

**Chapter 46.83 RCW
TRAFFIC SCHOOLS**

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RCW 46.83.010 City, town, and county traffic schools authorized—Procedure to establish. Any city, town, or county may establish a traffic school for the purposes and under the conditions set forth in this chapter. A city, town, or county traffic school may be established whenever the governing body of the city, town, or county adopts an ordinance or a resolution declaring the intention to organize and operate a traffic school in accordance with the financing, organization, and operation of the traffic school as described in the ordinance or resolution. [2016 c 201 s 1; 1961 c 12 s 46.83.010. Prior: 1959 c 182 s 1.]

RCW 46.83.020 City, town, or county governing bodies to control and supervise—Assistance of county sheriff or city or town police department. A traffic school established under this chapter shall be under the control and supervision of the governing body of the city, town, or county that has established the traffic school, through such agents, assistants, or instructors as the governing body may designate. The traffic school of a city, town, or county shall be conducted with the assistance of the police department of the city or town or with the assistance of the county sheriff. [2016 c 201 s 2; 1961 c 12 s 46.83.020. Prior: 1959 c 182 s 2.]

RCW 46.83.030 Deposit, control of funds—Support. All funds appropriated by the city, town, or county to the operation of the traffic school shall be deposited with the city, town, or county treasurer and shall be administered by the governing body of the city, town, or county. The governing bodies of every city, town, or county participating in the operation of traffic schools are authorized to make such appropriations by ordinance or resolution, as the case may be, as they shall determine for the establishment and operation of traffic schools, and they are further authorized to accept and expend gifts, donations, and any other money from any source, private or

public, given for the purpose of said schools. [2016 c 201 s 3; 1961 c 12 s 46.83.030. Prior: 1959 c 182 s 3.]

RCW 46.83.040 Purpose of school. It shall be the purpose of every traffic school which may be established hereunder to instruct, educate, and inform all persons appearing for training in the proper, lawful, and safe operation of motor vehicles, including but not limited to rules of the road and the limitations of persons, vehicles, and bicycles and roads, streets, and highways under varying conditions and circumstances. [1998 c 165 s 7; 1961 c 12 s 46.83.040. Prior: 1959 c 182 s 4.]

Short title—1998 c 165: See note following RCW 43.59.010.

RCW 46.83.050 Court may order attendance. Every municipal court, district court, juvenile court, superior court, and every other court handling traffic cases within the limits of a county wherein a traffic school has been established may, as a part of any sentence imposed following a conviction for any traffic law violation, or as a condition on the suspension of sentence or deferral of any imposition of sentence, order any person so convicted, whether that person be a juvenile, a minor, or an adult, to attend the traffic school for a number of days to be determined by the court, but not to exceed the maximum number of days which the violator could be required to serve in the city or county jail as a result of his or her conviction. [1984 c 258 s 138; 1961 c 12 s 46.83.050. Prior: 1959 c 182 s 5.]

Court Improvement Act of 1984—Effective dates—Severability—Short title—1984 c 258: See notes following RCW 3.30.010.

Application—1984 c 258 ss 101-139: See note following RCW 3.50.005.

RCW 46.83.060 Duty of person required to attend—Penalty. Every person required to attend a traffic school as established under the provisions of this chapter shall maintain attendance in accordance with the sentence or order. Failure so to do, unless for good cause shown by clear and convincing evidence, is a traffic infraction. [1979 ex.s. c 136 s 98; 1961 c 12 s 46.83.060. Prior: 1959 c 182 s 6.]

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

RCW 46.83.070 Use of fees collected in excess of school costs—Limitations. (1) A traffic school established by a city, town, or county under this chapter that collects fees for the cost of attending the traffic school may use any fees collected that are in excess of the costs of the traffic school for the following activities:

- (a) Safe driver education materials and programs;
- (b) Safe driver education promotions and advertising; or
- (c) Costs associated with the training of law enforcement officers.

(2) This section does not authorize a city, town, or county to increase or impose new fees for traffic schools solely for the uses authorized in subsection (1) of this section.

(3) This section is not intended, and may not be construed, to reduce, increase, or otherwise impact funding for judicial programs, functions, or services.

(4) The fees collected by a traffic school in excess of the costs of the traffic school must be used only for the activities listed in subsection (1) of this section and are not subject to indirect costs or to be used to supplement any other costs of a city, town, or county not specifically described in this section. [2013 c 41 s 1; 2011 c 197 s 1.]

RCW 46.83.080 Prohibition on school fee in excess of penalty for unscheduled traffic infraction. A traffic school established by a city, town, or county under this chapter that collects fees for the cost of attending the traffic school may not charge a fee in excess of the penalty for an unscheduled traffic infraction established by the supreme court pursuant to RCW 46.63.110. For the purposes of this section, the penalty includes the base penalty and all assessments and other costs that are required by statute or rule to be added to the base penalty. [2011 c 197 s 2.]

RCW 46.83.090 Bicycle and pedestrian curriculum requirement. Any jurisdiction conducting a traffic school or traffic safety course in connection with a condition of a deferral, sentence, or penalty for a traffic infraction or traffic-related criminal offense listed under RCW 46.63.020 shall include, as part of its curriculum, the curriculum for driving safely among bicyclists and pedestrians that has been approved by the department of licensing for driver training schools. This curriculum requirement does not require that more than thirty minutes be devoted to the bicycle and pedestrian curriculum. [2011 c 17 s 2.]

Finding—2011 c 17: "The legislature finds that a number of cities and counties in the state of Washington conduct traffic schools or traffic safety courses for persons cited for traffic infractions or traffic-related criminal offenses as a condition of a deferral, sentence, or penalty. The legislature recognizes that since driver education programs have only recently been required to provide information about how to drive safely among bicyclists and pedestrians, many licensed drivers do not have knowledge about such safe driving practices. In order to increase such knowledge and to avoid unnecessary injuries, fatalities, and conflicts, the legislature believes that it is appropriate to include the bicycle and pedestrian curriculum approved by the department of licensing for driver training schools as part of the curriculum of such traffic schools and traffic safety courses. Curriculum materials, which are donated by bicycle organizations to the department of licensing without state expense, are available from the department of licensing and are also available electronically on the department's website." [2011 c 17 s 1.]