

RCW 46.63.020 Violations as traffic infractions—Exceptions.

(Effective until January 1, 2025.) Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

- (1) RCW 46.09.457(1)(b)(i) relating to a false statement regarding the inspection of and installation of equipment on wheeled all-terrain vehicles;
- (2) RCW 46.09.470(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;
- (3) RCW 46.09.480 relating to operation of nonhighway vehicles;
- (4) RCW 46.10.490(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;
- (5) RCW 46.10.495 relating to the operation of snowmobiles;
- (6) Chapter 46.12 RCW relating to certificates of title, registration certificates, and markings indicating that a vehicle has been destroyed or declared a total loss;
- (7) RCW 46.16A.030 and 46.16A.050(3) relating to the nonpayment of taxes and fees by failure to register a vehicle and falsifying residency when registering a motor vehicle;
- (8) RCW 46.16A.520 relating to permitting unauthorized persons to drive;
- (9) RCW 46.16A.320 relating to vehicle trip permits;
- (10) RCW 46.19.050(1) relating to knowingly providing false information in conjunction with an application for a special placard or license plate for disabled persons' parking;
- (11) RCW 46.19.050(8) relating to illegally obtaining a parking placard, special license plate, special year tab, or identification card;
- (12) RCW 46.19.050(9) relating to sale of a parking placard, special license plate, special year tab, or identification card;
- (13) RCW 46.20.005 relating to driving without a valid driver's license;
- (14) RCW 46.20.091 relating to false statements regarding a driver's license or instruction permit;
- (15) RCW 46.20.0921 relating to the unlawful possession and use of a driver's license;
- (16) RCW 46.20.342 relating to driving with a suspended or revoked license or status;
- (17) RCW 46.20.345 relating to the operation of a motor vehicle with a suspended or revoked license;
- (18) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license, temporary restricted driver's license, or ignition interlock driver's license;
- (19) RCW 46.20.740 relating to operation of a motor vehicle without an ignition interlock device in violation of a license notation that the device is required;
- (20) RCW 46.20.750 relating to circumventing an ignition interlock device;

- (21) RCW 46.25.170 relating to commercial driver's licenses;
- (22) Chapter 46.29 RCW relating to financial responsibility;
- (23) RCW 46.30.040 relating to providing false evidence of financial responsibility;
- (24) RCW 46.35.030 relating to recording device information;
- (25) RCW 46.37.435 relating to wrongful installation of sunscreening material;
- (26) RCW 46.37.650 relating to the manufacture, importation, sale, distribution, or installation of a counterfeit air bag, nonfunctional air bag, or previously deployed or damaged air bag;
- (27) RCW 46.37.660 relating to the sale or installation of a device that causes a vehicle's diagnostic system to inaccurately indicate that the vehicle has a functional air bag when a counterfeit air bag, nonfunctional air bag, or no air bag is installed;
- (28) RCW 46.37.671 through 46.37.675 relating to signal preemption devices;
- (29) RCW 46.37.685 relating to switching or flipping license plates, utilizing technology to flip or change the appearance of a license plate, selling a license plate flipping device or technology used to change the appearance of a license plate, or falsifying a vehicle registration;
- (30) RCW 46.44.180 relating to operation of mobile home pilot vehicles;
- (31) RCW 46.48.175 relating to the transportation of dangerous articles;
- (32) RCW 46.52.010 relating to duty on striking an unattended car or other property;
- (33) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;
- (34) RCW 46.52.090 relating to reports by repairers, storage persons, and appraisers;
- (35) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company, an employer, and an alcohol/drug assessment or treatment agency;
- (36) RCW 46.55.020 relating to engaging in the activities of a registered tow truck operator without a registration certificate;
- (37) RCW 46.55.035 relating to prohibited practices by tow truck operators;
- (38) RCW 46.55.300 relating to vehicle immobilization;
- (39) RCW 46.61.015 relating to obedience to police officers, flaggers, or firefighters;
- (40) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;
- (41) RCW 46.61.022 relating to failure to stop and give identification to an officer;
- (42) RCW 46.61.024 relating to attempting to elude pursuing police vehicles;
- (43) *RCW 46.61.212(4) relating to reckless endangerment of emergency or work zone workers;
- (44) RCW 46.61.500 relating to reckless driving;
- (45) RCW 46.61.502 and 46.61.504 relating to persons under the influence of intoxicating liquor or drugs;
- (46) RCW 46.61.503 relating to a person under age twenty-one driving a motor vehicle after consuming alcohol;
- (47) RCW 46.61.520 relating to vehicular homicide by motor vehicle;
- (48) RCW 46.61.522 relating to vehicular assault;

