

New Traffic Safety Legislation – 2007 Session

The 2007 Session of the Legislature passed the following bills that will affect driving in Washington State. Unless otherwise noted, these bills will become law on July 22, 2007. The bill number is included in parentheses if you would like to read the bill in its entirety.

Auto theft (E3SHB 1001): This law increases penalties and provides for triple scoring of prior motor vehicle-related offenses (theft, possession of a stolen vehicle, and taking a vehicle without permission).

Home detention is established as an option for first-time adult offenders. Juvenile offenders are subject to risk assessments, home detention, and increased penalties for the same motor vehicle-related offenses.

New crimes are created to cover the making and possession of motor vehicle theft tools. A statewide Auto Theft Prevention Authority is created to study motor vehicle theft in Washington.

An additional \$10 fee is added to each traffic infraction; under no circumstances can this fee be reduced or waived.

Text messaging while driving (EHB 1214): Any driver who uses an electronic wireless communications device to send, read, or write a text message while driving is guilty of a traffic infraction.

However, you do not violate this law if you are entering a telephone number or name in a cell 'phone or if you are operating an emergency vehicle. You would also not be violating this law if you are using this device to report illegal activity or an emergency.

These infractions do not become part of your driving record and they are not given to insurance companies or to employers.

This law is a secondary enforcement law, which means that you may only be given a ticket if you have been pulled over for another traffic violation.

The law takes effect January 1, 2008.

Getting a commercial driver's license (SHB 1267): All drivers who want to obtain a CDL endorsement must attend a commercial driving school that has been approved by the Department of Licensing. The fee for the skills exam is lowered to \$75 (from \$100) if you will be using the license to drive for Head Start or for an ECAP program.

The law takes effect January 15, 2008.

Regulation of commercial motor vehicle carriers (SHB 1304):

The Washington State Patrol must use data-driven analysis to prioritize motor carriers for inspection and compliance reviews and may place motor carriers out of service until violations have been corrected. Some penalties and fees are also increased.

Liability of district & municipal courts (SHB 1669): A limited jurisdiction court that supervises misdemeanor offenders is not liable for damages based on inadequate supervision unless the inadequate supervision rises to the level of gross negligence.

Helping those with traumatic brain injury (2SHB 2055): This bill provides a comprehensive plan to help individuals with traumatic brain injuries meet their needs and creates the Washington traumatic brain injury strategic partnership advisory council.

An additional \$2 fee is added to each traffic infraction to pay for the plan.

Intermediate driver's license becomes permanent (SB 5036): -

This bill repeals the sunset review and termination of the IDL program for teen drivers, making it a permanent law.

Regulating cell phone use while driving (ESSB 5037): Any driver who holds a wireless communications device, like a cell phone, to his ear while driving is guilty of a traffic infraction.

You do not violate this law if you are driving an emergency vehicle or tow truck; if you are talking in hands-free mode; or if you are using the cell phone to report illegal activity or emergencies. The law also does not apply to a person using a hearing aid and does not restrict operation of an amateur radio station.

These infractions do not become part of your driver's record and they are not given to insurance companies or to employers.

This law is a secondary enforcement law, which means that you may only be given a ticket if you have been pulled over for another traffic violation.

The law takes effect on July 1, 2008.

Driving past stopped emergency vehicles (SB 5078): In addition to other emergency vehicles, drivers must also yield on approach to tow trucks and roadside assistance vehicles. Drivers must proceed with caution, reduce speed and, if reasonable and safe, yield

the right-of-way by passing to the left. This requirement is expanded to highways with fewer than four lanes.

Ferry lines (SB 5088): Drivers intending to board a ferry, other than the Keller Ferry, will get a traffic infraction if they: (1) block a residential driveway while waiting to board the ferry; or (2) move in front of another vehicle in line. If you move ahead of a vehicle in line, you will have to move your vehicle to the end of the line.

These infractions do not become part of your driving record.

Vehicle impound (SB 5134): If you do not have the special endorsement required for the type of motor vehicle you are driving (like a motorcycle), an officer may impound the vehicle.

Motorcycle driver's license (SB 5273): Five dollars of the motorcycle endorsement fee will go into the Motorcycle Safety Education Account. Information on motorcycle awareness in motorcycle driver training courses must be approved by the Department of Licensing Director, rather than the Motorcycle Safety Foundation. The use of radio or intercom-equipped helmets at the DOL motorcycle safety class is no longer necessary. The maximum fee for the motorcycle safety education class is increased to \$125.

Traffic infractions on toll roads or bridges (SSB 5391): Toll violations detected through the use of photo enforcement systems must be processed in the same manner as parking infractions and the penalty is set at \$40 plus three times the toll.

The \$40 penalty remains with the local jurisdiction processing the violation and the "three times the toll" penalty is deposited into the statewide account in which tolls are deposited for the tolling facility.

DISCLAIMER

These descriptions of the new traffic safety laws were prepared by WTSC staff to provide you with information about some of the changes in traffic law following the 2007 Legislative Session. This list is neither a complete list of all the bills that may have implications for traffic enforcement nor a reliable legal analysis. Please refer to the complete bill as signed by the Governor for a more accurate picture of the effect of the new laws.