

RCW 46.63.030 Notice of traffic infraction—Issuance—Abandoned vehicles. (1) A law enforcement officer has the authority to issue a notice of traffic infraction:

(a) When the infraction is committed in the officer's presence, except as provided in RCW 46.09.485;

(b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;

(c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction;

(d) When the infraction is detected through the use of an automated traffic safety camera under RCW 46.63.220 through 46.63.260. A trained and authorized civilian employee 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 performing under the supervision of a qualified traffic engineer and as designated by a city or county, has the authority to review infractions detected through the use of an automated traffic safety camera under RCW 46.63.220 through 46.63.260 and to issue notices of infraction consistent with RCW 46.63.220(9). These employees must be sufficiently trained and certified in reviewing infractions and issuing notices of infraction by qualified peace officers or by traffic engineers employed in the jurisdiction's public works or transportation department. Nothing in this subsection impairs decision and effects collective bargaining rights under chapter 41.56 RCW;

(e) When the infraction is detected through the use of an automated school bus safety camera under RCW 46.63.180. A trained and authorized civilian employee 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 performing under the supervision of a qualified traffic engineer and as designated by a city or county, has the authority to review infractions detected through the use of an automated school bus safety camera under RCW 46.63.180 and to issue notices of infraction consistent with RCW 46.63.180(1)(b). These employees must be sufficiently trained and certified in reviewing infractions and issuing notices of infraction by qualified peace officers or by traffic engineers employed in the jurisdiction's public works or transportation department. Nothing in this subsection impairs decision and effects collective bargaining rights under chapter 41.56 RCW; or

(f) When the infraction is detected through the use of a speed safety camera system under RCW 46.63.200.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

(4) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing

of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering—Abandoned Vehicle" and give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made restitution in the amount of the deficiency remaining after disposal of the vehicle. [2024 c 307 s 8; 2023 c 17 s 1; 2013 2nd sp.s. c 23 s 23; 2011 c 375 s 5; 2011 c 375 s 4; 2010 c 249 s 5; 2007 c 101 s 1; 2005 c 167 s 2; 2004 c 231 s 2; 2002 c 279 s 14; 1995 c 219 s 5; 1994 c 176 s 3; 1987 c 66 s 2; 1980 c 128 s 10; 1979 ex.s. c 136 s 3.]

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.

Contingent effective date—2011 c 375 ss 5, 7, and 9: "Sections 5, 7, and 9 of this act take effect upon certification by the secretary of transportation that the new statewide tolling operations center and photo toll system are fully operational. A notice of certification must be filed with the code reviser for publication in the state register. If a certificate is not issued by the secretary of transportation by December 1, 2012, sections 5, 7, and 9 of this act are null and void." [2011 c 375 s 10.] A notice of certification was filed with the code reviser on December 2, 2011, becoming effective December 3, 2011 (see WSR 11-24-042).

Intent—2011 c 375: See note following RCW 46.63.180.

Contingent effective date—2010 c 249: See note following RCW 47.56.795.

Effective date—Severability—1980 c 128: See notes following RCW 46.63.060.

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