

Judicial Impact Fiscal Note

Bill Number: 5705 SB	Title: Traffic infraction penalties	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.

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OFM Review:	Phone:	Date:

203,181.00

Request # 178-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

Bill seeks to increase penalties for second and subsequent violations for certain infractions under chapter 46.61 RCW.

Section 1. RCW 46.61.145 FOLLOW VEHICLE TOO CLOSELY new subsections under (1). (1)(a) current (1)(b) 2nd and subsequent violation double base penalty

Sec. 2. RCW 46.61.400 (1) SPEED TOO FAST FOR CONDITIONS New subsections created under (1). (1)(a) current (1)(b) 2nd and subsequent violation double base penalty

46.61.400(2) SPEEDING OVER MAXIMUM LIMIT new subsections. (2)(a) current law

Not sure this can be added to law table as it would take officer or prosecutor doing a review of person's driving record and determining if can change. Not apply itself to a law table entry for an infraction: (2)(c) (c) If a person drives a vehicle in excess of 10 miles per hour or more of the posted speed limit on a highway in violation of this section at least twice within a two-year period, the second or subsequent offense must be assessed a fine equal to double the base penalty assessed under RCW 46.63.110(3). The court may waive or remit such assessment, but for not less than the base penalty amount for a first violation.

Section 3. RCW 46.61.525 NEGLIGENT DRIVING 2ND DEGREE Issue with how added increased penalty and need to break out. However, hard to charge as officer or prosecutor will need to review a person's driving record before charging higher penalty.

Section 4. RCW 46.61.672 PER ELECTRONIC DEVICE WHILE DRIVING new subsection (5) committed in school/playground/crosswalk penalty doubled

Section 5. RCW 46.61.688 FAIL TO WEAR SAFETY BELT added new language about second or subsequent double penalty and issue that language needs to be broken out by subsection.

II. B - Cash Receipts Impact

II. C - Expenditures

ADMINISTRATIVE OFFICE OF THE COURTS

This bill will minimally impact the AOC.

The bill allows the base penalty amount to double for second or subsequent violations of certain traffic infractions within a two-year period. A five year look back during the 2019 – 2024 period resulted in 56,872 tickets were issued, for speeding tickets over 30 miles per hour.

Officers have access to the person's driving abstract and will be able to see if they have a previous committed finding for the last two years. However, officers do not have access to know if a person has had a ticket deferred which does not go on the driving record.

Officers would be citing the person as a second violation, instead of citing for the initial speeding violation therefore, there would not be an increase caseload as the tickets are a one-to- one.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

NONE

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

NONE

203,181.00

Form FN (Rev 1/00)

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE