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**SUBSTITUTE HOUSE BILL 2384**

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**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" means the marked crosswalk adjacent to a  
21 school and the 300 feet in either direction of the crosswalk on a  
22 roadway as indicated by standard school speed limit signs or standard  
23 playground speed limit signs.

24 (6) "School walk zone" has the same meaning as described in RCW  
25 46.61.440.

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.

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

17 (5) A city government may use automated traffic safety cameras to  
18 enforce traffic ordinances in this section on state highways that are  
19 also classified as city streets under chapter 47.24 RCW.

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

26 (b) Cities and counties using automated traffic safety cameras  
27 must post an annual report on the city or county's website of the  
28 number of traffic crashes that occurred at each location where an  
29 automated traffic safety camera is located, as well as the number of  
30 notices of infraction issued for each camera. The annual report must  
31 include the percentage of revenues received from fines issued from  
32 automated traffic safety camera infractions that were used to pay for  
33 the costs of the automated traffic safety camera program and must  
34 describe the uses of revenues that exceeded the costs of operation  
35 and administration of the automated traffic safety camera program by  
36 the city or county.

37 (7) All locations where an automated traffic safety camera is  
38 used on roadways or intersections must be clearly marked by placing  
39 signs at least 30 days prior to activation of the camera in locations  
40 that clearly indicate to a driver either that: (a) The driver is

1 within an area where automated traffic safety cameras are authorized;  
2 or (b) the driver is entering an area where violations are enforced  
3 by an automated traffic safety camera. Signs placed in automated  
4 traffic safety camera locations after June 7, 2012, must follow the  
5 specifications and guidelines under the manual of uniform traffic  
6 control devices for streets and highways as adopted by the department  
7 of transportation under chapter 47.36 RCW.

8 (8) Automated traffic safety cameras may only record images of  
9 the vehicle and vehicle license plate and only while an infraction is  
10 occurring. The image must not reveal the face of the driver or of  
11 passengers in the vehicle. The primary purpose of camera placement is  
12 to record images of the vehicle and vehicle license plate when an  
13 infraction is occurring. Cities and counties must consider installing  
14 automated traffic safety cameras in a manner that minimizes the  
15 impact of camera flash on drivers.

16 (9) A notice of infraction must be mailed to the registered owner  
17 of the vehicle within 14 days of the violation, or to the renter of a  
18 vehicle within 14 days of establishing the renter's name and address  
19 under subsection (18) of this section. The notice of infraction must  
20 include with it a certificate or facsimile thereof, based upon  
21 inspection of photographs, microphotographs, or electronic images  
22 produced by an automated traffic safety camera, stating the facts  
23 supporting the notice of infraction. This certificate or facsimile is  
24 prima facie evidence of the facts contained in it and is admissible  
25 in a proceeding charging a violation under this chapter. The  
26 photographs, microphotographs, or electronic images evidencing the  
27 violation must be available for inspection and admission into  
28 evidence in a proceeding to adjudicate the liability for the  
29 infraction. A person receiving a notice of infraction based on  
30 evidence detected by an automated traffic safety camera may respond  
31 to the notice by mail.

32 (10) The registered owner of a vehicle is responsible for an  
33 infraction under RCW 46.63.030(1)(d) unless the registered owner  
34 overcomes the presumption in RCW 46.63.075, or, in the case of a  
35 rental car business, satisfies the conditions under subsection (18)  
36 of this section. If appropriate under the circumstances, a renter  
37 identified under subsection (18)(a) of this section is responsible  
38 for an infraction.

39 (11) Notwithstanding any other provision of law, all photographs,  
40 microphotographs, or electronic images, or any other personally

1 identifying data prepared under this section are for the exclusive  
2 use of authorized city or county employees in the discharge of duties  
3 under this section and are not open to the public and may not be used  
4 in a court in a pending action or proceeding unless the action or  
5 proceeding relates to a violation under this section. No photograph,  
6 microphotograph, or electronic image, or any other personally  
7 identifying data may be used for any purpose other than enforcement  
8 of violations under this section nor retained longer than necessary  
9 to enforce this section.

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

17 (13)(a) A county or a city may only use revenue generated by an  
18 automated traffic safety camera program as authorized under this  
19 section for traffic safety purposes including, but not limited to,  
20 projects designed to implement the complete streets approach as  
21 defined in RCW 47.04.010, changes in physical infrastructure to  
22 reduce speeds through road design, changes to improve safety for  
23 active transportation users, improve access and safety for road users  
24 with mobility, sight, or other disabilities, or the cost to  
25 administer, install, operate, and maintain the automated traffic  
26 safety cameras, including the cost of processing infractions.

27 (b) The automated traffic safety camera program revenue used by a  
28 county or city for traffic safety purposes must include the use of  
29 revenue in overburdened communities identified under chapter 70A.02  
30 RCW in the county or city that, at a minimum, is proportionate to the  
31 share of the population of the county or city who are residents of  
32 these communities. This share must be directed to investments that  
33 provide direct and meaningful benefits to vulnerable populations  
34 within the boundaries of overburdened communities. Revenue used to  
35 administer, install, operate, and maintain automated traffic safety  
36 cameras, including the cost of processing infractions, are excluded  
37 from determination of the proportionate share of revenues under this  
38 subsection (13)(b).

