
HOUSE BILL 1674

State of Washington

68th Legislature

2023 Regular Session

By Representatives Ramel, Fey, Peterson, Reed, and Berry

1 AN ACT Relating to improving protections for pedestrians and
2 other vulnerable roadway users from dangers posed by certain pickup
3 trucks and sport utility vehicles; amending RCW 46.70.180, 46.61.190,
4 46.61.235, 46.61.245, 46.61.400, 46.61.440, 46.61.145, 2.68.040, and
5 46.63.110; reenacting and amending RCW 3.62.090; adding a new section
6 to chapter 46.04 RCW; adding a new section to chapter 46.01 RCW;
7 adding a new section to chapter 43.43 RCW; adding a new section to
8 chapter 43.59 RCW; creating a new section; prescribing penalties; and
9 providing an effective date.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

11 NEW SECTION. **Sec. 1.** The legislature intends to improve
12 protections for pedestrians and other vulnerable roadway users from
13 motor vehicles that pose an increased safety risk to them through
14 consumer and public education, as well as through enhanced
15 enforcement penalties for traffic infractions that pose a particular
16 risk of dire consequences for pedestrians and other vulnerable
17 roadway users in the event of a collision with such a vehicle.

18 Larger motor vehicles cause more severe injuries when they strike
19 pedestrians, bicyclists, and other motorists due to their heavier
20 weight. A vehicle sitting at a greater height with a long hood will
21 have larger front blind spots that could prevent its driver from

1 seeing a small child or someone in a wheelchair directly in front of
2 it. Vehicles with straight, block front grilles that strike a
3 pedestrian's pelvis or chest immediately after the bumper hits the
4 pedestrian's lower extremities can also transfer more energy to a
5 pedestrian's body, increasing the severity of injury. Many pickup
6 trucks and midsize and large sport utility vehicles are more
7 dangerous to pedestrians and other vulnerable roadway users because
8 they are heavier and sit at a significantly greater height than
9 sedans and have straight, block front grilles.

10 The legislature believes that, to protect pedestrians and
11 vulnerable roadway users from the increased risk of severe injury and
12 death, it is imperative to:

13 (1) Warn consumers considering purchasing certain pickup trucks
14 and sport utility vehicles of this increased risk;

15 (2) Increase the total monetary penalties imposed on the driver
16 of certain pickup trucks and sport utility vehicles when traffic
17 infractions that pose a greater danger to pedestrians and vulnerable
18 roadway users in the event of a collision are committed; and

19 (3) Educate the public and drivers of certain pickup trucks and
20 sport utility vehicles of the increased risk these vehicles pose to
21 pedestrians and vulnerable roadway users through public education
22 campaigns.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04
24 RCW to read as follows:

25 "Midsize or large sport utility vehicle" means a motor vehicle
26 with a scale weight of 4,000 pounds or more that is designated as a
27 sport utility vehicle by the manufacturer.

28 **Sec. 3.** RCW 46.70.180 and 2022 c 182 s 211 are each amended to
29 read as follows:

30 Each of the following acts or practices is unlawful:

31 (1) To cause or permit to be advertised, printed, displayed,
32 published, distributed, broadcasted, televised, or disseminated in
33 any manner whatsoever, any statement or representation with regard to
34 the sale, lease, or financing of a vehicle which is false, deceptive,
35 or misleading, including but not limited to the following:

36 (a) That no down payment is required in connection with the sale
37 of a vehicle when a down payment is in fact required, or that a

1 vehicle may be purchased for a smaller down payment than is actually
2 required;

3 (b) That a certain percentage of the sale price of a vehicle may
4 be financed when such financing is not offered in a single document
5 evidencing the entire security transaction;

6 (c) That a certain percentage is the amount of the service charge
7 to be charged for financing, without stating whether this percentage
8 charge is a monthly amount or an amount to be charged per year;

9 (d) That a new vehicle will be sold for a certain amount above or
10 below cost without computing cost as the exact amount of the factory
11 invoice on the specific vehicle to be sold;

12 (e) That a vehicle will be sold upon a monthly payment of a
13 certain amount, without including in the statement the number of
14 payments of that same amount which are required to liquidate the
15 unpaid purchase price.

16 (2) (a) (i) To incorporate within the terms of any purchase and
17 sale or lease agreement any statement or representation with regard
18 to the sale, lease, or financing of a vehicle which is false,
19 deceptive, or misleading((~~7~~)) including, but not limited to, terms
20 that include as an added cost to the selling price or capitalized
21 cost of a vehicle an amount for licensing or transfer of title of
22 that vehicle which is not actually due to the state, unless such
23 amount has in fact been paid by the dealer prior to such sale.

24 (ii) However, an amount not to exceed \$200 per vehicle sale or
25 lease may be charged by a dealer to recover administrative costs for
26 collecting motor vehicle excise taxes, licensing and registration
27 fees and other agency fees, verifying and clearing titles,
28 transferring titles, perfecting, releasing, or satisfying liens or
29 other security interests, and other administrative and documentary
30 services rendered by a dealer in connection with the sale or lease of
31 a vehicle and in carrying out the requirements of this chapter or any
32 other provisions of state law.

33 (b) A dealer may charge the documentary service fee in (a) of
34 this subsection under the following conditions:

35 (i) The documentary service fee is disclosed in writing to a
36 prospective purchaser or lessee before the execution of a purchase
37 and sale or lease agreement;

38 (ii) The dealer discloses to the purchaser or lessee in writing
39 that the documentary service fee is a negotiable fee. The disclosure
40 must be written in a typeface that is at least as large as the

1 typeface used in the standard text of the document that contains the
2 disclosure and that is bold faced, capitalized, underlined, or
3 otherwise set out from the surrounding material so as to be
4 conspicuous. The dealer shall not represent to the purchaser or
5 lessee that the fee or charge is required by the state to be paid by
6 either the dealer or prospective purchaser or lessee;

7 (iii) The documentary service fee is separately designated from
8 the selling price or capitalized cost of the vehicle and from any
9 other taxes, fees, or charges; and

10 (iv) Dealers disclose in any advertisement that a documentary
11 service fee in an amount up to \$200 may be added to the sale price or
12 the capitalized cost.

13 For the purposes of this subsection (2), the term "documentary
14 service fee" means the optional amount charged by a dealer to provide
15 the services specified in (a) of this subsection.

16 (3) To set up, promote, or aid in the promotion of a plan by
17 which vehicles are to be sold or leased to a person for a
18 consideration and upon further consideration that the purchaser or
19 lessee agrees to secure one or more persons to participate in the
20 plan by respectively making a similar purchase and in turn agreeing
21 to secure one or more persons likewise to join in said plan, each
22 purchaser or lessee being given the right to secure money, credits,
23 goods, or something of value, depending upon the number of persons
24 joining the plan.

25 (4) To commit, allow, or ratify any act of "bushing" which is
26 defined as follows: Entering into a written contract, written
27 purchase order or agreement, retail installment sales agreement, note
28 and security agreement, or written lease agreement, hereinafter
29 collectively referred to as contract or lease, signed by the
30 prospective buyer or lessee of a vehicle, which:

31 (a) Is subject to any conditions or the dealer's or his or her
32 authorized representative's future acceptance, and the dealer fails
33 or refuses within the "bushing" period, which is four calendar days,
34 exclusive of Saturday, Sunday, or legal holiday, and prior to any
35 further negotiations with said buyer or lessee to inform the buyer or
36 lessee either: (i) That the dealer unconditionally accepts the
37 contract or lease, having satisfied, removed, or waived all
38 conditions to acceptance or performance, including, but not limited
39 to, financing, assignment, or lease approval; or (ii) that the dealer
40 rejects the contract or lease, thereby automatically voiding the

1 contract or lease, as long as such voiding does not negate
2 commercially reasonable contract or lease provisions pertaining to
3 the return of the subject vehicle and any physical damage, excessive
4 mileage after the demand for return of the vehicle, and attorneys'
5 fees authorized by law, and tenders the refund of any initial payment
6 or security made or given by the buyer or lessee, including, but not
7 limited to, any down payment, and tenders return of the trade-in
8 vehicle, key, other trade-in, or certificate of title to a trade-in.
9 Tender may be conditioned on return of the subject vehicle if
10 previously delivered to the buyer or lessee.

11 The provisions of this subsection (4)(a) do not impair,
12 prejudice, or abrogate the rights of a dealer to assert a claim
13 against the buyer or lessee for misrepresentation or breach of
14 contract and to exercise all remedies available at law or in equity,
15 including those under chapter 62A.9A RCW, if the dealer, bank, or
16 other lender or leasing company discovers that approval of the
17 contract or financing or approval of the lease was based upon
18 material misrepresentations made by the buyer or lessee, including,
19 but not limited to, misrepresentations regarding income, employment,
20 or debt of the buyer or lessee, as long as the dealer, or his or her
21 staff, has not, with knowledge of the material misrepresentation,
22 aided, assisted, encouraged, or participated, directly or indirectly,
23 in the misrepresentation. A dealer shall not be in violation of this
24 subsection (4)(a) if the buyer or lessee made a material
25 misrepresentation to the dealer, as long as the dealer, or his or her
26 staff, has not, with knowledge of the material misrepresentation,
27 aided, assisted, encouraged, or participated, directly or indirectly,
28 in the misrepresentation.

29 A dealer may inform a buyer or lessee under this subsection
30 (4)(a) regarding the unconditional acceptance or rejection of the
31 contract, lease, or financing by sending an email message to the
32 buyer's or lessee's supplied email address, by phone call, by leaving
33 a voice message or sending a text message to a phone number provided
34 by the buyer or lessee, by in-person oral communication, by mailing a
35 letter by first-class mail if the buyer or lessee expresses a
36 preference for a letter or declines to provide an email address and a
37 phone number capable of receiving a free text message, or by another
38 means agreed to by the buyer or lessee or approved by the department,
39 effective upon the execution, mailing, or sending of the
40 communication and before expiration of the "bushing" period;

1 (b) Permits the dealer to renegotiate a dollar amount specified
2 as trade-in allowance on a vehicle delivered or to be delivered by
3 the buyer or lessee as part of the purchase price or lease, for any
4 reason except:

5 (i) Failure to disclose that the vehicle's certificate of title
6 has been branded for any reason, including, but not limited to,
7 status as a rebuilt vehicle as provided in RCW 46.12.540 and
8 46.12.560; or

9 (ii) Substantial physical damage or latent mechanical defect
10 occurring before the dealer took possession of the vehicle and which
11 could not have been reasonably discoverable at the time of the taking
12 of the order, offer, or contract; or

13 (iii) Excessive additional miles or a discrepancy in the mileage.
14 "Excessive additional miles" means the addition of 500 miles or more,
15 as reflected on the vehicle's odometer, between the time the vehicle
16 was first valued by the dealer for purposes of determining its trade-
17 in value and the time of actual delivery of the vehicle to the
18 dealer. "A discrepancy in the mileage" means (A) a discrepancy
19 between the mileage reflected on the vehicle's odometer and the
20 stated mileage on the signed odometer statement; or (B) a discrepancy
21 between the mileage stated on the signed odometer statement and the
22 actual mileage on the vehicle; or

23 (c) Fails to comply with the obligation of any written warranty
24 or guarantee given by the dealer requiring the furnishing of services
25 or repairs within a reasonable time.

26 (5) To commit any offense relating to odometers, as such offenses
27 are defined in RCW 46.37.540, 46.37.550, 46.37.560, and 46.37.570. A
28 violation of this subsection is a class C felony punishable under
29 chapter 9A.20 RCW.

30 (6) For any vehicle dealer or vehicle salesperson to refuse to
31 furnish, upon request of a prospective purchaser or lessee, for
32 vehicles previously registered to a business or governmental entity,
33 the name and address of the business or governmental entity.

34 (7) To commit any other offense under RCW 46.37.423, 46.37.424,
35 or 46.37.425.

36 (8) To commit any offense relating to a dealer's temporary
37 license permit, including but not limited to failure to properly
38 complete each such permit, or the issuance of more than one such
39 permit on any one vehicle. However, a dealer may issue a second
40 temporary permit on a vehicle if the following conditions are met:

1 (a) The lienholder fails to deliver the vehicle title to the
2 dealer within the required time period;

3 (b) The dealer has satisfied the lien; and

4 (c) The dealer has proof that payment of the lien was made within
5 two calendar days, exclusive of Saturday, Sunday, or a legal holiday,
6 after the sales contract has been executed by all parties and all
7 conditions and contingencies in the sales contract have been met or
8 otherwise satisfied.

9 (9) For a dealer, salesperson, or mobile home manufacturer,
10 having taken an instrument or cash "on deposit" from a purchaser or
11 lessee prior to the delivery of the bargained-for vehicle, to
12 commingle the "on deposit" funds with assets of the dealer,
13 salesperson, or mobile home manufacturer instead of holding the "on
14 deposit" funds as trustee in a separate trust account until the
15 purchaser or lessee has taken delivery of the bargained-for vehicle.
16 Delivery of a manufactured home shall be deemed to occur in
17 accordance with RCW 46.70.135(5). Failure, immediately upon receipt,
18 to endorse "on deposit" instruments to such a trust account, or to
19 set aside "on deposit" cash for deposit in such trust account, and
20 failure to deposit such instruments or cash in such trust account by
21 the close of banking hours on the day following receipt thereof,
22 shall be evidence of intent to commit this unlawful practice:
23 PROVIDED, HOWEVER, That a motor vehicle dealer may keep a separate
24 trust account which equals his or her customary total customer
25 deposits for vehicles for future delivery. For purposes of this
26 section, "on deposit" funds received from a purchaser of a
27 manufactured home means those funds that a seller requires a
28 purchaser to advance before ordering the manufactured home, but does
29 not include any loan proceeds or moneys that might have been paid on
30 an installment contract.

31 (10) For a dealer or manufacturer to fail to comply with the
32 obligations of any written warranty or guarantee given by the dealer
33 or manufacturer requiring the furnishing of goods and services or
34 repairs within a reasonable period of time, or to fail to furnish to
35 a purchaser or lessee, all parts which attach to the manufactured
36 unit including but not limited to the undercarriage, and all items
37 specified in the terms of a sales or lease agreement signed by the
38 seller and buyer or lessee.

39 (11) For a vehicle dealer to pay to or receive from any person,
40 firm, partnership, association, or corporation acting, either

1 directly or through a subsidiary, as a buyer's agent for consumers,
2 any compensation, fee, purchase moneys or funds that have been
3 deposited into or withdrawn out of any account controlled or used by
4 any buyer's agent, gratuity, or reward in connection with the
5 purchase, sale, or lease of a new motor vehicle.

6 (12) For a buyer's agent, acting directly or through a
7 subsidiary, to pay to or to receive from any motor vehicle dealer any
8 compensation, fee, gratuity, or reward in connection with the
9 purchase, sale, or lease of a new motor vehicle. In addition, it is
10 unlawful for any buyer's agent to engage in any of the following acts
11 on behalf of or in the name of the consumer:

12 (a) Receiving or paying any purchase moneys or funds into or out
13 of any account controlled or used by any buyer's agent;

14 (b) Signing any vehicle purchase orders, sales contracts, leases,
15 odometer statements, or title documents, or having the name of the
16 buyer's agent appear on the vehicle purchase order, sales contract,
17 lease, or title; or

18 (c) Signing any other documentation relating to the purchase,
19 sale, lease, or transfer of any new motor vehicle.

20 It is unlawful for a buyer's agent to use a power of attorney
21 obtained from the consumer to accomplish or effect the purchase,
22 sale, lease, or transfer of ownership documents of any new motor
23 vehicle by any means which would otherwise be prohibited under (a)
24 through (c) of this subsection. However, the buyer's agent may use a
25 power of attorney for physical delivery of motor vehicle license
26 plates to the consumer.

27 Further, it is unlawful for a buyer's agent to engage in any
28 false, deceptive, or misleading advertising, disseminated in any
29 manner whatsoever, including but not limited to making any claim or
30 statement that the buyer's agent offers, obtains, or guarantees the
31 lowest price on any motor vehicle or words to similar effect.

32 (13) For a buyer's agent to arrange for or to negotiate the
33 purchase, or both, of a new motor vehicle through an out-of-state
34 dealer without disclosing in writing to the customer that the new
35 vehicle would not be subject to chapter 19.118 RCW. This subsection
36 also applies to leased vehicles. In addition, it is unlawful for any
37 buyer's agent to fail to have a written agreement with the customer
38 that: (a) Sets forth the terms of the parties' agreement; (b)
39 discloses to the customer the total amount of any fees or other
40 compensation being paid by the customer to the buyer's agent for the

1 agent's services; and (c) further discloses whether the fee or any
2 portion of the fee is refundable.

3 (14) Being a manufacturer, other than a motorcycle manufacturer
4 governed by chapter 46.93 RCW, to:

5 (a) Coerce or attempt to coerce any vehicle dealer to order or
6 accept delivery of any vehicle or vehicles, parts or accessories, or
7 any other commodities which have not been voluntarily ordered by the
8 vehicle dealer: PROVIDED, That recommendation, endorsement,
9 exposition, persuasion, urging, or argument are not deemed to
10 constitute coercion;

11 (b) Cancel or fail to renew the franchise or selling agreement of
12 any vehicle dealer doing business in this state without fairly
13 compensating the dealer at a fair going business value for his or her
14 capital investment which shall include, but not be limited to, tools,
15 equipment, and parts inventory possessed by the dealer on the day he
16 or she is notified of such cancellation or termination and which are
17 still within the dealer's possession on the day the cancellation or
18 termination is effective, if: (i) The capital investment has been
19 entered into with reasonable and prudent business judgment for the
20 purpose of fulfilling the franchise; and (ii) the cancellation or
21 nonrenewal was not done in good faith. Good faith is defined as the
22 duty of each party to any franchise to act in a fair and equitable
23 manner towards each other, so as to guarantee one party freedom from
24 coercion, intimidation, or threats of coercion or intimidation from
25 the other party: PROVIDED, That recommendation, endorsement,
26 exposition, persuasion, urging, or argument are not deemed to
27 constitute a lack of good faith;

28 (c) Encourage, aid, abet, or teach a vehicle dealer to sell or
29 lease vehicles through any false, deceptive, or misleading sales or
30 financing practices including but not limited to those practices
31 declared unlawful in this section;

32 (d) Coerce or attempt to coerce a vehicle dealer to engage in any
33 practice forbidden in this section by either threats of actual
34 cancellation or failure to renew the dealer's franchise agreement;

35 (e) Refuse to deliver any vehicle publicly advertised for
36 immediate delivery to any duly licensed vehicle dealer having a
37 franchise or contractual agreement for the retail sale or lease of
38 new and unused vehicles sold or distributed by such manufacturer
39 within sixty days after such dealer's order has been received in
40 writing unless caused by inability to deliver because of shortage or

1 curtailment of material, labor, transportation, or utility services,
2 or by any labor or production difficulty, or by any cause beyond the
3 reasonable control of the manufacturer;

4 (f) (i) To provide under the terms of any warranty that a
5 purchaser or lessee of any new or unused vehicle that has been sold
6 or leased, distributed for sale or lease, or transferred into this
7 state for resale or lease by the vehicle manufacturer may only make
8 any warranty claim on any item included as an integral part of the
9 vehicle against the manufacturer of that item.

10 (ii) Nothing in this section may be construed to impair the
11 obligations of a contract or to prevent a manufacturer, distributor,
12 representative, or any other person, whether or not licensed under
13 this chapter, from requiring performance of a written contract
14 entered into with any licensee hereunder, nor does the requirement of
15 such performance constitute a violation of any of the provisions of
16 this section if any such contract or the terms thereof requiring
17 performance, have been freely entered into and executed between the
18 contracting parties. This (~~paragraph and subsection (14) (b) of this~~
19 ~~section)) subsection (14) (f) (ii) and (b) of this subsection do not
20 apply to new motor vehicle manufacturers governed by chapter 46.96
21 RCW.~~

22 (15) Unlawful transfer of an ownership interest in a motor
23 vehicle as defined in RCW 19.116.050.

24 (16) To knowingly and intentionally engage in collusion with a
25 registered owner of a vehicle to repossess and return or resell the
26 vehicle to the registered owner in an attempt to avoid a suspended
27 license impound under chapter 46.55 RCW. However, compliance with
28 chapter 62A.9A RCW in repossessing, selling, leasing, or otherwise
29 disposing of the vehicle, including providing redemption rights to
30 the debtor, is not a violation of this section.

31 (17) (a) For a dealer to enter into a new motor vehicle sales
32 contract without disclosing in writing to a buyer of the new motor
33 vehicle, or to a dealer in the case of an unregistered motor vehicle,
34 any known damage and repair to the new motor vehicle if the damage
35 exceeds five percent of the manufacturer's suggested retail price as
36 calculated at the dealer's authorized warranty rate for labor and
37 parts, or \$1,000, whichever amount is greater. A manufacturer or new
38 motor vehicle dealer is not required to disclose to a dealer or buyer
39 that glass, tires, bumpers, or cosmetic parts of a new motor vehicle
40 were damaged at any time if the damaged item has been replaced with

1 original or comparable equipment. A replaced part is not part of the
2 cumulative damage required to be disclosed under this subsection.

3 (b) A manufacturer is required to provide the same disclosure to
4 a dealer of any known damage or repair as required in (a) of this
5 subsection.

6 (c) If disclosure of any known damage or repair is not required
7 under this section, a buyer may not revoke or rescind a sales
8 contract due to the fact that the new motor vehicle was damaged and
9 repaired before completion of the sale.

10 (d) As used in this section:

11 (i) "Cosmetic parts" means parts that are attached by and can be
12 replaced in total through the use of screws, bolts, or other
13 fasteners without the use of welding or thermal cutting, and includes
14 windshields, bumpers, hoods, or trim panels.

15 (ii) "Manufacturer's suggested retail price" means the retail
16 price of the new motor vehicle suggested by the manufacturer, and
17 includes the retail delivered price suggested by the manufacturer for
18 each accessory or item of optional equipment physically attached to
19 the new motor vehicle at the time of delivery to the new motor
20 vehicle dealer that is not included within the retail price suggested
21 by the manufacturer for the new motor vehicle.

22 (18)(a)(i) For a dealer to show a motor vehicle that is for sale
23 or lease to a potential customer when it is a light truck, as defined
24 in RCW 46.04.271, or a midsize or large sport utility vehicle, as
25 defined in section 2 of this act, without a written disclosure in at
26 least 10 point type, with boldface type used as indicated in
27 (a)(ii)(A) of this subsection, posted on a readily visible area of
28 the motor vehicle that complies with the requirements of (a)(ii) of
29 this subsection.

30 (ii)(A) A disclosure required under (a)(i) of this subsection
31 must consist of the following text: "Due to its size and weight, this
32 vehicle likely poses increased risk to other roadway users. Drivers
33 of more dangerous vehicles may be subject to more severe penalties
34 for safety infractions, such as for failure to yield to pedestrians
35 and for driving more than 10 miles per hour over the speed limit.

36 The state of Washington advises consumers considering the
37 purchase or lease of a vehicle of this make and model that larger
38 vehicles cause more severe injuries when they strike pedestrians,
39 bicyclists, and other motorists due to their heavier weight. A
40 vehicle sitting at a greater height with a long hood will have larger

1 front blind spots that could prevent its driver from seeing a small
2 child or someone in a wheelchair directly in front of it. Vehicles
3 with straight, block-front grilles that strike a pedestrian's pelvis
4 or chest immediately after the bumper hits the pedestrian's lower
5 extremities can also transfer more energy to a pedestrian's body,
6 increasing the severity of injury."

7 (B) A disclosure required under (a)(i) of this subsection must
8 use boldface type for the following portion of text required under
9 (a)(ii)(A) of this subsection: "Due to its size and weight, this
10 vehicle likely poses increased risk to other roadway users. Drivers
11 of more dangerous vehicles may be subject to more severe penalties
12 for safety infractions."

13 (b)(i) For a dealer to enter into a motor vehicle sales contract
14 for the retail sale or lease of a light truck, as defined in RCW
15 46.04.271, or of a midsize or large sport utility vehicle, as defined
16 in section 2 of this act, without providing a written disclosure that
17 follows the requirements of (b)(ii) of this subsection to a buyer of
18 a motor vehicle and upon which the dealer obtains the buyer's
19 signature.

20 (ii)(A) A disclosure required under (b)(i) of this subsection
21 must be written in a typeface that is at least as large as the
22 typeface used in the standard text of the document that contains the
23 disclosure and that is boldfaced, capitalized, underlined, or
24 otherwise set out from the surrounding material so as to be
25 conspicuous.

26 (B) A disclosure required under (b)(i) of this subsection must
27 consist of the following text: "The state of Washington advises
28 consumers considering the purchase or lease of a vehicle of this make
29 and model that larger vehicles cause more severe injuries when they
30 strike pedestrians, bicyclists, and other motorists due to their
31 heavier weight. A vehicle sitting at a greater height with a long
32 hood will have larger front blind spots that could prevent its driver
33 from seeing a small child or someone in a wheelchair directly in
34 front of it. Vehicles with straight, block front grilles that strike
35 a pedestrian's pelvis or chest immediately after the bumper hits the
36 pedestrian's lower extremities can also transfer more energy to a
37 pedestrian's body, increasing the severity of injury.

38 Because of the increased risk this vehicle poses to other roadway
39 users, the state of Washington may impose more severe penalties for

1 safety infractions, such as for failure to yield to pedestrians and
2 for driving more than 10 miles per hour over the speed limit."

3 **Sec. 4.** RCW 46.61.190 and 2020 c 66 s 2 are each amended to read
4 as follows:

5 (1) Preferential right-of-way may be indicated by stop signs or
6 yield signs as authorized in RCW 47.36.110.

7 (2)(a) Except when directed to proceed by a duly authorized
8 flagger, or a police officer, or a firefighter vested by law with
9 authority to direct, control, or regulate traffic, every driver of a
10 vehicle approaching a stop sign shall stop except as provided in (b)
11 of this subsection at a clearly marked stop line, but if none, before
12 entering a marked crosswalk on the near side of the intersection or,
13 if none, then at the point nearest the intersecting roadway where the
14 driver has a view of approaching traffic on the intersecting roadway
15 before entering the roadway, and after having stopped shall yield the
16 right-of-way to any vehicle in the intersection or approaching on
17 another roadway so closely as to constitute an immediate hazard
18 during the time when such driver is moving across or within the
19 intersection or junction of roadways.

20 (b)(i) With the exception of (b)(ii) and (iii) of this
21 subsection, a person operating a bicycle approaching a stop sign
22 shall either:

23 (A) Follow the requirements for approaching a stop sign as
24 specified in (a) of this subsection; or

25 (B) Follow the requirements for approaching a yield sign as
26 specified in subsection (3) of this section.

27 (ii) A person operating a bicycle approaching a stop sign located
28 at a highway grade crossing of a railroad must follow the
29 requirements of RCW 46.61.345.

30 (iii) A person operating a bicycle approaching a "stop" signal in
31 use by a school bus, as required under RCW 46.37.190, must follow the
32 requirements of RCW 46.61.370.

33 (3) The driver of a vehicle approaching a yield sign shall in
34 obedience to such sign slow down to a speed reasonable for the
35 existing conditions and if required for safety to stop, shall stop at
36 a clearly marked stop line, but if none, before entering a marked
37 crosswalk on the near side of the intersection or if none, then at
38 the point nearest the intersecting roadway where the driver has a
39 view of approaching traffic on the intersecting roadway before

1 entering the roadway, and then after slowing or stopping, the driver
2 shall yield the right-of-way to any vehicle in the intersection or
3 approaching on another roadway so closely as to constitute an
4 immediate hazard during the time such driver is moving across or
5 within the intersection or junction of roadways: PROVIDED, That if
6 such a driver is involved in a collision with a vehicle in the
7 intersection or junction of roadways, after driving past a yield sign
8 without stopping, such collision shall be deemed prima facie evidence
9 of the driver's failure to yield right-of-way.

10 (4) (a) When right-of-way has not been yielded in accordance with
11 this section to a vehicle that is a vulnerable user of a public way,
12 a driver of a motor vehicle found to be in violation of this section
13 must be assessed an additional fine equal to the base penalty
14 assessed under RCW 46.63.110(3). This fine may not be waived,
15 reduced, or suspended, unless the court finds the offender to be
16 indigent, and is not subject to the additional fees and assessments
17 that the base penalty for this violation is subject to under RCW
18 2.68.040, 3.62.090, and 46.63.110.

19 (b) For the purposes of this section, "vulnerable user of a
20 public way" has the same meaning as provided in RCW 46.61.526(11) (c).

21 (5) The additional fine imposed under subsection (4) of this
22 section must be deposited into the vulnerable roadway user education
23 account created in RCW 46.61.145.

24 (6) An additional fine of \$100 shall apply when the driver of a
25 vehicle commits an infraction under this section when the driver's
26 vehicle is a light truck, as defined in RCW 46.04.271, or a midsize
27 or large sport utility vehicle, as defined in section 2 of this act.
28 This fine is not subject to the additional fees and assessments that
29 the base penalty for this violation is subject to under RCW 2.68.040,
30 3.62.090, and 46.63.110. All receipts from this additional fine must
31 be deposited into the vulnerable roadway user education account
32 created in RCW 46.61.145.

33 **Sec. 5.** RCW 46.61.235 and 2019 c 214 s 12 are each amended to
34 read as follows:

35 (1) The operator of an approaching vehicle shall stop and remain
36 stopped to allow a pedestrian, bicycle, or personal delivery device
37 to cross the roadway within an unmarked or marked crosswalk when the
38 pedestrian, bicycle, or personal delivery device is upon or within
39 one lane of the half of the roadway upon which the vehicle is

1 traveling or onto which it is turning. For purposes of this section
2 "half of the roadway" means all traffic lanes carrying traffic in one
3 direction of travel, and includes the entire width of a one-way
4 roadway.

5 (2) No pedestrian, bicycle, or personal delivery device shall
6 suddenly leave a curb or other place of safety and walk, run, or
7 otherwise move into the path of a vehicle which is so close that it
8 is impossible for the driver to stop.

9 (3) Subsection (1) of this section does not apply under the
10 conditions stated in RCW 46.61.240(2).

11 (4) Whenever any vehicle is stopped at a marked crosswalk or at
12 any unmarked crosswalk at an intersection to permit a pedestrian,
13 bicycle, or personal delivery device to cross the roadway, the driver
14 of any other vehicle approaching from the rear shall not overtake and
15 pass such stopped vehicle.

16 (5) (a) If a person is found to have committed an infraction under
17 this section within a school, playground, or crosswalk speed zone
18 created under RCW 46.61.440, the person must be assessed a monetary
19 penalty equal to twice the penalty assessed under RCW 46.63.110. The
20 penalty may not be waived, reduced, or suspended.

21 (b) Fifty percent of the moneys collected under this subsection
22 must be deposited into the school zone safety account.

23 (6) An additional fine of \$100 shall apply when the driver of a
24 vehicle commits an infraction under this section when the driver's
25 vehicle is a light truck, as defined in RCW 46.04.271, or a midsize
26 or large sport utility vehicle, as defined in section 2 of this act.
27 This fine is not subject to the additional fees and assessments that
28 the base penalty for this violation is subject to under RCW 2.68.040,
29 3.62.090, and 46.63.110. All receipts from this additional fine must
30 be deposited into the vulnerable roadway user education account
31 created in RCW 46.61.145.

32 **Sec. 6.** RCW 46.61.245 and 2010 c 242 s 2 are each amended to
33 read as follows:

34 (1) Notwithstanding the foregoing provisions of this chapter
35 every driver of a vehicle shall exercise due care to avoid colliding
36 with any pedestrian upon any roadway and shall give warning by
37 sounding the horn when necessary and shall exercise proper precaution
38 upon observing any child or any obviously confused or incapacitated
39 person upon a roadway.

1 (2) (a) If a person is found to have committed an infraction under
2 this section within a school, playground, or crosswalk speed zone
3 created under RCW 46.61.440, the person must be assessed a monetary
4 penalty equal to twice the penalty assessed under RCW 46.63.110. The
5 penalty may not be waived, reduced, or suspended.

6 (b) Fifty percent of the moneys collected under this subsection
7 must be deposited into the school zone safety account.

8 (3) An additional fine of \$100 shall apply when the driver of a
9 vehicle commits an infraction under this section when the driver's
10 vehicle is a light truck, as defined in RCW 46.04.271, or a midsize
11 or large sport utility vehicle, as defined in section 2 of this act.
12 This fine is not subject to the additional fees and assessments that
13 the base penalty for this violation is subject to under RCW 2.68.040,
14 3.62.090, and 46.63.110. All receipts from this additional fine must
15 be deposited into the vulnerable roadway user education account
16 created in RCW 46.61.145.

17 **Sec. 7.** RCW 46.61.400 and 1965 ex.s. c 155 s 54 are each amended
18 to read as follows:

19 (1) No person shall drive a vehicle on a highway at a speed
20 greater than is reasonable and prudent under the conditions and
21 having regard to the actual and potential hazards then existing. In
22 every event speed shall be so controlled as may be necessary to avoid
23 colliding with any person, vehicle or other conveyance on or entering
24 the highway in compliance with legal requirements and the duty of all
25 persons to use due care.

26 (2) Except when a special hazard exists that requires lower speed
27 for compliance with subsection (1) of this section, the limits
28 specified in this section or established as hereinafter authorized
29 shall be maximum lawful speeds, and no person shall drive a vehicle
30 on a highway at a speed in excess of such maximum limits.

31 (a) Twenty-five miles per hour on city and town streets;

32 (b) Fifty miles per hour on county roads;

33 (c) Sixty miles per hour on state highways.

34 The maximum speed limits set forth in this section may be altered
35 as authorized in RCW 46.61.405, 46.61.410, and 46.61.415.

36 (3) The driver of every vehicle shall, consistent with the
37 requirements of subsection (1) of this section, drive at an
38 appropriate reduced speed when approaching and crossing an
39 intersection or railway grade crossing, when approaching and going

1 around a curve, when approaching a hill crest, when traveling upon
2 any narrow or winding roadway, and when special hazard exists with
3 respect to pedestrians or other traffic or by reason of weather or
4 highway conditions.

