

SHB 1265 - S COMM AMD  
By Committee on Transportation

ADOPTED 04/09/2013

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 46.63.060 and 2011 c 233 s 1 are each amended to read  
4 as follows:

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

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

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

15 (b) A statement that a traffic infraction is a noncriminal offense  
16 for which imprisonment may not be imposed as a sanction; that the  
17 penalty for a traffic infraction may include sanctions against the  
18 person's driver's license including suspension, revocation, or denial;  
19 that the penalty for a traffic infraction related to standing,  
20 stopping, or parking may include nonrenewal of the vehicle (~~license~~)  
21 registration;

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

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

26 (e) A statement of the options provided in this chapter for  
27 responding to the notice and the procedures necessary to exercise these  
28 options;

29 (f) A statement that at any hearing to contest the determination  
30 the state has the burden of proving, by a preponderance of the

1 evidence, that the infraction was committed; and that the person may  
2 subpoena witnesses including the officer who issued the notice of  
3 infraction;

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

8 (h) A statement that the person must respond to the notice as  
9 provided in this chapter within fifteen days or the person's driver's  
10 license or driving privilege (~~will~~) may be suspended by the  
11 department until any penalties imposed pursuant to this chapter have  
12 been satisfied; and

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

20 (3)(a) A form for a notice of traffic infraction printed after July  
21 22, 2011, must include a statement that the person may be able to enter  
22 into a payment plan with the court under RCW 46.63.110.

23 (b) The forms for a notice of traffic infraction must include the  
24 changes in section 1, chapter . . . , Laws of 2013 (this act) by July 1,  
25 2015."

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26 On page 1, line 2 of the title, after "notices;" strike the  
27 remainder of the title and insert "and amending RCW 46.63.060."

EFFECT: Requires that the forms for a notice of traffic infraction

must reflect the changes made by this bill by July 1, 2015.

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