1793-S AMH CALD MATM 558

**SHB 1793** - H AMD TO H AMD (H-2820.2/19) **596**

By Representative Caldier

**SCOPE AND OBJECT 04/15/2019**

On page 3, line 10 of the striking amendment, after "law" strike ", all" and insert "((~~, all~~)):

(i) No"

On page 3, beginning on line 12 of the striking amendment, beginning with "are" strike all material through "public" on line 13 and insert "((~~are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public~~)) are open to the public.

(ii) All photographs, microphotographs, or electronic images prepared under this section that are taken by automated traffic safety cameras used to detect stoplight violations, railroad crossing violations, school speed zone violations, or speed violations subject to (c) of this subsection, are for the exclusive use of law enforcement in the discharge of duties under this section"

On page 3, line 16 of the striking amendment, after "image" insert "taken by an automated traffic safety camera used to detect the violations specified in this subsection"

On page 3, after line 18 of the striking amendment, insert the following:

"(iii)(A) All photographs, microphotographs, and electronic images prepared under this section that are taken by automated traffic safety cameras used to detect the violations listed in (g)(iii)(B) of this subsection may be used for the following purposes only: (I) The enforcement of civil infractions by law enforcement as authorized under this section, including court proceedings relating to the enforcement of those civil infractions; and (II) the investigation and prosecution of gross misdemeanor and felony crimes pursuant to a lawfully issued search warrant. A photograph, microphotograph, or electronic image taken by an automated traffic safety camera used to detect the violations specified in (g)(iii)(B) of this subsection may not be used for any other purpose and may not be used in court for any other pending action or proceeding. Except when otherwise directed by a court order, no photograph, microphotograph, or electronic image may be retained longer than necessary to enforce this section.

(B) Photographs, microphotographs, and electronic images may be used and retained as specified in (g)(iii)(A) of this subsection when they are taken by automated traffic safety cameras that are used to detect the following violations: stopping when traffic obstructed violations; stopping at intersection or crosswalk violations; public transportation only lane violations; and stopping, standing, or parking violations at locations restricted for emergency response vehicle entry or exit or the boarding or disembarking of public transportation vehicles, including public ferries."

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|  | EFFECT:   Expands the manner in which a photograph, electronic image, or other specified record collected by an automated traffic safety camera used to detect the violations for which camera use is expanded in the bill can be used to include use for the purposes of a criminal investigation and prosecution of gross misdemeanor and felony crimes pursuant to a lawfully issued search warrant. |

**--- END ---**