
ENGROSSED SUBSTITUTE HOUSE BILL 2384

State of Washington

68th Legislature

2024 Regular Session

By House Transportation (originally sponsored by Representatives Donaghy, Fitzgibbon, Walen, and Pollet)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to automated traffic safety cameras; amending RCW
2 46.16A.120, 46.63.030, 46.63.075, 46.68.480, and 46.63.110; adding
3 new sections to chapter 46.63 RCW; and repealing RCW 46.63.170.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.63
6 RCW to read as follows:

7 The definitions in this section apply throughout this section and
8 sections 2 through 6 of this act unless the context clearly requires
9 otherwise.

10 (1) "Automated traffic safety camera" means a device that uses a
11 vehicle sensor installed to work in conjunction with an intersection
12 traffic control system, a railroad grade crossing control system, or
13 a speed measuring device, and a camera synchronized to automatically
14 record one or more sequenced photographs, microphotographs, or
15 electronic images of the front or rear of a motor vehicle at the time
16 the vehicle fails to stop when facing a steady red traffic control
17 signal or an activated railroad grade crossing control signal, or
18 exceeds a speed limit as detected by a speed measuring device.
19 "Automated traffic safety camera" also includes a device used to
20 detect stopping at intersection or crosswalk violations; stopping

1 when traffic obstructed violations; public transportation only lane
2 violations; and stopping or traveling in restricted lane violations.

3 (2) "Hospital speed zone" means the marked area within hospital
4 property and extending 300 feet from the border of the hospital
5 property (a) consistent with hospital use; and (b) where signs are
6 posted to indicate the location is within a hospital speed zone,
7 where "hospital" has the same meaning as in RCW 70.41.020.

8 (3) "Public park speed zone" means the marked area within public
9 park property and extending 300 feet from the border of the public
10 park property (a) consistent with active park use; and (b) where
11 signs are posted to indicate the location is within a public park
12 speed zone.

13 (4) "Public transportation vehicle" means any motor vehicle,
14 streetcar, train, trolley vehicle, ferry boat, or any other device,
15 vessel, or vehicle that is owned or operated by a transit authority
16 or an entity providing service on behalf of a transit authority that
17 is used for the purpose of carrying passengers and that operates on
18 established routes. "Transit authority" has the same meaning as
19 provided in RCW 9.91.025.

20 (5) "School speed zone" has the same meaning as described in RCW
21 46.61.440 (1) and (2).

22 (6) "School walk zone" means a roadway identified under RCW
23 28A.160.160 or roadways within a one-mile radius of a school that
24 students use to travel to school by foot, bicycle, or other means of
25 active transportation.

26 (7) "Work zone" means an area of any city or county roadway with
27 construction, maintenance, or utility work with a duration of 30
28 calendar days or more. A work zone is identified by the placement of
29 temporary traffic control devices that may include signs,
30 channelizing devices, barriers, pavement markings, and/or work
31 vehicles with warning lights. It extends from the first warning sign
32 or high intensity rotating, flashing, oscillating, or strobe lights
33 on a vehicle to the end road work sign or the last temporary traffic
34 control device or vehicle.

35 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.63
36 RCW to read as follows:

37 (1) Nothing in this section prohibits a law enforcement officer
38 from issuing a notice of traffic infraction to a person in control of

1 a vehicle at the time a violation occurs under RCW 46.63.030(1) (a),
2 (b), or (c).

3 (2) Cities and counties may authorize the use of traffic safety
4 cameras through an ordinance adopted by the local legislative
5 authority.

6 (3) The local legislative authority must prepare an analysis of
7 the locations within the jurisdiction where automated traffic safety
8 cameras are proposed to be located before adding traffic safety
9 cameras or relocating any existing camera to a new location within
10 the jurisdiction. The analysis must include equity considerations
11 including the impact of the camera placement on livability,
12 accessibility, economics, education, and environmental health, and
13 shall consider the outcome of that analysis when identifying where to
14 locate an automated traffic safety camera. The analysis must also
15 show a demonstrated need for traffic cameras based on rates of
16 collision and documented traffic reports showing near collisions, and
17 on anticipated or actual ineffectiveness or infeasibility of other
18 mitigation measures.

