

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1265

Chapter 170, Laws of 2013

63rd Legislature
2013 Regular Session

TRAFFIC INFRACTION NOTICES

EFFECTIVE DATE: 07/28/13

Passed by the House April 22, 2013
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 9, 2013
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Approved May 8, 2013, 2:18 p.m.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1265** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 8, 2013

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1265

AS AMENDED BY THE SENATE

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By House Transportation (originally sponsored by Representatives
Freeman, Rodne, Goodman, and Ryu)

READ FIRST TIME 02/22/13.

1 AN ACT Relating to modifying provisions in the forms for traffic
2 infraction notices; and 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 2011 c 233 s 1 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
19 person's driver's license including suspension, revocation, or denial;

1 that the penalty for a traffic infraction related to standing,
2 stopping, or parking may include nonrenewal of the vehicle ((~~license~~))
3 registration;

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;

8 (e) A statement of the options provided in this chapter for
9 responding to the notice and the procedures necessary to exercise these
10 options;

11 (f) A statement that at any hearing to contest the determination
12 the state has the burden of proving, by a preponderance of the
13 evidence, that the infraction was committed; and that the person may
14 subpoena witnesses including the officer who issued the notice of
15 infraction;

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

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

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

32 (3)(a) A form for a notice of traffic infraction printed after July
33 22, 2011, must include a statement that the person may be able to enter
34 into a payment plan with the court under RCW 46.63.110.

35 (b) The forms for a notice of traffic infraction must include the
36 changes in section 1, chapter . . . , Laws of 2013 (this act) by July 1,

1 2015.

Passed by the House April 22, 2013.

Passed by the Senate April 9, 2013.

Approved by the Governor May 8, 2013.

Filed in Office of Secretary of State May 8, 2013.