1513-S AMH GRAH WEHL 123

**SHB 1513** - H AMD **83**

By Representative Graham

**NOT CONSIDERED 01/02/2024**

 Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  Subject to the availability of amounts appropriated for this specific purpose, a grant program is established. The Washington traffic safety commission shall develop and implement a grant program to support local initiatives that provide solution-oriented responses to nonmoving violations for low-income road users. The commission must prioritize the award of grants to local initiatives that expand or establish civilian intervention programs for nonmoving violations, and focus on nonpunitive interventions such as helmet voucher programs, fee offset programs, fix-it tickets, and repair vouchers that provide solutions for vehicle equipment failures for low-income road users.

(1) Grants must be awarded to local jurisdictions based on locally developed proposals to establish or expand existing programs, including programs with community-lead organizations. Eligible jurisdictions under the grant program include cities, counties, tribal government entities, tribal organizations, or nonprofit organizations.

(2) Prior to awarding any grants, the commission shall develop grant compliance criteria for nonprofit grant recipients including, but not limited to, registration with the office of the secretary of the state, a demonstration of a nexus between grant-funded activities and the mission of the organization, guidelines on permissible overhead allocations, a list of recommended core grant funded initiatives, and a requirement for interaction with local law enforcement.

(3) The commission shall report on its website by December 1st of each year on the recipients, locations, and types of projects funded under this program.

(4) Beginning September 1, 2024, and biennially thereafter, the commission shall provide a report to the governor and the transportation committees of the legislature detailing findings on the effectiveness of programs funded under this section and any recommendations for enhancements or modifications to the grant program established under this section.

**Sec.**  RCW 46.63.030 and 2013 2nd sp.s. c 23 s 23 are each amended to read as follows:

(1) A law enforcement officer has the authority to issue a notice of traffic infraction:

(a) When the infraction is committed in the officer's presence, except as provided in RCW 46.09.485;

(b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;

(c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction;

(d) When the infraction is detected through the use of an automated traffic safety camera under RCW 46.63.170; or

(e) When the infraction is detected through the use of an automated school bus safety camera under RCW 46.63.180.

(2) A law enforcement officer has the authority to issue a citation by mail for a notice of infraction for any noncriminal offenses under this chapter, in lieu of a traffic stop, and where consistent with agency policy.

(3) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

((~~(3)~~)) (4) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

((~~(4)~~)) (5) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering—Abandoned Vehicle" and give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made restitution in the amount of the deficiency remaining after disposal of the vehicle.

NEW SECTION. **Sec.**  A new section is added to chapter 10.118 RCW to read as follows:

(1) Each peace officer in the state as defined in RCW 43.101.010 must report each incident when they stop or detain an operator of a vehicle, or where a citation is issued by mail. Each report must include the following information:

(a) The date, time, location (address, latitude and longitude, or GPS information), and duration of the incident;

(b) The primary reason for the stop or mailed citation, and whether it was peace officer initiated or in response to a call for service from the public;

(c) Make, model, and year of the vehicle;

(d) The agency or agencies employing the peace officer;

(e) The name of the peace officer;

(f) Whether there was a stop initiated, an arrest made, or a citation mailed; and

(g) Whether dashboard or body worn camera footage was recorded for the incident.

(2) For the purposes of this section, "vehicle" has the same meaning as in RCW 46.04.670, but does not include any commercial motor vehicle as defined in RCW 46.32.005."

Correct the title.

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|  |  EFFECT:  Makes the following changes to the grant program, traffic citations, and data collection:* Removes provisions limiting an officers' use of stops and detentions for nonmoving violations.
* Removes requirements that officers receive written consent for vehicle or passenger search.
* Allows officers to issue citations by mail for non-criminal offenses in lieu of traffic stops.
* Modifies reporting requirements to reflect information applicable for mailed citations, rather than traffic stops.
* Requires Traffic Safety Commission, rather than Department of Commerce, to implement grant program, and to develop grant compliance criteria for non-profit grant recipients.
* Removes law enforcement as recipient of grant program.
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