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**HOUSE BILL 1651**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Representatives Reeves and Pollet

AN ACT Relating to debts arising from infractions for standing, stopping, and parking violations, and violations captured by safety cameras; amending RCW 46.16A.120; adding a new section to chapter 19.16 RCW; adding a new section to chapter 46.63 RCW; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 19.16 RCW to read as follows:

(1) Any governmental entity enumerated in RCW 19.16.500(1)(a), as well as courts of limited jurisdiction as defined in RCW 3.02.010, using a collection agency to collect outstanding debts for the traffic infractions listed in subsection (2) of this section shall:

(a) Meet the requirements of RCW 19.16.500(2); and

(b) Provide notice of the opportunity to enter into a payment plan as described in RCW 46.63.190 by including instructions on how eligible debtors can initiate enrollment in a payment plan in the collections notice required under RCW 19.16.500(2).

(2) The requirements of this section apply to the following traffic infractions:

(a) Standing, stopping, and parking violations;

(b) Automated traffic safety camera infractions issued under RCW 46.63.030(1)(d); and

(c) Automated school bus safety camera infractions issued under RCW 46.63.030(1)(e).

NEW SECTION. **Sec.**  A new section is added to chapter 46.63 RCW to read as follows:

After the effective date of this section, a party who is issued a notice of traffic infraction for the infractions enumerated in section 1(2) of this act may not have an execution, garnishment, or other legal process issued for the collection or enforcement of the judgment or order once three years from the date the traffic infraction was issued have elapsed.

**Sec.**  RCW 46.16A.120 and 2012 c 83 s 5 are each amended to read as follows:

(1) Each court and government agency located in this state having jurisdiction over standing, stopping, and parking violations, the use of a photo toll system under RCW 46.63.160, the use of automated traffic safety cameras under RCW 46.63.170, and the use of automated school bus safety cameras under RCW 46.63.180 may forward to the department any outstanding:

(a) Standing, stopping, and parking violations;

(b) Civil penalties for toll nonpayment detected through the use of photo toll systems issued under RCW 46.63.160;

(c) Automated traffic safety camera infractions issued under RCW 46.63.030(1)(d); and

(d) Automated school bus safety camera infractions issued under RCW 46.63.030(1)(e).

(2) Violations, civil penalties, and infractions described in subsection (1) of this section must be reported to the department in the manner described in RCW 46.20.270(3).

(3) The department shall:

(a) Record the violations, civil penalties, and infractions on the matching vehicle records; and

(b)(i) Send notice approximately ((~~one hundred twenty~~)) 120 days in advance of the current vehicle registration expiration date to the registered owner listing ((~~the~~)):

(A) The dates and jurisdictions in which the violations, civil penalties, and infractions occurred((~~, the~~));

(B) The amounts of unpaid fines and penalties((~~, and the~~));

(C) The surcharge to be collected; and

(D) For notice sent for outstanding violations or infractions under subsection (1)(a), (c), and (d) of this section, a statement that payment plan options may be available to pay an outstanding violation or infraction, and to contact the court or government agency that issued the violation or infraction for assistance in enrolling in a payment plan.

(ii) Only those violations, civil penalties, and infractions received by the department ((~~one hundred twenty~~)) 120 days or more before the current vehicle registration expiration date will be included in the notice. Violations, civil penalties, and infractions received by the department later than ((~~one hundred twenty~~)) 120 days before the current vehicle registration expiration date that are not satisfied will be delayed until the next vehicle registration expiration date.

(4) The department, county auditor or other agent, or subagent appointed by the director shall not renew a vehicle registration if there are any outstanding standing, stopping, and parking violations, and other civil penalties issued under RCW 46.63.160 for the vehicle unless:

(a) The outstanding standing, stopping, or parking violations and civil penalties were received by the department within ((~~one hundred twenty~~)) 120 days before the current vehicle registration expiration;

(b) There is a change in registered ownership; or

(c) The registered owner presents proof of payment of each violation, civil penalty, and infraction provided in this section and the registered owner pays the surcharge required under RCW 46.17.030.

(5) For the traffic infractions included in subsection (1)(a), (c), and (d) of this section, the department may not place or retain a hold on a vehicle registration once three years have elapsed since the date the traffic infraction was issued.

(6) When a court or government agency forwards to the department a traffic infraction included in subsection (1)(a), (c), or (d) of this section, the collection of the outstanding debts for these traffic infractions may only be performed by the department, a county auditor or other agent, or a subagent appointed by the director.

(7) The department shall:

(a) Forward a change in registered ownership information to the court or government agency who reported the outstanding violations, civil penalties, or infractions; and

(b) Remove the outstanding violations, civil penalties, and infractions from the vehicle record.

NEW SECTION. **Sec.**  This act takes effect January 1, 2024.

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