19 (4) Automated traffic safety cameras may not be used on an on-
20 ramp to a limited access facility as defined in RCW 47.52.010.

21 (5) A city may use automated traffic safety cameras to enforce
22 traffic ordinances in this section on state highways that are also
23 classified as city streets under chapter 47.24 RCW. A city government
24 must notify the department of transportation when it installs an
25 automated traffic safety camera to enforce traffic ordinances as
26 authorized in this subsection.

27 (6)(a) At a minimum, a local ordinance adopted pursuant to this
28 section must contain the restrictions described in this section and
29 provisions for public notice and signage. Cities and counties using
30 automated traffic safety cameras before July 24, 2005, are subject to
31 the restrictions described in this section, but are not required to
32 adopt an authorizing ordinance.

33 (b)(i) Cities and counties using automated traffic safety cameras
34 must post an annual report on the city or county's website of the
35 number of traffic crashes that occurred at each location where an
36 automated traffic safety camera is located, as well as the number of
37 notices of infraction issued for each camera. Beginning December 1,
38 2025, the annual report must include the percentage of revenues
39 received from fines issued from automated traffic safety camera
40 infractions that were used to pay for the costs of the automated

1 traffic safety camera program and must describe the uses of revenues
2 that exceeded the costs of operation and administration of the
3 automated traffic safety camera program by the city or county.

4 (ii) The Washington traffic safety commission must provide an
5 annual report to the transportation committees of the legislature,
6 and post the report to its website for public access, beginning
7 December 1, 2025, that includes aggregated information on the use of
8 automated traffic safety cameras in the state that includes an
9 assessment of the impact of their use, information required in city
10 and county annual reports under (b)(i) of this subsection, and
11 information on the number of automated traffic safety cameras in use
12 by type and location, with an analysis of camera placement in the
13 context of area demographics and household incomes. Cities and
14 counties using automated traffic safety cameras must provide the
15 commission with the data it requests for the report required under
16 this subsection in a form and manner specified by the commission.

17 (7) All locations where an automated traffic safety camera is
18 used on roadways or intersections must be clearly marked by placing
19 signs at least 30 days prior to activation of the camera in locations
20 that clearly indicate to a driver either that: (a) The driver is
21 within an area where automated traffic safety cameras are authorized;
22 or (b) the driver is entering an area where violations are enforced
23 by an automated traffic safety camera. The signs must be readily
24 visible to a driver approaching an automated traffic safety camera.
25 Signs placed in automated traffic safety camera locations after June
26 7, 2012, must follow the specifications and guidelines under the
27 manual of uniform traffic control devices for streets and highways as
28 adopted by the department of transportation under chapter 47.36 RCW.

29 (8) Automated traffic safety cameras may only record images of
30 the vehicle and vehicle license plate and only while an infraction is
31 occurring. The image must not reveal the face of the driver or of
32 passengers in the vehicle. The primary purpose of camera placement is
33 to record images of the vehicle and vehicle license plate when an
34 infraction is occurring. Cities and counties must consider installing
35 automated traffic safety cameras in a manner that minimizes the
36 impact of camera flash on drivers.

37 (9) A notice of infraction must be mailed to the registered owner
38 of the vehicle within 14 days of the violation, or to the renter of a
39 vehicle within 14 days of establishing the renter's name and address
40 under subsection (18) of this section. The notice of infraction must

1 include with it a certificate or facsimile thereof, based upon
2 inspection of photographs, microphotographs, or electronic images
3 produced by an automated traffic safety camera, stating the facts
4 supporting the notice of infraction. This certificate or facsimile is
5 prima facie evidence of the facts contained in it and is admissible
6 in a proceeding charging a violation under this chapter. The
7 photographs, microphotographs, or electronic images evidencing the
8 violation must be available for inspection and admission into
9 evidence in a proceeding to adjudicate the liability for the
10 infraction. A person receiving a notice of infraction based on
11 evidence detected by an automated traffic safety camera may respond
12 to the notice by mail.

