
 CHAPTER 94

[House Bill No. 1311]

 DEPARTMENT OF REVENUE—AUDITS—
 PERSONAL PROPERTY ACCOUNTS

AN ACT Relating to property taxes; amending section 84.08.030, chapter 15, Laws of 1961 as amended by section 30, chapter 149, Laws of 1967 ex. sess. and RCW 84.08.030; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 84.08.030, chapter 15, Laws of 1961 as amended by section 30, chapter 149, Laws of 1967 ex. sess. and RCW 84.08.030 are each amended to read as follows:

The department of revenue shall examine and test the work of county assessors at any time, and have and possess all rights and powers of such assessors for the examination of persons, and property, and for the discovery of property subject to taxation, and if it shall ascertain that any taxable property is omitted from the assessment list, or not assessed or valued according to law, it shall bring the same to the attention of the assessor of the proper county in writing, and if such assessor shall neglect or refuse to comply with the request of the department of revenue to place such property on the assessment list, or to correct such incorrect assessment or valuation the department of revenue shall have the power to prepare a supplement to such assessment list, which supplement shall include all property required by the department of revenue to be placed on the assessment list and all corrections required to be made. Such supplement shall be filed with the assessor's assessment list and shall thereafter constitute an integral part thereof to the exclusion of all portions of the original assessment list inconsistent therewith, and shall be submitted therewith to the county board of equalization. As part of the examining and testing of the work of county assessors to be accomplished pursuant to this section, the department of revenue shall audit statewide at least ~~((five))~~ one-half of one percent of all personal property accounts listed ~~((in any county))~~ each calendar year.

NEW SECTION. Sec. 2. This 1976 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 5, 1976.

Passed the Senate March 4, 1976.

Approved by the Governor March 13, 1976.

Filed in Office of Secretary of State March 13, 1976.

 CHAPTER 95

[House Bill No. 1340]

TRAFFIC VIOLATIONS—PUNISHMENT

AN ACT Relating to traffic laws; amending section 2, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.010; amending section 46.64.015, chapter 12, Laws of 1961 as last amended by section 1,

chapter 56, Laws of 1975 and RCW 46.64.015; amending section 46.64.050, chapter 12, Laws of 1961 and RCW 46.64.050; providing penalties; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 2, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.010 are each amended to read as follows:

~~((It is unlawful and, unless otherwise declared in this chapter with respect to particular offenses, it is a misdemeanor for any person to do any act forbidden or fail))~~ Failure to perform any act required in this chapter or performance of any act forbidden by this chapter or violation of any local ordinance relating to traffic, parking, standing, stopping, and pedestrian offenses is a misdemeanor. A misdemeanor under this chapter shall be punishable by imposition of a fine not to exceed two hundred fifty dollars, and shall not be punishable by confinement in any jail or correctional institution: PROVIDED, That offenses described in the following sections of RCW shall be classified and punishable as prescribed by this Title and where the offense is classified as a misdemeanor and no specific penalty is prescribed shall be punishable by imprisonment in the county jail for a maximum term of not more than 90 days or by a fine of not more than five hundred dollars or by both such imprisonment and fine:

<u>RCW 46.20.342</u>	<u>Relating to driving while license suspended or revoked;</u>
<u>RCW 46.52.010</u>	<u>Relating to duty on striking unattended car or other property;</u>
<u>RCW 46.52.020</u>	<u>Relating to duty in case of injury to or death of person or damage to attended vehicle;</u>
<u>RCW 46.61.500</u>	<u>Relating to reckless driving;</u>
<u>RCW 46.61.506</u>	<u>Relating to persons under influence of intoxicating liquor or drugs;</u>
<u>RCW 46.61.520</u>	<u>Relating to negligent homicide by motor vehicle—Penalty;</u>
<u>RCW 46.61.530</u>	<u>Relating to racing of vehicles on highways—Reckless driving;</u>
<u>RCW 46.61.535</u>	<u>Relating to advertising of unlawful speed attained—Reckless driving.</u>

Sec. 2. Section 46.64.015, chapter 12, Laws of 1961 as last amended by section 1, chapter 56, Laws of 1975 and RCW 46.64.015 are each amended to read as follows:

Whenever any person is arrested for any violation of the traffic laws or regulations which is punishable as a misdemeanor or by imposition of a fine, the arresting officer may serve upon him a traffic citation and notice to appear in court. Such citation and notice shall conform to the requirements of RCW 46.64.010, and in addition, shall include spaces for the name and address of the person arrested, the license number of the vehicle involved, the driver's license number of such person, if any, the offense or violation charged, the time and place where such person shall appear in court, and a place where the person arrested may sign. Such spaces shall be filled with the appropriate information by the arresting officer. The arrested person, in order to secure release, and when permitted by the arresting officer, must give his written promise to appear in court as required by the citation and notice by signing in the appropriate place the written citation and

notice served by the arresting officer. Upon the arrested person's failing or refusing to sign such written promise, he may be taken into custody of such arresting officer and so remain or be placed in confinement: PROVIDED, That an officer shall not serve or issue any traffic citation or notice for any offense or violation except either when said offense or violation is committed in his presence or when the citation and notice may be issued or served pursuant to RCW 46.64.017.

Sec. 3. Section 46.64.050, chapter 12, Laws of 1961 and RCW 46.64.050 are each amended to read as follows:

It shall be a misdemeanor for any person to violate any of the provisions of this title unless violation is by this title or other law of this state declared to be a felony ((or)), a gross misdemeanor, or a violation.

Unless another penalty is in this title provided, every person convicted of a misdemeanor for violation of any provisions of this title shall be punished accordingly.

NEW SECTION. Sec. 4. This 1976 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 5, 1976.

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CHAPTER 96

[House Bill No. 1342]

CRIMINAL PROCEDURE—CONVICTED DEFENDANTS— FINES AND COSTS, LIABILITY

AN ACT Relating to criminal procedure; and adding new sections to chapter 10.01 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 10.01 RCW a new section to read as follows:

- (1) The court may require a convicted defendant to pay costs.
- (2) Costs shall be limited to expenses specially incurred by the state in prosecuting the defendant. They cannot include expenses inherent in providing a constitutionally guaranteed jury trial or expenditures in connection with the maintenance and operation of government agencies that must be made by the public irrespective of specific violations of law.
- (3) The court shall not sentence a defendant to pay costs unless the defendant is or will be able to pay them. In determining the amount and method of payment of costs, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of costs will impose.
- (4) A defendant who has been sentenced to pay costs and who is not in contumacious default in the payment thereof may at any time petition the court which sentenced him for remission of the payment of costs or of any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or his immediate