPS].

Brief Summary of Substitute Bill

- Requires toll violations detected through the use of photo enforcement systems to be treated as parking infractions, conforming them with the treatment of infractions detected with automated traffic safety cameras.
- Sets the penalty for toll violations detected through photo enforcement systems at \$40 plus three times the cash toll for a standard passenger vehicle during peak hours.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Clibborn, Chair; Jarrett, Ranking Minority Member; Appleton, Campbell, Dickerson, Eddy, Hankins, Hudgins, Lovick, Rodne, Rolfes, Sells, Simpson, Springer, B. Sullivan, Takko, Upthegrove, Wallace and Wood.

Minority Report: Do not pass. Signed by 6 members: Representatives Schindler, Assistant Ranking Minority Member; Armstrong, Curtis, Ericksen, Hailey and Kristiansen.

Staff: David Munnecke (786-7315).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

It is a traffic infraction to refuse to pay a toll or otherwise avoid a toll at a publicly-operated toll facility. In 2004, Substitute House Bill 2475 allowed for the detection of toll violations through the use of a photo enforcement system. The photo enforcement system may record images of vehicles and vehicle license plates only, and the infractions issued through such a system are not part of the registered owners' driving records.

Automated traffic safety cameras were authorized during the 2005 legislative session to detect stoplight, railroad crossing, or school zone speed violations. Infractions detected through the use of this equipment must be processed in the same manner as parking infractions and are not part of the registered owners' driving records.

Summary of Substitute Bill:

Toll violations detected through the use of photo enforcement systems must be processed in the same manner as parking infractions, conforming with the treatment accorded other violations detected through photo enforcement systems.

The penalty for toll violation infractions issued through the use of photo enforcement systems is set at \$40, plus three times the cash toll for a standard passenger vehicle during peak hours.

Substitute Bill Compared to Original Bill:

Modifies the additional toll-based portion of the penalty for toll evasion to standardize it at three times the cash toll for a standard passenger car during peak hours.

Eliminates the ability of a person accused of a toll violation to pay the toll prior to adjudication in order to avoid the \$40 penalty.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is designed to prevent toll evasion by charging violators three times the peak toll.

It will also help with the administration of the tickets through the court's computer system by moving the infractions through the parking citation system, which is far less impacted than the traffic infraction system.

The ability to pay the toll prior to adjudication to avoid a portion of the fine was eliminated because toll evaders will be sent notices the first two times they're caught before they are assessed the penalty.

(Opposed) None.

Persons Testifying: Representative Lantz, prime sponsor; Jeff Hall, Board for Judicial Administration; Judge James Heller, Pierce County District Court; and Greg Selstead, Washington State Department of Transportation.

Persons Signed In To Testify But Not Testifying: None.