13 (10) The registered owner of a vehicle is responsible for an
14 infraction under RCW 46.63.030(1)(d) unless the registered owner
15 overcomes the presumption in RCW 46.63.075, or, in the case of a
16 rental car business, satisfies the conditions under subsection (18)
17 of this section. If appropriate under the circumstances, a renter
18 identified under subsection (18)(a) of this section is responsible
19 for an infraction.

20 (11) Notwithstanding any other provision of law, all photographs,
21 microphotographs, or electronic images, or any other personally
22 identifying data prepared under this section are for the exclusive
23 use of authorized city or county employees in the discharge of duties
24 under this section and are not open to the public and may not be used
25 in a court in a pending action or proceeding unless the action or
26 proceeding relates to a violation under this section. No photograph,
27 microphotograph, or electronic image, or any other personally
28 identifying data may be used for any purpose other than enforcement
29 of violations under this section nor retained longer than necessary
30 to enforce this section.

31 (12) If a county or city has established an automated traffic
32 safety camera program as authorized under this section, the
33 compensation paid to the manufacturer or vendor of the equipment used
34 must be based only upon the value of the equipment and services
35 provided or rendered in support of the system and may not be based
36 upon a portion of the fine or civil penalty imposed or the revenue
37 generated by the equipment.

38 (13)(a) Except as provided in (c) of this subsection, a county or
39 a city may only use revenue generated by an automated traffic safety
40 camera program as authorized under this section for traffic safety

1 purposes including, but not limited to, projects designed to
2 implement the complete streets approach as defined in RCW 47.04.010,
3 changes in physical infrastructure to reduce speeds through road
4 design, changes to improve safety for active transportation users,
5 improve access and safety for road users with mobility, sight, or
6 other disabilities, and for the cost to administer, install, operate,
7 and maintain the automated traffic safety cameras, including the cost
8 of processing infractions.

9 (b) The automated traffic safety camera program revenue used by a
10 county or city for traffic safety purposes must include the use of
11 revenue in census tracts of the city or county that have household
12 incomes in the lowest quartile determined by the most currently
13 available census data and areas that experience rates of injury
14 crashes that are above average for the city or county. Funding
15 contributed from traffic safety program revenue must be, at a
16 minimum, proportionate to the share of the population of the county
17 or city who are residents of these low-income communities and
18 communities experiencing high injury crash rates. This share must be
19 directed to investments that provide direct and meaningful traffic
20 safety benefits to these communities. Revenue used to administer,
21 install, operate, and maintain automated traffic safety cameras,
22 including the cost of processing infractions, are excluded from
23 determination of the proportionate share of revenues under this
24 subsection (13)(b).

25 (c) Jurisdictions that have automated traffic safety camera
26 programs in effect prior to the effective date of this section, for
27 which an ordinance in effect as of January 1, 2024, directs the
28 manner in which revenue generated from automated traffic safety
29 cameras authorized under section 3 or 5(2)(c) of this act must be
30 used, may continue to allocate revenue for these infractions in
31 accordance with that ordinance, as well as for the purposes
32 established in (a) and (b) of this subsection.

33 (14) A county or city may adopt the use of an online ability-to-
34 pay calculator to process and grant requests for reduced fines or
35 reduced civil penalties for automated traffic safety camera
36 violations.

37 (15) Registered owners of vehicles who receive notices of
38 infraction for automated traffic safety camera-enforced infractions
39 and are recipients of public assistance under Title 74 RCW or
40 participants in the Washington women, infants, and children program,

1 and who request reduced penalties for infractions detected through
2 the use of automated traffic safety camera violations, must be
3 granted reduced penalty amounts of 25 percent of what would otherwise
4 be assessed. Registered owners of vehicles who receive notices of
5 infraction must be provided with information on their eligibility and
6 the opportunity to apply for a reduction in penalty amounts through
7 the mail or internet.

