

SHB 1601 - H AMD 632

By Representative Goodman

1 On page 2, beginning on line 6, after "**Sec. 3.**" strike the
2 remainder of the section and insert the following:

3
4 "RCW 46.63.060 and 2013 c 170 s 1 are each amended to read as
5 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
14 notice and that the determination shall be final unless contested as
15 provided 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
19 person's driver's license including suspension, revocation, or denial;
20 that the penalty for a traffic infraction related to standing,
21 stopping, or parking may include nonrenewal of the vehicle
22 registration;

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

25 (d) A statement of the monetary penalty established for the
26 traffic infraction;

27

1 (e) A statement of the options provided in this chapter for
2 responding to the notice and the procedures necessary to exercise
3 these options;

4 (f) A statement that at any hearing to contest the determination
5 the state has the burden of proving, by a preponderance of the
6 evidence, that the infraction was committed; and that the person may
7 subpoena witnesses including the officer who issued the notice of
8 infraction;

9 (g) A statement that at any hearing requested for the purpose of
10 explaining mitigating circumstances surrounding the commission of the
11 infraction the person will be deemed to have committed the infraction
12 and may not subpoena witnesses;

13 (h) A statement that the person must respond to the notice as
14 provided in this chapter within fifteen days or the person's driver's
15 license or driving privilege may be suspended by the department until
16 any penalties imposed pursuant to this chapter have been satisfied;
17 and

18 (i) A statement that failure to appear at a hearing requested for
19 the purpose of contesting the determination or for the purpose of
20 explaining mitigating circumstances may result in the suspension of
21 the person's driver's license or driving privilege, or in the case of
22 a standing, stopping, or parking violation, refusal of the department
23 to renew the vehicle registration, until any penalties imposed
24 pursuant to this chapter have been satisfied.

25 (3)(a) A form for a notice of traffic infraction printed after
26 (~~July 22, 2011~~) June 1, 2014, must include a statement that the
27 person (~~may~~) shall be able to (~~enter~~) request entry into a payment
28 plan or community restitution plan with the court under RCW 7.80.130
29 or 46.63.110.

30 (b) The forms for a notice of traffic infraction must include the
31 changes in section 1, chapter 170, Laws of 2013 by July 1, 2015."

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33 On page 8, line 2, after "June 1," strike "2013" and insert "2014"

EFFECT: Updates the effective date of the bill and makes technical changes to reflect changes to the underlying code sections since the bill was drafted.

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