(49) RCW 46.61.5249 relating to first degree negligent driving;
(50) RCW 46.61.527(4) relating to reckless endangerment of roadway workers;
(51) RCW 46.61.530 relating to racing of vehicles on highways;
(52) RCW 46.61.655(7) (a) and (b) relating to failure to secure a load;
(53) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;
(54) RCW 46.61.740 relating to theft of motor vehicle fuel;
(55) RCW 46.64.010 relating to unlawful cancellation of or attempt to cancel a traffic citation;
(56) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;
(57) Chapter 46.65 RCW relating to habitual traffic offenders;
(58) RCW 46.68.010 relating to false statements made to obtain a refund;
(59) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;
(60) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;
(61) RCW 46.72A.060 relating to limousine carrier insurance;
(62) RCW 46.72A.070 relating to operation of a limousine without a vehicle certificate;
(63) RCW 46.72A.080 relating to false advertising by a limousine carrier;
(64) Chapter 46.80 RCW relating to motor vehicle wreckers;
(65) Chapter 46.82 RCW relating to driver's training schools;
(66) RCW 46.87.260 relating to alteration or forgery of a cab card, letter of authority, or other temporary authority issued under chapter 46.87 RCW;
(67) RCW 46.87.290 relating to operation of an unregistered or unlicensed vehicle under chapter 46.87 RCW. [2018 c 18 s 4; 2016 c 213 s 4; 2014 c 124 s 9; 2013 2nd sp.s. c 23 s 21; 2013 c 135 s 2; 2010 c 252 s 3; 2010 c 161 s 1125; 2010 c 8 s 9077; 2009 c 485 s 6; 2008 c 282 s 11. Prior: 2005 c 431 s 2; 2005 c 323 s 3; 2005 c 183 s 10; 2004 c 95 s 14; 2003 c 33 s 4; 2001 c 325 s 4; 1999 c 86 s 6; 1998 c 294 s 3; prior: 1997 c 229 s 13; 1997 c 66 s 8; prior: 1996 c 307 s 6; 1996 c 287 s 7; 1996 c 93 s 3; 1996 c 87 s 21; 1996 c 31 s 3; prior: 1995 1st sp.s. c 16 s 1; 1995 c 332 s 16; 1995 c 256 s 25; prior: 1994 c 275 s 33; 1994 c 141 s 2; 1993 c 501 s 8; 1992 c 32 s 4; 1991 c 339 s 27; prior: 1990 c 250 s 59; 1990 c 95 s 3; prior: 1989 c 353 s 8; 1989 c 178 s 27; 1989 c 111 s 20; prior: 1987 c 388 s 11; 1987 c 247 s 6; 1987 c 244 s 55; 1987 c 181 s 2; 1986 c 186 s 3; prior: 1985 c 377 s 28; 1985 c 353 s 2; 1985 c 302 s 7; 1983 c 164 s 6; 1982 c 10 s 12; prior: 1981 c 318 s 2; 1981 c 19 s 1; 1980 c 148 s 7; 1979 ex.s. c 136 s 2.]

***Reviser's note:** RCW 46.61.212 was amended by 2019 c 106 s 1, changing subsection (4) to subsection (5).

Finding—Application of consumer protection act—2016 c 213: See note following RCW 46.37.640.

Finding—Intent—Effective date—2014 c 124: See notes following RCW 46.19.010.

Finding—Intent—2013 2nd sp.s. c 23: See note following RCW 46.09.442.