8 (16) Infractions detected through the use of automated traffic
9 safety cameras are not part of the registered owner's driving record
10 under RCW 46.52.101 and 46.52.120. Additionally, infractions
11 generated by the use of automated traffic safety cameras under this
12 section must be processed in the same manner as parking infractions,
13 including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120,
14 and 46.20.270(2). The amount of the fine issued for an infraction
15 generated through the use of an automated traffic safety camera may
16 not exceed the amount of a fine issued for other parking infractions
17 within the jurisdiction. However, the amount of the fine issued for a
18 traffic control signal violation detected through the use of an
19 automated traffic safety camera may not exceed the monetary penalty
20 for a violation of RCW 46.61.050 as provided under RCW 46.63.110,
21 including all applicable statutory assessments; and the amount of
22 fine issued for other automated traffic safety camera violations
23 detected through the use of an automated traffic safety camera may
24 not exceed two-thirds of the monetary penalty for a violation of an
25 unscheduled infraction as prescribed by the supreme court in
26 accordance with RCW 46.63.110(3), including two-thirds of all
27 applicable statutory assessments.

28 (17) In addition to the penalty amounts for automated traffic
29 safety camera infractions authorized in subsection (16) of this
30 section, automated traffic safety camera infraction penalties must
31 also include the fee specified in RCW 46.63.110(7)(c) to be deposited
32 in the traumatic brain injury account created in RCW 74.31.060. This
33 fee is waived for registered owners of vehicles granted the penalty
34 reduction specified in subsection (15) of this section.

35 (18) If the registered owner of the vehicle is a rental car
36 business, the law enforcement agency must, before a notice of
37 infraction being issued under this section, provide a written notice
38 to the rental car business that a notice of infraction may be issued
39 to the rental car business if the rental car business does not,

1 within 18 days of receiving the written notice, provide to the
2 issuing agency by return mail:

3 (a) A statement under oath stating the name and known mailing
4 address of the individual driving or renting the vehicle when the
5 infraction occurred; or

6 (b) A statement under oath that the business is unable to
7 determine who was driving or renting the vehicle at the time the
8 infraction occurred because the vehicle was stolen at the time of the
9 infraction. A statement provided under this subsection must be
10 accompanied by a copy of a filed police report regarding the vehicle
11 theft; or

12 (c) In lieu of identifying the vehicle operator, the rental car
13 business may pay the applicable penalty. Timely mailing of this
14 statement to the issuing law enforcement agency relieves a rental car
15 business of any liability under this chapter for the notice of
16 infraction.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.63
18 RCW to read as follows:

19 (1) Automated traffic safety cameras may be used to detect
20 stoplight violations, subject to section 2 of this act.

21 (2) Automated traffic safety cameras used to detect stoplight
22 violations are restricted to intersections of two or more arterials
23 with traffic control signals that have yellow change interval
24 durations in accordance with RCW 47.36.022, which interval durations
25 may not be reduced after placement of the camera.

26 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.63
27 RCW to read as follows:

28 (1) Automated traffic safety cameras may be used to detect
29 railroad grade crossing violations, subject to section 2 of this act.

30 (2) Automated traffic safety cameras at rail crossings may be
31 used only to detect instances when a vehicle fails to stop when
32 facing an activated railroad grade crossing control signal.

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.63
34 RCW to read as follows:

35 (1) Automated traffic safety cameras may be used to detect speed
36 violations, subject to section 2 of this act.

1 (2) Automated traffic safety cameras may be used to detect speed
2 violations within the following locations:

3 (a) Hospital speed zones;

4 (b) Public park speed zones;

5 (c) School speed zones;

6 (d) School walk zones;

7 (e) Work zones on city streets, including on state highways also
8 classified as city streets under chapter 47.24 RCW, and county roads
9 as defined in RCW 46.04.150, except that a notice of infraction may
10 only be issued if an automated traffic safety camera captures a speed
11 violation when workers are present; and

12 (f) State highways within city limits that are classified as city
13 streets under chapter 47.24 RCW.

