

SENATE BILL REPORT

SHB 1265

As Reported by Senate Committee On:
Transportation, March 19, 2013

Title: An act relating to modifying provisions in the forms for traffic infraction notices.

Brief Description: Modifying provisions in the forms for traffic infraction notices.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Freeman, Rodne, Goodman and Ryu).

Brief History: Passed House: 3/04/13, 98-0.

Committee Activity: Transportation: 3/14/13, 3/19/13 [DPA].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Eide, Co-Chair; King, Co-Chair; Benton, Vice Co-Chair; Hobbs, Vice Co-Chair; Fain, Budget Leadership Cabinet; Billig, Brown, Ericksen, Litzow, Mullet, Rolfes, Schlicher and Smith.

Staff: Kim Johnson (786-7472)

Background: The form for the notice of a traffic infraction is prescribed by rule of the Supreme Court, however some of the content of the notice of a traffic infraction form is specified in statute. The current notice of a traffic infraction form must contain a statement that a person's driver's license "will be suspended" if that person fails to respond to the notice within 15 days. The form also must state that a person's failure to appear at a hearing requested by that person "will result in the suspension" of that person's driver's license.

Under current law, if a person fails to respond to a notice of a traffic infraction, the Department of Licensing (DOL) will institute proceedings to suspend the driver's license. However, pursuant to legislation passed in 2012, beginning July 1, 2013, DOL is not obligated to suspend a driver's license for the driver's failure to respond to a traffic infraction, if that infraction was a non-moving violation. Similarly, DOL is not obligated to suspend a driver's license for the driver's failure to appear at a requested hearing for a non-moving violation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Amendments): The form of a traffic infraction notice must state that the DOL "may" suspend a driver's license for failure to respond to the notice or appear at a requested hearing. The forms for a notice of traffic infraction must reflect the required language by July 1, 2015.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Amendments): The forms for a notice of traffic infraction must reflect the required language by July 1, 2015.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill: PRO: There must be certain information on the notice of infraction form that someone is given when they commit a traffic infraction in order for the notice to be adequate. This bill simply changes the language on the form indicating that DOL will suspend your driver's license, to DOL may suspend your driver's license. We do need a small change to specify a date when all the notices must meet the new requirement and that date is July 1, 2015.

Persons Testifying: PRO: Representative Freeman, prime sponsor.