WASHINGTON COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

TO: Criminal Citation Form and Notice of Infraction Form Users

FROM: Judge Kevin Ringus, Chair
Uniform Infraction/Citation Committee (UICC)

DATE: May 1, 2024

RE: Legislative Changes Required under ESH 2384, Effective June 6, 2024

This memo was sent to the District and Municipal Court Judges' Association, District and Municipal Court Management Association, Courts of Limited Jurisdiction Site Coordinators, Washington Association of Sheriffs & Police Chiefs, and InfractionCitationForms listservs.

ESHB 2384 prescribed numerous changes to chapters 46.63 and 46.68 RCW, impacting how jurisdictions manage and utilize automated traffic safety cameras and notices of infraction issued to violators. Below outlines the most important changes that require action in your jurisdiction by your courts, administrators, and local law enforcement.

Mandatory Language for Photo-Enforcement Notices of Infraction (NOIs)

The Administrative Office of the Courts' Uniform Infraction/Citation Committee (UICC) prescribes the statewide forms. *See* the Supreme Court of Washington ("Supreme Court") rules CrRLJ 2.1(b)(1) and IRLJ 2.1(a). Jurisdictions may choose to use either the statewide paper or electronic, SECTOR application forms. In addition, in lieu of the statewide notice of infraction form, a local notice of infraction form can be used for parking, standing, or stopping and photo-enforced infractions as long as those forms are approved by the Administrative Office of the Courts (AOC). *See* IRLJ 2.1(a). Only court site coordinators, court administrators, court clerks, and other authorized court staff can submit local forms through the eService Center for review and approval by the AOC.

ESHB 2384(2)(15) now requires courts to reduce photo-enforcement penalties to be reduced by 50 percent for "recipients of public assistance under Title 74 RCW or participants in the Washington women, infants, and children program" upon request for the first violation and for a subsequent violation occurring within 21 days. Furthermore, the court is responsible for providing information about eligibility and how to apply. As such, the UICC determined that the most efficient manner to disperse this information is to require jurisdictions that utilize automated traffic safety cameras to issue NOIs to add this language on their photo-enforcement NOIs. Therefore, the AOC updated the accompanying photo-enforcement checklist to include this language. **Every jurisdiction is required to update their photo-enforcement NOIs and resubmit them to the AOC for approval.**

Additionally, RCW 46.63.170 will be repealed, effective June 6, 2024. Any references to that citation on photo-enforcement NOIs will need to be replaced with the applicable RCW.

Photo-Enforcement Penalties are now Capped

ESHB 2384(2)(16) prohibits the penalty for a photo-enforced infraction to exceed $145, except for school speed zone infractions, which may doubled.

Each city and court currently issuing photo enforcement tickets should review the court's local law entries for the photo enforcement and determine if updates in penalty amounts are needed. If updates to penalty amounts for photo enforcement law entries are needed, the court should submit an eService ticket with the subject of VRV Photo Enforcement updates. Law table updates and testing of VRV will need to be done before new penalty amount can be implemented.

Photo-Enforcement Infractions may be Reviewed by any Trained and Authorized Civilian Employee within Certain Agencies

ESHB 2384(8)(1)(d) permits "trained and authorized civilian employee[s] of a general authority Washington law enforcement agency, as defined in RCW 10.93.020, or an employee of a local public works or transportation department" to review photo-enforcement infractions and issue NOIs.

Each court will need to work with your city or jurisdiction that has photo-enforcement infractions to notify the court prior to assigning any non-officer to approve the infractions. **Courts must add the name and personnel or badge number assigned by the law enforcement the tickets are generated by, for the individual, so the individual can be added as an "Officer" for that Law Enforcement Agency in JIS and so the electronic signature complies with RCW 5.50.010. The photo enforcement vendor must use the same number as entered into JIS for the "Officer Badge Number" entry when submitting the tickets electronically through VRV or the tickets will fail.** Additionally, this individual must have a unique logon and password to the program issuing the infractions, in order to comply with GR 30.

Access to Updates and Additional Information

You may sign up to receive email notifications about notice of infraction and criminal citation form updates at the following link: Washington State Courts - Notification Services. You must first sign up for an account by providing your email address. Then, return to the link, click "update an existing subscription," and then add "infraction and citation forms updates."

Previous and current updates are also available at the following eService Answer links:

- for court staff Criminal Citation and Notice of Infraction Form Updates and
- for the public Criminal Citation and Notice of Infraction Form Updates.

Court staff should route questions through their site coordinators, court administrators, or court clerks for submission through the eService Center (Freshdesk application). Other inquiries may be sent to infraction.citation@courts.wa.gov.

Please share this memo with other individuals who may be impacted by these form changes.

Thank you.