14 (3) In addition to the automated traffic safety cameras that may
15 be authorized for specified zones or roads in subsection (2) of this
16 section, the local legislative authority may authorize the use of one
17 additional automated traffic safety camera per 10,000 population to
18 detect speed violations in locations deemed by the local legislative
19 authority to experience higher crash risks due to excessive vehicle
20 speeds. For automated traffic safety cameras authorized to detect
21 speed violations as part of a pilot program prior to the effective
22 date of this section, the location must be deemed by a local
23 legislative authority to have experienced higher crash risks due to
24 excessive vehicle speeds prior to installation of the automated
25 traffic safety camera.

26 (4) Notices of infraction for automated traffic safety camera-
27 detected speed violations may not be issued to the registered vehicle
28 owner of:

29 (a) A law enforcement or marked fire department vehicle equipped
30 with emergency lights and siren; or

31 (b) An ambulance licensed by the department of health and
32 equipped with emergency lights and siren.

33 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.63
34 RCW to read as follows:

35 (1) Subject to section 2 of this act, automated traffic safety
36 cameras may be used in cities with populations of 10,000 residents or
37 greater to detect one or more of the following violations:

38 (a) Stopping when traffic obstructed violations;

39 (b) Stopping at intersection or crosswalk violations;

- 1 (c) Public transportation only lane violations; or
- 2 (d) Stopping or traveling in restricted lane violations.

3 (2) A transit authority may not take disciplinary action
4 regarding a warning or infraction issued pursuant to this section
5 against an employee who was operating a public transportation vehicle
6 at the time the violation that was the basis of the warning or
7 infraction was detected.

8 **Sec. 7.** RCW 46.16A.120 and 2012 c 83 s 5 are each amended to
9 read as follows:

10 (1) Each court and government agency located in this state having
11 jurisdiction over standing, stopping, and parking violations, the use
12 of a photo toll system under RCW 46.63.160, the use of automated
13 traffic safety cameras under (~~RCW 46.63.170~~) sections 2 through 6
14 of this act, and the use of automated school bus safety cameras under
15 RCW 46.63.180 may forward to the department any outstanding:

- 16 (a) Standing, stopping, and parking violations;
- 17 (b) Civil penalties for toll nonpayment detected through the use
18 of photo toll systems issued under RCW 46.63.160;
- 19 (c) Automated traffic safety camera infractions issued under RCW
20 46.63.030(1)(d); and
- 21 (d) Automated school bus safety camera infractions issued under
22 RCW 46.63.030(1)(e).

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

26 (3) The department shall:

- 27 (a) Record the violations, civil penalties, and infractions on
28 the matching vehicle records; and
- 29 (b) Send notice approximately (~~one hundred twenty~~) 120 days in
30 advance of the current vehicle registration expiration date to the
31 registered owner listing the dates and jurisdictions in which the
32 violations, civil penalties, and infractions occurred, the amounts of
33 unpaid fines and penalties, and the surcharge to be collected. Only
34 those violations, civil penalties, and infractions received by the
35 department (~~one hundred twenty~~) 120 days or more before the current
36 vehicle registration expiration date will be included in the notice.
37 Violations, civil penalties, and infractions received by the
38 department later than (~~one hundred twenty~~) 120 days before the

1 current vehicle registration expiration date that are not satisfied
2 will be delayed until the next vehicle registration expiration date.

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

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

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

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

15 (5) The department shall:

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

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

21 **Sec. 8.** RCW 46.63.030 and 2023 c 17 s 1 are each amended to read
22 as follows:

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

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

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

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

33 (d) When the infraction is detected through the use of an
34 automated traffic safety camera under (~~RCW 46.63.170~~) sections 2
35 through 6 of this act. A trained and authorized civilian employee of
36 a general authority Washington law enforcement agency, as defined in
37 RCW 10.93.020, or an employee of a local public works or
38 transportation department performing under the supervision of a
39 qualified traffic engineer and designated by a city or county, has

1 the authority to review infractions detected through the use of an
2 automated traffic safety camera under sections 2 through 6 of this
3 act and to issue notices of infraction consistent with section 2(9)
4 of this act. These employees must be sufficiently trained and
5 certified in reviewing infractions and issuing notices of infraction
6 by qualified peace officers or by traffic engineers employed in the
7 jurisdiction's public works or transportation department. Nothing in
8 this subsection impairs decision and effects collective bargaining
9 rights under chapter 41.56 RCW;

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

12 (f) When the infraction is detected through the use of a speed
13 safety camera system under RCW 46.63.200.