39 (14) A county or city may adopt the use of an online ability-to-  
40 pay calculator to process and grant requests for reduced fines or

1 reduced civil penalties for automated traffic safety camera  
2 violations.

3 (15) Registered owners of vehicles who receive notices of  
4 infraction for automated traffic safety cameras and are recipients of  
5 public assistance under Title 74 RCW or participants in the  
6 Washington women, infants, and children program, and who request  
7 reduced penalties for infractions detected through the use of  
8 automated traffic safety camera violations, must be granted reduced  
9 penalty amounts of 25 percent of what would otherwise be assessed.  
10 Registered owners of vehicles who receive notices of infraction must  
11 be provided with information on their eligibility and the opportunity  
12 to apply for a reduction in penalty amounts through the mail or  
13 internet.

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

28 (17) In addition to the penalty amounts for automated traffic  
29 safety camera infractions authorized in subsection (15) 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 rail  
29 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 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; and

10 (f) State highways within city limits also classified as city  
11 streets under chapter 47.24 RCW.

12 (3) In addition to the automated traffic safety cameras that may  
13 be authorized for specified zones or roads in subsection (2) of this  
14 section, the local legislative authority may authorize the use of one  
15 additional automated traffic safety camera per 10,000 population to  
16 detect speed violations in locations deemed by the local legislative  
17 authority to experience higher crash risks due to excessive vehicle  
18 speeds.

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

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

24 (a) Stopping when traffic obstructed violations;

25 (b) Stopping at intersection or crosswalk violations;

26 (c) Public transportation only lane violations; or

27 (d) Stopping or traveling in restricted lane violations.

28 (2) A transit authority may not take disciplinary action  
29 regarding a warning or infraction issued pursuant to this section  
30 against an employee who was operating a public transportation vehicle  
31 at the time the violation that was the basis of the warning or  
32 infraction was detected.

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

35 (1) Each court and government agency located in this state having  
36 jurisdiction over standing, stopping, and parking violations, the use  
37 of a photo toll system under RCW 46.63.160, the use of automated  
38 traffic safety cameras under (~~RCW 46.63.170~~) sections 2 through 6



1 of this act, and the use of automated school bus safety cameras under  
2 RCW 46.63.180 may forward to the department any outstanding:

- 3 (a) Standing, stopping, and parking violations;
- 4 (b) Civil penalties for toll nonpayment detected through the use  
5 of photo toll systems issued under RCW 46.63.160;
- 6 (c) Automated traffic safety camera infractions issued under RCW  
7 46.63.030(1)(d); and
- 8 (d) Automated school bus safety camera infractions issued under  
9 RCW 46.63.030(1)(e).

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

13 (3) The department shall:

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

16 (b) Send notice approximately (~~one hundred twenty~~) 120 days in  
17 advance of the current vehicle registration expiration date to the  
18 registered owner listing the dates and jurisdictions in which the  
19 violations, civil penalties, and infractions occurred, the amounts of  
20 unpaid fines and penalties, and the surcharge to be collected. Only  
21 those violations, civil penalties, and infractions received by the  
22 department (~~one hundred twenty~~) 120 days or more before the current  
23 vehicle registration expiration date will be included in the notice.  
24 Violations, civil penalties, and infractions received by the  
25 department later than (~~one hundred twenty~~) 120 days before the  
26 current vehicle registration expiration date that are not satisfied  
27 will be delayed until the next vehicle registration expiration date.

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

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

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

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

40 (5) The department shall:

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

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

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

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

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

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

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

18 (d) When the infraction is detected through the use of an  
19 automated traffic safety camera under ~~((RCW 46.63.170))~~ sections 2  
20 through 6 of this act. A noncommissioned officer and any public  
21 employee as designated by a city or county has the authority to  
22 review infractions detected through the use of an automated traffic  
23 safety camera under sections 2 through 6 of this act and issue  
24 notices of infraction consistent with section 2(9) of this act. Such  
25 officers and employees must be sufficiently trained by cities,  
26 counties, or local law enforcement in reviewing such infractions and  
27 issuing such notices. Nothing in this subsection impairs decision and  
28 effects collective bargaining rights under chapter 41.56 RCW;

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

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

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

36 (3) If any motor vehicle without a driver is found parked,  
37 standing, or stopped in violation of this title or an equivalent  
38 administrative regulation or local law, ordinance, regulation, or  
39 resolution, the officer finding the vehicle shall take its

1 registration number and may take any other information displayed on  
2 the vehicle which may identify its user, and shall conspicuously  
3 affix to the vehicle a notice of traffic infraction.

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

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

23 (1) In a traffic infraction case involving an infraction detected  
24 through the use of an automated traffic safety camera under ((RCW  
25 ~~46.63.170~~)) sections 2 through 6 of this act, detected through the  
26 use of a speed safety camera system under RCW 46.63.200, or detected  
27 through the use of an automated school bus safety camera under RCW  
28 46.63.180, proof that the particular vehicle described in the notice  
29 of traffic infraction was in violation of any such provision of  
30 sections 2 through 6 of this act or RCW ((~~46.63.170~~)) 46.63.200((~~7~~))  
31 and 46.63.180, together with proof that the person named in the  
32 notice of traffic infraction was at the time of the violation the  
33 registered owner of the vehicle, constitutes in evidence a prima  
34 facie presumption that the registered owner of the vehicle was the  
35 person in control of the vehicle at the point where, and for the time  
36 during which, the violation occurred.

37 (2) This presumption may be overcome only if the registered owner  
38 states, under oath, in a written statement to the court or in  
39 testimony before the court that the vehicle involved was, at the

1 time, stolen or in the care, custody, or control of some person other  
2 than the registered owner.

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

5 The Cooper Jones active transportation safety account is created  
6 in the state treasury. All (~~receipts from penalties collected under~~  
7 ~~RCW 46.63.170~~) funds designated by the legislature shall be  
8 deposited into the account. Expenditures from the account may be used  
9 only to fund grant projects or programs for bicycle, pedestrian, and  
10 nonmotorist safety improvement administered by the Washington traffic  
11 safety commission. By December 1, 2024, and every two years  
12 thereafter, the commission shall report to the transportation  
13 committees of the legislature regarding the activities funded from  
14 the account. The account is subject to allotment procedures under  
15 chapter 43.88 RCW. Moneys in the account may be spent only after  
16 appropriation.

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

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

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

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

30 (3) The supreme court shall prescribe by rule a schedule of  
31 monetary penalties for designated traffic infractions. This rule  
32 shall also specify the conditions under which local courts may  
33 exercise discretion in assessing fines and penalties for traffic  
34 infractions. The legislature respectfully requests the supreme court  
35 to adjust this schedule every two years for inflation.

36 (4) There shall be a penalty of \$25 for failure to respond to a  
37 notice of traffic infraction except where the infraction relates to  
38 parking as defined by local law, ordinance, regulation, or resolution

1 or failure to pay a monetary penalty imposed pursuant to this  
2 chapter. A local legislative body may set a monetary penalty not to  
3 exceed \$25 for failure to respond to a notice of traffic infraction  
4 relating to parking as defined by local law, ordinance, regulation,  
5 or resolution. The local court, whether a municipal, police, or  
6 district court, shall impose the monetary penalty set by the local  
7 legislative body.

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

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

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

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

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

31 (c) A fee of \$5 per infraction. Under no circumstances shall this  
32 fee be reduced or waived, except as provided in section 2 of this  
33 act. Revenue from this fee shall be forwarded to the state treasurer  
34 for deposit in the traumatic brain injury account established in RCW  
35 74.31.060.

36 (8)(a) In addition to any other penalties imposed under this  
37 section and not subject to the limitation of subsection (1) of this  
38 section, a person found to have committed a traffic infraction other  
39 than of RCW 46.61.527 or 46.61.212 shall be assessed an additional  
40 penalty of \$24. The court may not reduce, waive, or suspend the

1 additional penalty unless the court finds the offender to be  
2 indigent. If a court authorized community restitution program for  
3 offenders is available in the jurisdiction, the court shall allow  
4 offenders to offset all or a part of the penalty due under this  
5 subsection (8) by participation in the court authorized community  
6 restitution program.

7 (b) \$12.50 of the additional penalty under (a) of this subsection  
8 shall be remitted to the state treasurer. The remaining revenue from  
9 the additional penalty must be remitted under chapters 2.08, 3.46,  
10 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted under this  
11 subsection to the state treasurer must be deposited as follows: \$8.50  
12 in the state general fund and \$4 in the driver licensing technology  
13 support account created under RCW 46.68.067. The moneys deposited  
14 into the driver licensing technology support account must be used to  
15 support information technology systems used by the department to  
16 communicate with the judicial information system, manage driving  
17 records, and implement court orders. The balance of the revenue  
18 received by the county or city treasurer under this subsection must  
19 be deposited into the county or city current expense fund. Moneys  
20 retained by the city or county under this subsection shall constitute  
21 reimbursement for any liabilities under RCW 43.135.060.

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

26 (10) The monetary penalty for violating RCW 46.37.395 is: (a)  
27 \$250 for the first violation; (b) \$500 for the second violation; and  
28 (c) \$750 for each violation thereafter.

29 (11) The additional monetary penalty for a violation of RCW  
30 46.20.500 is not subject to assessments or fees provided under this  
31 section.

32 (12) The additional monetary fine for a violation of RCW  
33 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190, and 46.61.205  
34 is not subject to assessments or fees provided under this section.

35 (13) The additional monetary penalties for a violation of RCW  
36 46.61.165 are not subject to assessments or fees provided under this  
37 section.

38 NEW SECTION. **Sec. 12.** RCW 46.63.170 (Automated traffic safety  
39 cameras—Definition) and 2022 c 182 s 424, 2022 c 182 s 423, 2020 c

1 224 s 1, 2015 3rd sp.s. c 44 s 406, 2015 1st sp.s. c 10 s 702, & 2013  
2 c 306 s 711 are each repealed.

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