
Infractions

Infractions: Traffic, Parking, and Tolling Violations

There are three basic types of infractions in state law related to the operation of a motor vehicle: traffic infractions, parking infractions, and a civil penalty related to a toll violation. The differences between the three are discussed below, including differences in where the infraction revenue is deposited.

Traffic Infractions

A traffic infraction occurs generally when a moving vehicle violates a rule of the road or another law of the state. The rules of the road are generally found in Chapter 46.61 RCW.

Under state law, with some exceptions, traffic infractions are civil and not criminal offenses ([RCW 46.63.020](#)), the distinction being that infractions are not punished by imprisonment. Instead, traffic infractions usually result in a monetary fine or penalty.

Traffic infractions are an infraction given to the driver of the car at the time the infraction occurs. A parking infraction and a civil infraction for a toll violation are given to the registered owner of the motor vehicle, regardless of who was actually operating the motor vehicle at the time the parking infraction or toll violation occurred.

For some traffic infractions, the Legislature has provided a specific penalty in statute, but for all others, the Legislature has delegated the authority to set the amount of the base penalty for the infraction to the Supreme Court. IRLJ 6.2 contains the [infraction penalty schedule](#) adopted by the court.

The \$124 traffic ticket is the most common infraction level. It is arrived at by starting at a base penalty level of \$42 (set by IRLJ 6.2) and adding \$82 for various Legislative assessments for general government purposes (mostly public safety related) at the state and local government levels. *None of the traffic infraction revenues are deposited into state transportation funds.*

In many cases, in lieu of the payment of a fine for a traffic infraction, the ticketed person may attend a course in traffic safety. Attendance at such a program also clears the violation from the person's record.

Parking Infractions

In general, parking infractions are established by city and county governments and the proceeds from those fine go to the applicable local government. However, penalties for infractions related to parking for persons with disabilities are divided between local jurisdictions and state government, with \$100 of the \$450 penalty deposited to the Multimodal Transportation account.

Traffic infractions detected by traffic safety cameras and school bus safety cameras are *processed* as parking infractions (see [RCW 46.63.170\(2\)](#) and [RCW 46.63.180](#)). Revenues from traffic safety camera fines remain with the local government; revenues from school bus safety camera fines are remitted to school districts for school zone safety projects.

Tolling Violations

Failure to pay a toll on a tolled facility in Washington is a civil penalty in a separate category from other traffic infractions ([RCW 46.63.160](#)). WSDOT issues a fine of \$40 for each unpaid toll transaction, plus the original toll amount and associated fees. Photo toll customers have 80 days from the time they use the toll facility to pay the toll before non-payment of the toll charge becomes a violation subject to a civil penalty. A hold on a person's vehicle registration may occur if the civil penalty is not paid.

Proceeds from tolling violations are administered by the state as part of the transportation budget, and are currently used to defray the construction and operating costs of the tolled facility on which the violation occurred.