



# CITY OF LAKE FOREST PARK CITY COUNCIL BUDGET AND FINANCE COMMITTEE MEETING

**Thursday, May 16, 2024 at 6:00 PM**

**Meeting Location: In Person and Virtual / Zoom  
17425 Ballinger Way NE Lake Forest Park, WA 98155**

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## **INSTRUCTIONS FOR PARTICIPATING IN THIS MEETING VIRTUALLY:**

**Join Zoom Webinar: <https://us06web.zoom.us/j/86833156049>  
Call into Webinar: 253-215-8782 | Webinar ID: 863 3315 6049**

The City Council Budget and Finance Committee is providing opportunities for public comment by joining the meeting webinar (via computer or phone) or in person to provide oral public comment.

### **HOW TO PARTICIPATE WITH ORAL COMMENTS:**

Sign up here <https://app.waitwhile.com/welcome/comment-sign-up> between 9:00 a.m. and 4:00 p.m. on the day of the meeting if you wish to provide Oral Comments during the meeting. You may provide comments or feedback on any item listed on the agenda, or any topic under the purview or control of the City Council.

If you are attending the meeting in person, there is a sign-in sheet located near the entrance to the Council Chambers. Fill the form out and the Presiding Officer will call your name at the appropriate time. Oral comments are limited to 3:00 minutes per speaker.

If you are attending the meeting via Zoom and would like to address the Committee during the Public Comment section of the agenda, you must sign up on the electronic comment sign-in sheet between 9:00 a.m. and 4:00 p.m. on the day of the meeting. Oral comments are limited to 3:00 minutes per speaker. Individuals wishing to speak to agenda items will be called to speak in the order they have signed up. The City Clerk will call your name and allow you to speak. People who are not signed up to speak will not be allowed to address the Council at the meeting. Please state your name and whether you are a resident of Lake Forest Park. The meeting is being recorded.

## **AGENDA**

- 1. CALL TO ORDER: 6:00 P.M.**
- 2. ADOPTION OF AGENDA**
- 3. PUBLIC COMMENTS**

*This portion of the agenda is set aside for the public to address the Committee on agenda items. Comments are limited to a three (3) minute time limit.*