5 (4) An additional fine of \$100 shall apply when the driver of a
6 vehicle exceeds a maximum lawful speed limit authorized under this
7 section by 10 miles per hour or more and when the driver's vehicle is
8 a light truck, as defined in RCW 46.04.271, or a midsize or large
9 sport utility vehicle, as defined in section 2 of this act. This fine
10 is not subject to the additional fees and assessments that the base
11 penalty for this violation is subject to under RCW 2.68.040,
12 3.62.090, and 46.63.110. All receipts from this additional fine must
13 be deposited into the vulnerable roadway user education account
14 created in RCW 46.61.145.

15 **Sec. 8.** RCW 46.61.440 and 2010 c 242 s 4 are each amended to
16 read as follows:

17 (1) Subject to RCW 46.61.400(1), and except in those instances
18 where a lower maximum lawful speed is provided by this chapter or
19 otherwise, it shall be unlawful for the operator of any vehicle to
20 operate the same at a speed in excess of (~~(twenty)~~) 20 miles per hour
21 when operating any vehicle upon a highway either inside or outside an
22 incorporated city or town when passing any marked school or
23 playground crosswalk when such marked crosswalk is fully posted with
24 standard school speed limit signs or standard playground speed limit
25 signs. The speed zone at the crosswalk shall extend (~~(three hundred)~~)
26 300 feet in either direction from the marked crosswalk.

27 (2) A county or incorporated city or town may create a school or
28 playground speed zone on a highway bordering a marked school or
29 playground, in which zone it is unlawful for a person to operate a
30 vehicle at a speed in excess of (~~(twenty)~~) 20 miles per hour. The
31 school or playground speed zone may extend (~~(three hundred)~~) 300 feet
32 from the border of the school or playground property; however, the
33 speed zone may only include area consistent with active school or
34 playground use.

35 (3) A person found to have committed any infraction relating to
36 speed restrictions within a school or playground speed zone shall be
37 assessed a monetary penalty equal to twice the penalty assessed under
38 RCW 46.63.110. This penalty may not be waived, reduced, or suspended.

1 (4) An additional fine of \$100 shall apply when the driver of a
2 vehicle exceeds a maximum lawful speed limit authorized under this
3 section by 10 miles per hour or more and when the driver's vehicle is
4 a light truck, as defined in RCW 46.04.271, or a midsize or large
5 sport utility vehicle, as defined in section 2 of this act. This fine
6 is not subject to the additional fees and assessments that the base
7 penalty for this violation is subject to under RCW 2.68.040,
8 3.62.090, and 46.63.110. All receipts from this additional fine must
9 be deposited into the vulnerable roadway user education account
10 created in RCW 46.61.145.

11 (5) School districts may erect signs that comply with the uniform
12 state standards adopted and designated by the department of
13 transportation under RCW 47.36.030, informing motorists of the
14 increased monetary penalties assessed for violations of RCW
15 46.61.235, 46.61.245, or 46.61.261 within a school, playground, or
16 crosswalk speed zone created under subsection (1) or (2) of this
17 section.

18 ~~((+5))~~ (6) The school zone safety account is created in the
19 custody of the state treasurer. Fifty percent of the moneys collected
20 under subsection (3) of this section and the moneys collected under
21 RCW 46.61.235(5), 46.61.245(2), or 46.61.261(2) shall be deposited
22 into the account. Expenditures from the account may be used only by
23 the Washington traffic safety commission solely to fund projects in
24 local communities to improve school zone safety, pupil transportation
25 safety, and student safety in school bus loading and unloading areas.
26 Only the director of the traffic safety commission or the director's
27 designee may authorize expenditures from the account. The account is
28 subject to allotment procedures under chapter 43.88 RCW, but no
29 appropriation is required for expenditures until July 1, 1999, after
30 which date moneys in the account may be spent only after
31 appropriation.

32 **Sec. 9.** RCW 46.61.145 and 2019 c 403 s 4 are each amended to
33 read as follows:

34 (1) The driver of a motor vehicle shall not follow another
35 vehicle more closely than is reasonable and prudent, having due
36 regard for the speed of such vehicles and the traffic upon and the
37 condition of the highway.

38 (2) The driver of any motor truck or motor vehicle drawing
39 another vehicle when traveling upon a roadway outside of a business

1 or residence district and which is following another motor truck or
2 motor vehicle drawing another vehicle shall, whenever conditions
3 permit, leave sufficient space so that an overtaking vehicle may
4 enter and occupy such space without danger, except that this shall
5 not prevent a motor truck or motor vehicle drawing another vehicle
6 from overtaking and passing any like vehicle or other vehicle.

7 (3) Motor vehicles being driven upon any roadway outside of a
8 business or residence district in a caravan or motorcade whether or
9 not towing other vehicles shall be so operated as to allow sufficient
10 space between each such vehicle or combination of vehicles so as to
11 enable any other vehicle to enter and occupy such space without
12 danger. This provision shall not apply to funeral processions.

13 (4) (a) When the vehicle being followed is a vulnerable user of a
14 public way, a driver of a motor vehicle found to be in violation of
15 this section must be assessed an additional fine equal to the base
16 penalty assessed under RCW 46.63.110(3). This fine may not be waived,
17 reduced, or suspended, unless the court finds the offender to be
18 indigent, and is not subject to the additional fees and assessments
19 that the base penalty for this violation is subject to under RCW
20 2.68.040, 3.62.090, and 46.63.110.

21 (b) For the purposes of this section, "vulnerable user of a
22 public way" has the same meaning as provided in RCW 46.61.526(11)(c).

23 (5) The additional fine imposed under subsection (4) of this
24 section must be deposited into the vulnerable roadway user education
25 account created in subsection (6) of this section.

26 (6) The vulnerable roadway user education account is created in
27 the state treasury. All receipts from the additional fine in
28 subsection (4) of this section must be deposited into the account.
29 Moneys in the account may be spent only after appropriation.
30 Expenditures from the account may be used only by the Washington
31 traffic safety commission solely to:

32 (a) Support programs dedicated to increasing awareness by law
33 enforcement officers, prosecutors, and judges of opportunities for
34 the enforcement of traffic infractions and offenses committed against
35 vulnerable roadway users; and

36 (b) With any funds remaining once the program support specified
37 in (a) of this subsection has been provided(~~(, support)~~):

38 (i) Support programs dedicated to increasing awareness by the
39 public of the risks and penalties associated with traffic infractions
40 and offenses committed against vulnerable roadway users; and

1 (ii) Conduct the educational campaigns required under section 15
2 of this act.

3 **Sec. 10.** RCW 2.68.040 and 2021 c 240 s 14 are each amended to
4 read as follows:

5 (1) To support the judicial information system account provided
6 for in RCW 2.68.020, the supreme court may provide by rule for an
7 increase in fines, penalties, and assessments, and the increased
8 amount shall be forwarded to the state treasurer for deposit in the
9 account:

10 (a) Pursuant to the authority of RCW 46.63.110(3), the sum of
11 (~~ten dollars~~) \$10 to any penalty collected by a court pursuant to
12 supreme court infraction rules for courts of limited jurisdiction;

13 (b) Pursuant to RCW 3.62.060, a mandatory appearance cost in the
14 initial sum of (~~ten dollars~~) \$10 to be assessed on all defendants;
15 and

16 (c) Pursuant to RCW 46.63.110(6), a (~~ten-dollar~~) \$10 assessment
17 for each account for which a person requests a time payment schedule.

18 (2) Notwithstanding a provision of law or rule to the contrary,
19 the assessments provided for in this section may not be waived or
20 suspended and shall be immediately due and payable upon forfeiture,
21 conviction, deferral of prosecution, or request for time payment, as
22 each shall occur.

23 (3) The supreme court is requested to adjust these assessments
24 for inflation.

25 (4) This section does not apply to the additional monetary
26 penalty under RCW 46.20.500.

27 (5) This section does not apply to the additional monetary fine
28 under RCW 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190,
29 (~~and~~) 46.61.205, 46.61.235, 46.61.245, 46.61.400, and 46.61.440.

30 (6) This section does not apply to the additional monetary
31 penalties under RCW 46.61.165.

32 (7) In addition to any amount prescribed by rule under subsection
33 (1)(a) of this section as an assessment on traffic infractions
34 dedicated for the judicial information system, there shall be
35 assessed \$2 on each traffic infraction. The additional \$2 shall be
36 forwarded to the state treasurer for deposit in the driver licensing
37 technology support account, created under RCW 46.68.067, to be used
38 to support information technology systems used by the department of

1 licensing to communicate with the judicial information system, manage
2 driving records, and implement court orders.

3 **Sec. 11.** RCW 3.62.090 and 2019 c 467 s 5, 2019 c 403 s 11, and
4 2019 c 65 s 5 are each reenacted and amended to read as follows:

5 (1) There shall be assessed and collected in addition to any
6 fines, forfeitures, or penalties assessed, other than for parking
7 infractions, by all courts organized under Title 3 or 35 RCW a public
8 safety and education assessment equal to (~~seventy~~) 70 percent of
9 such fines, forfeitures, or penalties, which shall be remitted as
10 provided in this chapter and chapters 3.46, 3.50, (~~3.62~~) and 35.20
11 RCW. The assessment required by this section shall not be suspended
12 or waived by the court.

13 (2) There shall be assessed and collected in addition to any
14 fines, forfeitures, or penalties assessed, other than for parking
15 infractions and for fines levied under RCW 46.61.5055, and in
16 addition to the public safety and education assessment required under
17 subsection (1) of this section, by all courts organized under Title 3
18 or 35 RCW, an additional public safety and education assessment equal
19 to (~~fifty~~) 50 percent of the public safety and education assessment
20 required under subsection (1) of this section, which shall be
21 remitted to the state treasurer and deposited as provided in RCW
22 43.08.250. The additional assessment required by this subsection
23 shall not be suspended or waived by the court.

24 (3) This section does not apply to the fee imposed under RCW
25 46.63.110(7), the penalty imposed under RCW 46.63.110(8), the
26 additional penalty imposed under RCW 46.20.500, the additional fine
27 imposed under RCW 46.61.110, 46.61.145, 46.61.180, 46.61.185,
28 46.61.190, (~~and~~) 46.61.205, 46.61.235, 46.61.245, 46.61.400, and
29 46.61.440, or the penalty assessment imposed under RCW 10.99.080.
30 This section does not apply to the additional monetary penalties
31 under RCW 46.61.165.

32 **Sec. 12.** RCW 46.63.110 and 2021 c 240 s 3 are each amended to
33 read as follows:

34 (1)(a) A person found to have committed a traffic infraction
35 shall be assessed a monetary penalty. No penalty may exceed (~~two~~
36 ~~hundred and fifty dollars~~) \$250 for each offense unless authorized
37 by this chapter or title.

1 (b) The court may waive or remit any monetary penalty, fee, cost,
2 assessment, or other monetary obligation associated with a traffic
3 infraction unless the specific monetary obligation in question is
4 prohibited from being waived or remitted by state law.

5 (2) The monetary penalty for a violation of (a) RCW 46.55.105(2)
6 is (~~two hundred fifty dollars~~) \$250 for each offense; (b) RCW
7 46.61.210(1) is (~~five hundred dollars~~) \$500 for each offense. No
8 penalty assessed under this subsection (2) may be reduced.

9 (3) The supreme court shall prescribe by rule a schedule of
10 monetary penalties for designated traffic infractions. This rule
11 shall also specify the conditions under which local courts may
12 exercise discretion in assessing fines and penalties for traffic
13 infractions. The legislature respectfully requests the supreme court
14 to adjust this schedule every two years for inflation.

15 (4) There shall be a penalty of (~~twenty-five dollars~~) \$25 for
16 failure to respond to a notice of traffic infraction except where the
17 infraction relates to parking as defined by local law, ordinance,
18 regulation, or resolution or failure to pay a monetary penalty
19 imposed pursuant to this chapter. A local legislative body may set a
20 monetary penalty not to exceed (~~twenty-five dollars~~) \$25 for
21 failure to respond to a notice of traffic infraction relating to
22 parking as defined by local law, ordinance, regulation, or
23 resolution. The local court, whether a municipal, police, or district
24 court, shall impose the monetary penalty set by the local legislative
25 body.

26 (5) Monetary penalties provided for in chapter 46.70 RCW which
27 are civil in nature and penalties which may be assessed for
28 violations of chapter 46.44 RCW relating to size, weight, and load of
29 motor vehicles are not subject to the limitation on the amount of
30 monetary penalties which may be imposed pursuant to this chapter.

31 (6) Whenever a monetary penalty, fee, cost, assessment, or other
32 monetary obligation is imposed by a court under this chapter, it is
33 immediately payable and is enforceable as a civil judgment under
34 Title 6 RCW. If the court determines that a person is not able to pay
35 a monetary obligation in full, the court shall enter into a payment
36 plan with the person in accordance with RCW 46.63.190 and standards
37 that may be set out in court rule.

38 (7) In addition to any other penalties imposed under this section
39 and not subject to the limitation of subsection (1) of this section,

1 a person found to have committed a traffic infraction shall be
2 assessed:

3 (a) A fee of (~~five dollars~~) \$5 per infraction. Under no
4 circumstances shall this fee be reduced or waived. Revenue from this
5 fee shall be forwarded to the state treasurer for deposit in the
6 emergency medical services and trauma care system trust account under
7 RCW 70.168.040;

8 (b) A fee of (~~ten dollars~~) \$10 per infraction. Under no
9 circumstances shall this fee be reduced or waived. Revenue from this
10 fee shall be forwarded to the state treasurer for deposit in the
11 Washington auto theft prevention authority account; and

12 (c) A fee of (~~five dollars~~) \$5 per infraction. Under no
13 circumstances shall this fee be reduced or waived. Revenue from this
14 fee shall be forwarded to the state treasurer for deposit in the
15 traumatic brain injury account established in RCW 74.31.060.