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

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

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

1 **Sec. 9.** RCW 46.63.075 and 2023 c 17 s 2 are each amended to read
2 as follows:

3 (1) In a traffic infraction case involving an infraction detected
4 through the use of an automated traffic safety camera under ((RCW
5 ~~46.63.170~~)) sections 2 through 6 of this act, detected through the
6 use of a speed safety camera system under RCW 46.63.200, or detected
7 through the use of an automated school bus safety camera under RCW
8 46.63.180, proof that the particular vehicle described in the notice
9 of traffic infraction was in violation of any such provision of
10 sections 2 through 6 of this act or RCW ((~~46.63.170~~,)) 46.63.200((~~7~~))
11 and 46.63.180, together with proof that the person named in the
12 notice of traffic infraction was at the time of the violation the
13 registered owner of the vehicle, constitutes in evidence a prima
14 facie presumption that the registered owner of the vehicle was the
15 person in control of the vehicle at the point where, and for the time
16 during which, the violation occurred.

17 (2) This presumption may be overcome only if the registered owner
18 states, under oath, in a written statement to the court or in
19 testimony before the court that the vehicle involved was, at the
20 time, stolen or in the care, custody, or control of some person other
21 than the registered owner.

22 **Sec. 10.** RCW 46.68.480 and 2023 c 431 s 8 are each amended to
23 read as follows:

24 The Cooper Jones active transportation safety account is created
25 in the state treasury. All ((~~receipts from penalties collected under~~
26 ~~RCW 46.63.170~~)) funds designated by the legislature shall be
27 deposited into the account. Expenditures from the account may be used
28 only to fund grant projects or programs for bicycle, pedestrian, and
29 nonmotorist safety improvement administered by the Washington traffic
30 safety commission. By December 1, 2024, and every two years
31 thereafter, the commission shall report to the transportation
32 committees of the legislature regarding the activities funded from
33 the account. The account is subject to allotment procedures under
34 chapter 43.88 RCW. Moneys in the account may be spent only after
35 appropriation.

36 **Sec. 11.** RCW 46.63.110 and 2023 c 388 s 2 are each amended to
37 read as follows:

1 (1)(a) A person found to have committed a traffic infraction
2 shall be assessed a monetary penalty. No penalty may exceed \$250 for
3 each offense unless authorized by this chapter or title.

4 (b) The court may waive or remit any monetary penalty, fee, cost,
5 assessment, or other monetary obligation associated with a traffic
6 infraction unless the specific monetary obligation in question is
7 prohibited from being waived or remitted by state law.

8 (2) The monetary penalty for a violation of (a) RCW 46.55.105(2)
9 is \$250 for each offense; (b) RCW 46.61.210(1) is \$500 for each
10 offense. No penalty assessed under this subsection (2) may be
11 reduced.

12 (3) The supreme court shall prescribe by rule a schedule of
13 monetary penalties for designated traffic infractions. This rule
14 shall also specify the conditions under which local courts may
15 exercise discretion in assessing fines and penalties for traffic
16 infractions. The legislature respectfully requests the supreme court
17 to adjust this schedule every two years for inflation.

18 (4) There shall be a penalty of \$25 for failure to respond to a
19 notice of traffic infraction except where the infraction relates to
20 parking as defined by local law, ordinance, regulation, or resolution
21 or failure to pay a monetary penalty imposed pursuant to this
22 chapter. A local legislative body may set a monetary penalty not to
23 exceed \$25 for failure to respond to a notice of traffic infraction
24 relating to parking as defined by local law, ordinance, regulation,
25 or resolution. The local court, whether a municipal, police, or
26 district court, shall impose the monetary penalty set by the local
27 legislative body.

28 (5) Monetary penalties provided for in chapter 46.70 RCW which
29 are civil in nature and penalties which may be assessed for
30 violations of chapter 46.44 RCW relating to size, weight, and load of
31 motor vehicles are not subject to the limitation on the amount of
32 monetary penalties which may be imposed pursuant to this chapter.

33 (6) Whenever a monetary penalty, fee, cost, assessment, or other
34 monetary obligation is imposed by a court under this chapter, it is
35 immediately payable and is enforceable as a civil judgment under
36 Title 6 RCW. If the court determines that a person is not able to pay
37 a monetary obligation in full, the court shall enter into a payment
38 plan with the person in accordance with RCW 46.63.190 and standards
39 that may be set out in court rule.

1 (7) In addition to any other penalties imposed under this section
2 and not subject to the limitation of subsection (1) of this section,
3 a person found to have committed a traffic infraction shall be
4 assessed:

5 (a) A fee of \$5 per infraction. Under no circumstances shall this
6 fee be reduced or waived. Revenue from this fee shall be forwarded to
7 the state treasurer for deposit in the emergency medical services and
8 trauma care system trust account under RCW 70.168.040;

9 (b) A fee of \$10 per infraction. Under no circumstances shall
10 this fee be reduced or waived. Revenue from this fee shall be
11 forwarded to the state treasurer for deposit in the general fund; and

12 (c) A fee of \$5 per infraction. Under no circumstances shall this
13 fee be reduced or waived, except as provided in section 2 of this
14 act. Revenue from this fee shall be forwarded to the state treasurer
15 for deposit in the traumatic brain injury account established in RCW
16 74.31.060.

17 (8)(a) In addition to any other penalties imposed under this
18 section and not subject to the limitation of subsection (1) of this
19 section, a person found to have committed a traffic infraction other
20 than of RCW 46.61.527 or 46.61.212 shall be assessed an additional
21 penalty of \$24. The court may not reduce, waive, or suspend the
22 additional penalty unless the court finds the offender to be
23 indigent. If a court authorized community restitution program for
24 offenders is available in the jurisdiction, the court shall allow
25 offenders to offset all or a part of the penalty due under this
26 subsection (8) by participation in the court authorized community
27 restitution program.

28 (b) \$12.50 of the additional penalty under (a) of this subsection
29 shall be remitted to the state treasurer. The remaining revenue from
30 the additional penalty must be remitted under chapters 2.08, 3.46,
31 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted under this
32 subsection to the state treasurer must be deposited as follows: \$8.50
33 in the state general fund and \$4 in the driver licensing technology
34 support account created under RCW 46.68.067. The moneys deposited
35 into the driver licensing technology support account must be used to
36 support information technology systems used by the department to
37 communicate with the judicial information system, manage driving
38 records, and implement court orders. The balance of the revenue
39 received by the county or city treasurer under this subsection must
40 be deposited into the county or city current expense fund. Moneys

1 retained by the city or county under this subsection shall constitute
2 reimbursement for any liabilities under RCW 43.135.060.

3 (9) If a legal proceeding, such as garnishment, has commenced to
4 collect any delinquent amount owed by the person for any penalty
5 imposed by the court under this section, the person may request a
6 payment plan pursuant to RCW 46.63.190.

7 (10) The monetary penalty for violating RCW 46.37.395 is: (a)
8 \$250 for the first violation; (b) \$500 for the second violation; and
9 (c) \$750 for each violation thereafter.

10 (11) The additional monetary penalty for a violation of RCW
11 46.20.500 is not subject to assessments or fees provided under this
12 section.

13 (12) The additional monetary fine for a violation of RCW
14 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190, and 46.61.205
15 is not subject to assessments or fees provided under this section.

16 (13) The additional monetary penalties for a violation of RCW
17 46.61.165 are not subject to assessments or fees provided under this
18 section.

19 NEW SECTION. **Sec. 12.** RCW 46.63.170 (Automated traffic safety
20 cameras—Definition) and 2022 c 182 s 424, 2022 c 182 s 423, 2020 c
21 224 s 1, 2015 3rd sp.s. c 44 s 406, 2015 1st sp.s. c 10 s 702, & 2013
22 c 306 s 711 are each repealed.

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