**4. DIRECTOR'S REPORT**

**A.** April 2024 Dashboard

**5. OLD BUSINESS**

**6. NEW BUSINESS**

**A.** Purchasing Policy

**B.** 2023-2024 Budget Amendment

**C.** Traffic Safety Camera Fines

**7. ADJOURN**

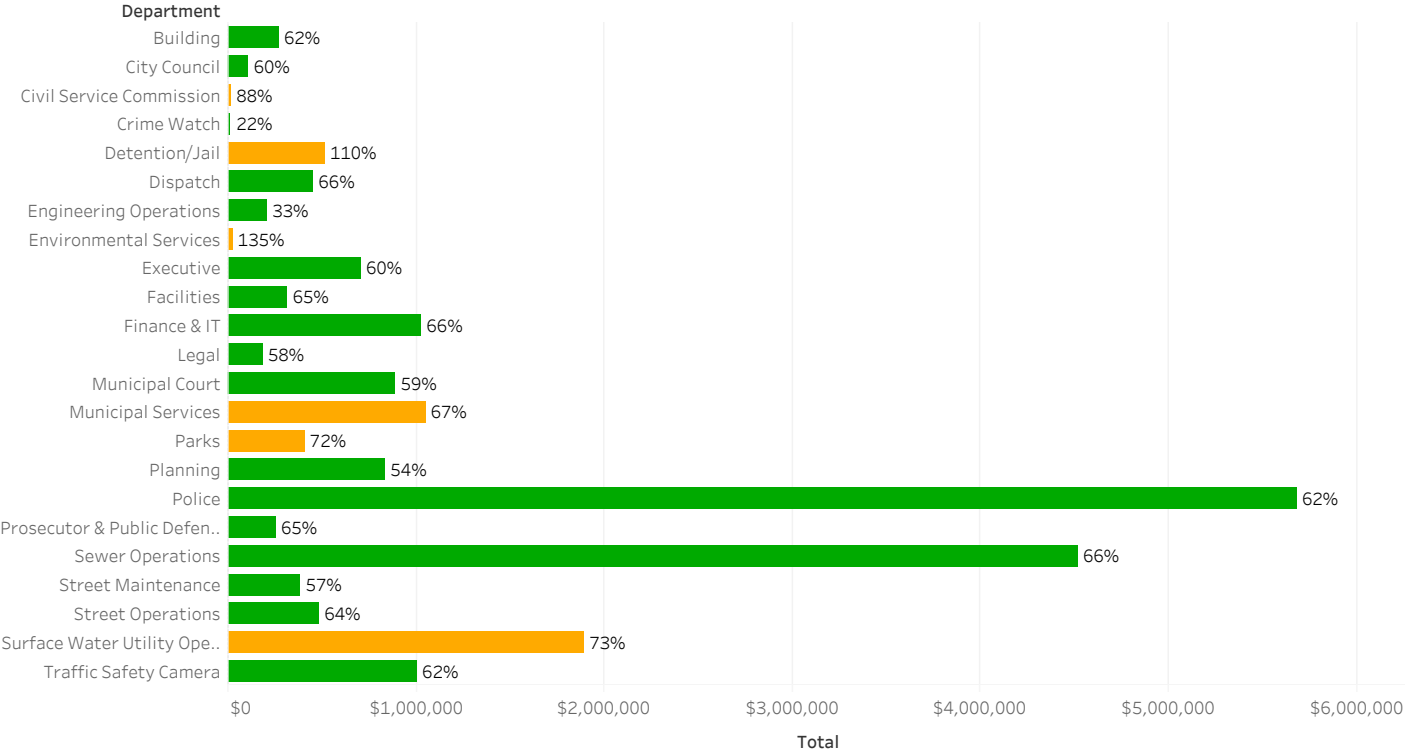
*Any person requiring a disability accommodation should contact city hall at 206-368-5440 by 4:00 p.m. on the day of the meeting for more information.*

# City of Lake Forest Park

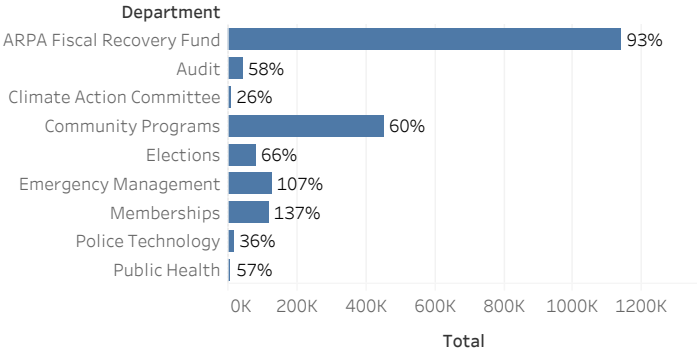
## April 30, 2024 Budget Monitoring Dashboard

For the purposes of this reporting the budgetary period is January 1, 2023 to April 30, 2024. As of the date of this report we are approximately 66.7% through the budgetary period. Green shading indicates meeting or exceeding budgeted performance; yellow indicates not meeting budgeted performance at this time. Percentages, where shown, are the relative period-to-date (PTD) expenditures compared to the budgeted amounts for the budgetary period.

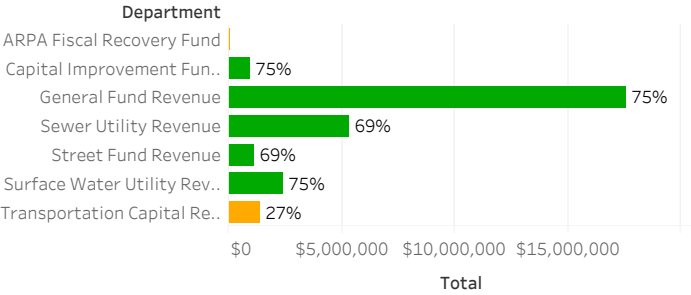
### Operating Departments



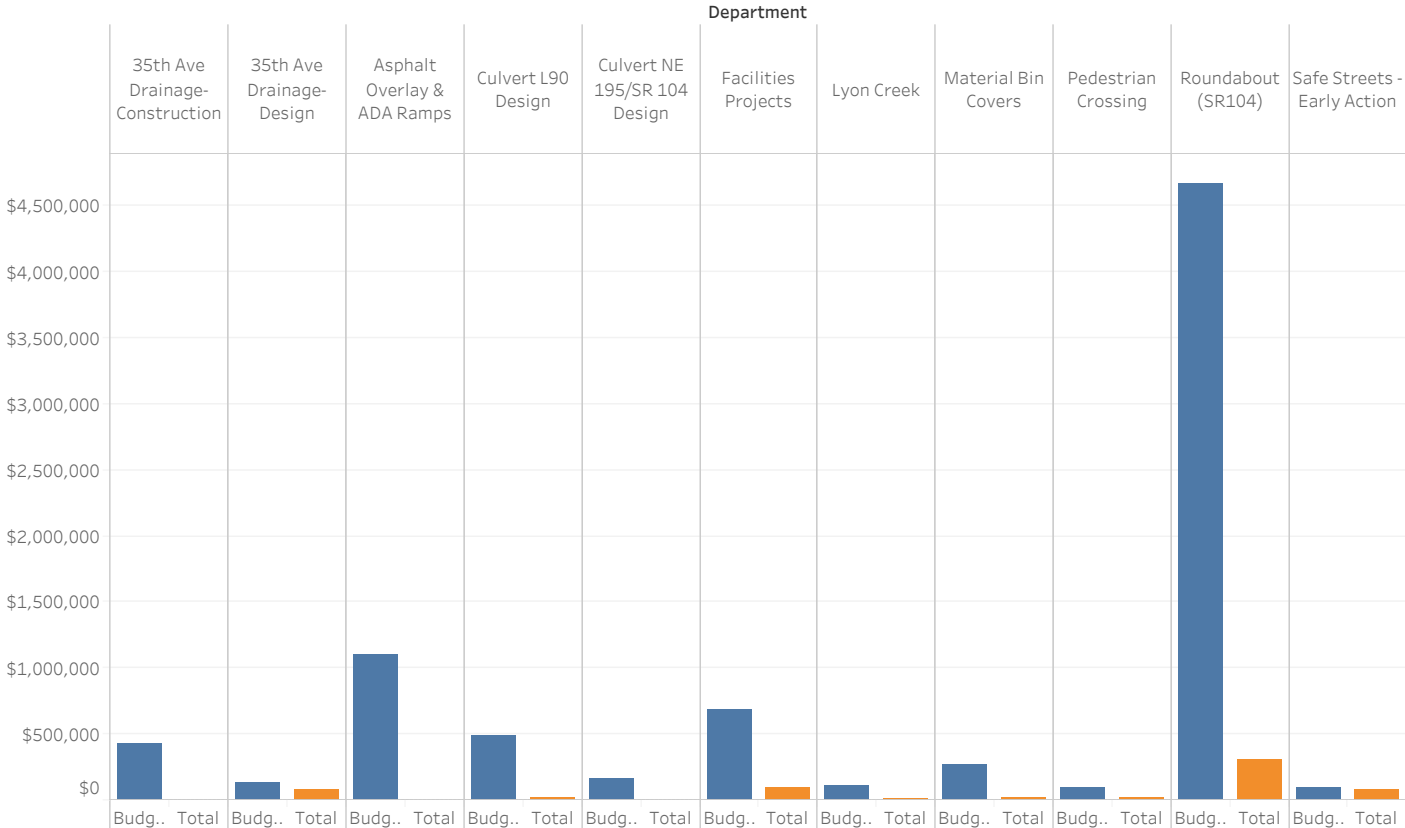
### Non-Operating Departments



### Revenue by Fund



### Capital



# April 30, 2024 Budget Monitoring

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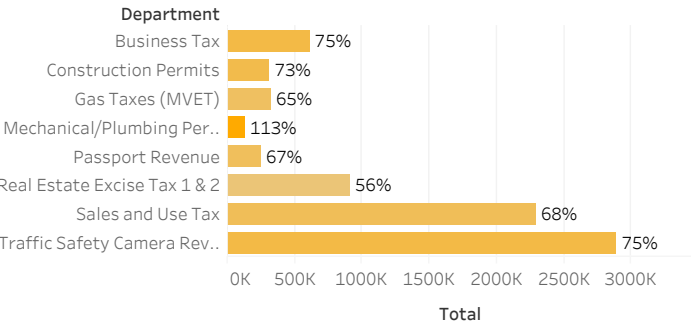
## Operating Departments

Department	Budget	Total	Percentage
Building	437,000	\$270,805	62%
City Council	172,000	\$103,581	60%
Civil Service Commission	19,600	\$17,187	88%
Crime Watch	10,000	\$2,165	22%
Detention/Jail	469,000	\$516,737	110%
Dispatch	678,589	\$451,230	66%
Engineering Operations	618,573	\$205,073	33%
Environmental Services	15,800	\$21,316	135%
Executive	1,181,200	\$705,204	60%
Facilities	482,232	\$311,963	65%
Finance & IT	1,569,100	\$1,028,067	66%
Legal	320,000	\$186,617	58%
Municipal Court	1,510,348	\$890,637	59%
Municipal Services	1,561,708	\$1,047,372	67%
Parks	570,400	\$409,541	72%
Planning	1,535,200	\$834,888	54%
Police	9,133,317	\$5,681,140	62%
Prosecutor & Public Defen..	390,069	\$255,388	65%
Sewer Operations	6,841,338	\$4,521,192	66%
Street Maintenance	670,400	\$383,099	57%
Street Operations	750,084	\$481,416	64%
Surface Water Utility Ope..	2,595,040	\$1,890,915	73%
Traffic Safety Camera	1,625,950	\$1,001,161	62%

## Revenue by Fund

Department	Budget	Total	Percentage
ARPA Fiscal Recovery Fund	0	\$0	
Capital Improvement Fund Revenue	1,244,500	\$937,761	75%
General Fund Revenue	23,335,545	\$17,571,703	75%
Sewer Utility Revenue	7,789,788	\$5,366,007	69%
Street Fund Revenue	1,660,000	\$1,149,929	69%
Surface Water Utility Revenue	3,263,981	\$2,432,753	75%
Transportation Capital Revenue	5,281,805	\$1,426,969	27%

## Revenue by Line Item



## Non-Operating Departments

Department	Budget	Total	Percentage
ARPA Fiscal Recovery Fund	1,230,000	\$1,141,749	93%
Audit	75,000	\$43,700	58%
Climate Action Committee	35,000	\$9,270	26%
Community Programs	747,450	\$450,302	60%
Elections	118,000	\$78,009	66%
Emergency Management	116,100	\$124,538	107%
Lake Front Property	362,000	\$1,138,688	315%
Memberships	84,345	\$115,390	137%
Police Technology	48,700	\$17,499	36%
Public Health	8,700	\$4,981	57%

## Capital

Department	Budget	Total
Roundabout (SR104)	4,664,700	\$305,613
Facilities Projects	685,500	\$96,442
Safe Streets - Early Action	100,000	\$80,358
35th Ave Drainage- Design	135,696	\$70,948
28th Ave Culvert Repair	0	\$26,176
Pedestrian Crossing	100,000	\$24,730
Culvert L90 Design	490,000	\$23,299
Material Bin Covers	270,000	\$18,958
Lyon Creek	106,000	\$5,891
Culvert NE 195/SR 104 Design	160,000	\$2,035
Asphalt Overlay & ADA Ramps	1,100,000	\$1,514
35th Ave Drainage- Construction	424,304	\$0

**CITY OF LAKE FOREST PARK  
RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, REPEALING RESOLUTION NO., AND ADOPTING A NEW PROCUREMENT POLICIES AND PROCEDURES MANUAL

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WHEREAS, the City of Lake Forest Park (hereinafter referred to as City) requires the ability to let public works projects as allowed by the Revised Code of Washington (RCW); and

WHEREAS, the City requires the ability to enter into personal and professional services contracts as allowed by RCW; and

WHEREAS, the City desires to identify appropriate internal controls and ethical considerations regarding its procurement activities; and

WHEREAS, the City desires to align its Procurement Policies and Procedures with current state law, State Auditor’s Office advice, and

WHEREAS, the City wishes to conduct its operations in a prudent, efficient, and cost-effective manner; and

WHEREAS, the City Council recognizes the appropriate delegation to the administration regarding procurement processes can improve efficiencies; and

WHEREAS, the City previously adopted procurement policies and procedures through Resolution No. 617 and Resolution No. 1399.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. REPEAL. City of Lake Forest Park Resolutions No. 617 and 1399 are hereby repealed in their entirety.

Section 2. ADOPT. The City of Lake Forest Park Procurement Policies and Procedures Manual, attached as Exhibit A, is adopted in its entirety.

Section 3. CORRECTIONS. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. EFFECTIVE DATE. The City of Lake Forest Park Procurement Policies and Procedures Manual will be effective immediately upon adoption.

**PASSED BY A MAJORITY VOTE** of the members of the Lake Forest Park City Council this \_\_\_ day of \_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
Tom French  
Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Matthew McLean  
City Clerk

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
RESOLUTION NO.:

DRAFT

Exhibit A

CITY OF LAKE FOREST PARK  
Procurement  
Policies & Procedures

DRAFT

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## **2 POLICY; ENFORCEABILITY**

The purpose of this policy is to implement the requirements of state law and, when applicable, federal guidance with regards to the procurement of goods and services and the bidding on public contracts for public works, goods, services, supplies, and materials. It is the City's policy to follow state and, when applicable, federal requirements with regard to the expenditure of public funds, to provide a fair forum for those interested in bidding on public contracts, and to help ensure that public contracts are performed satisfactorily and efficiently at least cost to the public, while avoiding fraud, waste, and favoritism in their award. For federally funded purchases the City has adopted a separate policy. .

All contract approvals and directly related purchasing actions taken through the effective date of this policy are hereby expressly ratified.

Except as otherwise expressly provided herein, the provisions of this policy are intended solely as a convenience and reference guide for City officials and employees. Nothing in this policy is intended to create any liability for or against the City. Without limitation of the foregoing, nothing in this policy is intended to create any enforceable right, entitlement, or cause of action in or for any third parties.

## **3 DEFINITIONS and ACRONYMS**

- a. "Architectural and Engineering services" means services rendered by any person, other than a city employee, to perform activities within the scope of the professional practice of architecture, Chapter 18.08 RCW; professional practice of engineering and land surveying, Chapter 18.43 RCW, or professional practice of landscape architecture Chapter 18.96 RCW.
- b. "Bid splitting" means breaking a public work project or purchase of equipment or supplies into segments.
- c. "Contract" means a contract in writing for the execution of a fixed or determinable amount duly awarded after advertisement and competitive bid, or a contract awarded under the small works roster process in RCW 39.04.155.
- d. "DES" – Washington State's Department of Enterprise Services.
- e. "Formal competitive bid" is the process of advertising and receiving sealed written bids from prospective vendors. The selection of the vendor is primarily based on the lowest cost from a responsible vendor.
- f. "Informal competitive quotes" are price quotes from vendors that are obtained using a variety of mediums such as phone, fax, e-mail, or writing. Results must be documented and retained by the contracting department and attached to the invoices submitted for payment to the Finance Department. The selection of the vendor is primarily based on the lowest cost from a responsible, responsive vendor.

- g. “Interlocal agreements” are the exercise of governmental powers in a joint or cooperative undertaking with another public agency.
- h. “LFPMC” – Lake Forest Park Municipal Code.
- i. “MRSC” – Municipal Research Services Center.
- j. “Newspaper” – a publication issued at regular intervals, generally daily or weekly, and commonly containing news, comment, features, and advertising.
- k. “Ordinary maintenance” is work not performed by contract and that is performed on a regularly scheduled basis (e.g. daily, weekly, seasonally, semiannually, but not less frequently than once per year), to service, check or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary.
- l. “OSP” – Washington State’s Office of State Procurement.
- m. “Personal services” – interchangeable with professional services – services that involve technical expertise provided by a consultant to accomplish a specific study, project, task, or other work. These activities and products are mostly intellectual in nature, and they do not include Architectural and Engineering services. Example of services include accounting, legal, comprehensive planning, and real estate services.
- n. “Professional services” – see personal services.
- o. “PSE” – Puget Sound Energy.
- p. “Public work,” as defined in RCW 39.04.010, means all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the city or which is by law a lien or charge on any city property. Public work projects include the related materials, supplies, and equipment to complete the project.
- q. “Publication” – printed or otherwise reproduced textual or graphic material for sale or distribution to the public.
- r. “PUD” – Public Utility District.
- s. “Purchased services” – different from personal services in that these services are generally routine, repetitive, or mechanical in nature and supports the City’s day to day operations. Purchased services include janitorial, debt collections, equipment service agreements, machine repair, or delivery services. (May include ordinary maintenance.)
- t. “RCW” – Revised Code of Washington.
- u. “RFP - Request for Proposal” means a process that requests interested firms to submit a statement of their proposal for completing a project. Proposals are

evaluated based upon the suitability, practicality, quality of the proposal and experience and cost.

- v. "RFQ - Request for Qualifications" means a request only for a firm's general capabilities, including a list of principals, previous projects, number of employees, and licenses. An RFQ does not include pricing information.
- w. "Small Works Roster" is a roster of qualified contractors maintained for use in a modified formal bid process. When the contract amount for a public works project is \$350,000 or less, or as amended in the RCW, the city may follow the small works roster process for construction of a public work or improvement as an alternative to formal competitive bid requirements.
- x. "Sole Source Supplier" occurs when a purchase is clearly and legitimately limited to a single supplier. These situations often arise when an agency has specific technological requirements. Examples include: (a) licensed, copyrighted, or patented products or services that only one vendor provides; (b) new equipment or products that must be compatible with existing equipment or products; (c) proprietary or custom-built software or information systems that only one vendor provides; and (d) products or services where only one vendor meets the required certifications or statutory requirements. Requires Council approval unless an emergency exists. RCW 39.04.280.
- aa. "Use Tax" is a tax on the use of goods or certain services in Washington when sales tax has not been paid. Goods used in Washington are subject to either sales or use tax, but not both.
- bb. "WAC" – Washington Administrative Code

**4 GENERAL PROVISIONS**

**4.1 Purchasing Code of Ethics**

To instill public confidence in the award of public contracts and the expenditure of public funds, the City adopts the following code of ethics regarding public contracting:

- a) Actions of City employees shall be impartial and fair;
- b) City decisions and policies shall be made in compliance with required procedures and within the proper channels of government structure;

Public employment shall not be used for personal gain, and City employees shall not solicit, accept, or agree to accept any gratuity for themselves, their families, or others that would or could result in personal gain. Purchasing decisions shall be made impartially, based upon the City's specifications for the contract and the responses of those bidding on the contract; and

**4.2 Controlling Laws**

The expenditure of public funds for the purchase of and contracting for goods, services, supplies, and materials shall comply with all applicable state law requirements as set forth

in the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC). Where this policy conflicts with state law requirements, the more restrictive provision shall prevail. Where this policy is silent with regards to purchasing and/or bidding requirements, state law shall prevail.