Effective date—2013 2nd sp.s. c 23: See note following RCW 46.09.310.

Effective date—2010 c 252: See note following RCW 46.61.212.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Effective date—2010 c 8 s 9077: "Section 9077 of this act takes effect July 1, 2010." [2010 c 8 s 20001.]

Effective date—2009 c 485: See note following RCW 46.35.010.

Effective date—2008 c 282: See note following RCW 46.20.308.

Declaration and intent—Effective date—Application—2005 c 323: See notes following RCW 46.16A.030.

Effective date—1997 c 229: See note following RCW 10.05.090.

Effective date—1995 1st sp.s. c 16: "This act shall take effect September 1, 1995." [1995 1st sp.s. c 16 s 2.]

Severability—Effective dates—1995 c 332: See notes following RCW 46.20.308.

Short title—Effective date—1994 c 275: See notes following RCW 46.04.015.

Effective date—1994 c 141: See note following RCW 46.61.527.

Effective date—1989 c 353: See RCW 46.30.901.

Effective dates—1989 c 178: See RCW 46.25.901.

Severability—1987 c 388: See note following RCW 46.20.342.

Effective dates—1987 c 244: See note following RCW 46.87.010.

Effective date—1985 c 377: See RCW 46.55.902.

Severability—1982 c 10: See note following RCW 6.13.080.

Severability—1981 c 19: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1981 c 19 s 7.]

Effective date—1980 c 148: See note following RCW 46.10.490.

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

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(66) RCW 46.87.260 relating to alteration or forgery of a cab card, letter of authority, or other temporary authority issued under chapter 46.87 RCW;

(67) RCW 46.87.290 relating to operation of an unregistered or unlicensed vehicle under chapter 46.87 RCW;

(68) RCW 46.61.5259 relating to negligent driving with a vulnerable user victim in the first degree. [2023 c 471 s 10; 2018 c 18 s 4; 2016 c 213 s 4; 2014 c 124 s 9; 2013 2nd sp.s. c 23 s 21; 2013 c 135 s 2; 2010 c 252 s 3; 2010 c 161 s 1125; 2010 c 8 s 9077; 2009 c 485 s 6; 2008 c 282 s 11. Prior: 2005 c 431 s 2; 2005 c 323 s 3; 2005 c 183 s 10; 2004 c 95 s 14; 2003 c 33 s 4; 2001 c 325 s 4; 1999 c 86 s 6; 1998 c 294 s 3; prior: 1997 c 229 s 13; 1997 c 66 s 8; prior: 1996 c 307 s 6; 1996 c 287 s 7; 1996 c 93 s 3; 1996 c 87 s 21; 1996 c 31 s 3; prior: 1995 1st sp.s. c 16 s 1; 1995 c 332 s 16; 1995 c 256 s 25; prior: 1994 c 275 s 33; 1994 c 141 s 2; 1993 c 501 s 8; 1992 c 32 s 4; 1991 c 339 s 27; prior: 1990 c 250 s 59; 1990 c 95 s 3; prior: 1989 c 353 s 8; 1989 c 178 s 27; 1989 c 111 s 20; prior: 1987 c 388 s 11; 1987 c 247 s 6; 1987 c 244 s 55; 1987 c 181 s 2; 1986 c 186 s 3; prior: 1985 c 377 s 28; 1985 c 353 s 2; 1985 c 302 s 7; 1983 c 164 s 6; 1982 c 10 s 12; prior: 1981 c 318 s 2; 1981 c 19 s 1; 1980 c 148 s 7; 1979 ex.s. c 136 s 2.]

Effective date—2023 c 471: See note following RCW 46.61.5259.

Finding—Application of consumer protection act—2016 c 213: See note following RCW 46.37.640.

Finding—Intent—Effective date—2014 c 124: See notes following RCW 46.19.010.

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remainder of the act or the application of the provision to other persons or circumstances is not affected." [1981 c 19 s 7.]

Effective date—1980 c 148: See note following RCW 46.10.490.

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