16 (8)(a) In addition to any other penalties imposed under this
17 section and not subject to the limitation of subsection (1) of this
18 section, a person found to have committed a traffic infraction other
19 than of RCW 46.61.527 or 46.61.212 shall be assessed an additional
20 penalty of \$24. The court may not reduce, waive, or suspend the
21 additional penalty unless the court finds the offender to be
22 indigent. If a court authorized community restitution program for
23 offenders is available in the jurisdiction, the court shall allow
24 offenders to offset all or a part of the penalty due under this
25 subsection (8) by participation in the court authorized community
26 restitution program.

27 (b) \$12.50 of the additional penalty under (a) of this subsection
28 shall be remitted to the state treasurer. The remaining revenue from
29 the additional penalty must be remitted under chapters 2.08, 3.46,
30 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted under this
31 subsection to the state treasurer must be deposited as follows: \$8.50
32 in the state general fund and \$4 in the driver licensing technology
33 support account created under RCW 46.68.067. The moneys deposited
34 into the driver licensing technology support account must be used to
35 support information technology systems used by the department to
36 communicate with the judicial information system, manage driving
37 records, and implement court orders. The balance of the revenue
38 received by the county or city treasurer under this subsection must
39 be deposited into the county or city current expense fund. Moneys

1 retained by the city or county under this subsection shall constitute
2 reimbursement for any liabilities under RCW 43.135.060.

3 (9) If a legal proceeding, such as garnishment, has commenced to
4 collect any delinquent amount owed by the person for any penalty
5 imposed by the court under this section, the person may request a
6 payment plan pursuant to RCW 46.63.190.

7 (10) The monetary penalty for violating RCW 46.37.395 is: (a)
8 (~~Two hundred fifty dollars~~) \$250 for the first violation; (b)
9 (~~five hundred dollars~~) \$500 for the second violation; and (c)
10 (~~seven hundred fifty dollars~~) \$750 for each violation thereafter.

11 (11) The additional monetary penalty for a violation of RCW
12 46.20.500 is not subject to assessments or fees provided under this
13 section.

14 (12) The additional monetary fine for a violation of RCW
15 46.61.110, 46.61.145, 46.61.180, 46.61.185, 46.61.190, (~~and~~)
16 46.61.205, 46.61.235, 46.61.245, 46.61.400, and 46.61.440 is not
17 subject to assessments or fees provided under this section.

18 (13) The additional monetary penalties for a violation of RCW
19 46.61.165 are not subject to assessments or fees provided under this
20 section.

21 NEW SECTION. **Sec. 13.** A new section is added to chapter 46.01
22 RCW to read as follows:

23 (1) The department shall maintain a record of motor vehicles
24 registered under chapter 46.16A RCW that meet the definition of light
25 truck, as defined in RCW 46.04.271, and of midsize or large sport
26 utility vehicle, as defined in section 2 of this act. The department
27 may use any available information relevant to vehicle classification
28 including, but not limited to, information sources or databases that
29 provide vehicle model classification information to determine whether
30 a motor vehicle meets the definitions in RCW 46.04.271 and in section
31 2 of this act.

32 (2) The department shall maintain and publish a list of motor
33 vehicles by make and model and model year that meet the definition of
34 light truck, as defined in RCW 46.04.271, and of midsize or large
35 sport utility vehicle, as defined in section 2 of this act, as a tool
36 to facilitate motor vehicle dealers meeting the requirements of RCW
37 46.70.180(18). Should a vehicle make, model, and model year include a
38 significant number of vehicles that meet the definition of light
39 truck or of midsize or large sport utility vehicle, as well as

1 vehicles that do not, the department shall include that vehicle make,
2 model, and model year in the list maintained and published under this
3 subsection. A motor vehicle dealer may not be found to be out of
4 compliance with RCW 46.70.180(18) when a disclosure required under
5 RCW 46.70.180(18) is not made for a vehicle that meets the definition
6 of light truck or midsize or large sport utility vehicle when that
7 vehicle is a make, model, and model year that is not included in the
8 department's list maintained and published in accordance with this
9 section on the day the vehicle is shown for violations of RCW
10 46.70.180(18)(a), or on the day the vehicle is sold for violations of
11 RCW 46.70.180(18)(b).

12 (3)(a) The department shall provide the owner or owner's
13 authorized representative of a vehicle applying for an original
14 vehicle registration under RCW 46.16A.040 or a vehicle registration
15 renewal under RCW 46.16A.110 with the written text provided in (b) of
16 this subsection when the vehicle is categorized by the department as
17 a light truck, as defined in RCW 46.04.271, or as a midsize or large
18 sport utility vehicle, as defined in section 2 of this act.

19 (b) The written text required under (a) of this subsection must
20 consist of the following: "The state of Washington advises consumers
21 registering a vehicle of this make and model that larger vehicles
22 cause more severe injuries when they strike pedestrians, bicyclists,
23 and other motorists due to their heavier weight. A vehicle sitting at
24 a greater height with a long hood will have larger front blind spots
25 that could prevent its driver from seeing a small child or someone in
26 a wheelchair directly in front of it. Vehicles with straight, block
27 front grilles that strike a pedestrian's pelvis or chest immediately
28 after the bumper hits the pedestrian's lower extremities can also
29 transfer more energy to a pedestrian's body, increasing the severity
30 of injury.

31 Because of the increased risk this vehicle poses to other roadway
32 users, the state of Washington may impose more severe penalties for
33 safety infractions, such as for failure to yield to pedestrians and
34 for driving more than 10 miles per hour over the speed limit."

35 NEW SECTION. **Sec. 14.** A new section is added to chapter 43.43
36 RCW to read as follows:

37 The Washington state patrol shall incorporate the department of
38 licensing's classification of registered motor vehicles as light
39 trucks, as defined in RCW 46.04.271, and of midsize or large sport

1 utility vehicles, as defined in section 2 of this act, into the state
2 patrol's collision and traffic citation reporting system to
3 facilitate the determination of whether the additional fee under RCW
4 46.61.190, 46.61.235, 46.61.245, 46.61.400, and 46.61.440 applies
5 when a traffic citation for one of these infractions is issued.

6 NEW SECTION. **Sec. 15.** A new section is added to chapter 43.59
7 RCW to read as follows:

8 The Washington state traffic safety commission shall conduct
9 periodic educational campaigns to increase awareness of the increased
10 risks to pedestrians and other vulnerable roadway users from light
11 trucks, as defined in RCW 46.04.271, and from midsize and large sport
12 utility vehicles, as defined in section 2 of this act, with an
13 emphasis on informing drivers of these vehicles of the nature of this
14 increased risk. The educational campaign directed to drivers shall
15 include information on the increased fines that apply for certain
16 infractions committed while driving these vehicles.

17 NEW SECTION. **Sec. 16.** This act takes effect January 1, 2024.

--- END ---