**4.3 Monitoring and Compliance**

Each department director shall implement, monitor, and enforce these policies. In the event of any conflict in procurement requirements or questions about proper procedure or other requirements, the matter shall be referred to the City Administrator and/or the Administrator’s designee for further action. Willful or intentional violations of public procurement requirements may result in personal penalties, financial liabilities, and/or discipline. RCW 39.30.020.

**4.4 Proper Authorization/Certifications**

Only authorized employees acting within the scope of their authority may obligate the City in the acquisition of goods or services. Any employee purchasing goods on behalf of the City without proper authorization may be personally liable to the vendor and/or to the City and subject to disciplinary action.

**4.5 Budget Sufficiency**

Each department director must ensure that purchases are initiated only when the departmental budget is sufficient to cover the anticipated cost. Expenditures that exceed departmental appropriations require a budget amendment approved by City Council. Requests for budget amendments must be submitted to the department director in writing, and shall be approved by the requesting director or manager and forwarded to the City Administrator and Finance Director for review prior to being forwarded to the City Council for approval.

**4.6 Financing**

If a department is requesting financing for equipment or vehicles, it is necessary to work with the Finance Director. Financing documentation shall be included as part of the documentation for City Council approval to authorize Mayor or designee to sign loan or bond documents.

**4.7 Breaking Down or Bid Splitting Purchases**

The breaking down or bid splitting of any purchase or contract into units or phases for the purpose of avoiding the maximum dollar amount is prohibited. RCW 35.23.352(1).

**4.8 Cost**

Purchase cost includes sales tax, use tax, delivery charges, and any related miscellaneous charges.

**4.9 Local Businesses, Women & Minority Owned Businesses, Small Businesses, and Veteran Owned businesses.**

4.9.1 Local businesses should be encouraged to submit bids on City procurements that are open to everybody. When determining the lowest bid on purchase of supplies, materials, or equipment, the City may, whenever indicated in advance, take into consideration sales and/or B&O tax revenue it would receive from a supplier located within its boundaries pursuant to RCW 39.30.040.

4.9.2 Women and minority owned businesses as described in RCW 39.19.030(7)(b), Veteran-owned businesses as defined in RCW 43.60A.010 shall be afforded the maximum practicable opportunity to compete for and obtain service contracts with the City.

**4.10 Purchasing Limitations**

- a) Expenditures are required to be included in the annual budget.
- b) Purchase limitations apply to the aggregate cost of individual items, whether purchase in one order or over a series of orders, per calendar year. Cost is inclusive of sales tax, use tax, delivery charges, and any related miscellaneous charges.
- c) The Mayor or designee may execute personal/professional services and purchased services contracts up to \$50,000 (fifty thousand dollars), for Public Works contracts as long as the contract is consistent with the adopted budget. For all other contracts, the Mayor or designee may execute contracts up to \$30,000 (thirty thousand dollars, except as identified elsewhere in this resolution.
- d) Public Works Contracts greater than \$50,000 (fifty thousand) require Council authorization, except as identified elsewhere in this resolution. All other contracts, greater than \$30,000 required Council authorization.
- e) Contracts of any amount that are not consistent with the adopted budget require Council approval.
- f) Initial Interlocal agreements of any amount with governmental agencies require Council authorization. The Mayor, or designee, may execute renewal or extension of existing Interlocal agreements with governmental agencies up to \$30,000 (thirty thousand), if the agreement's terms address renewal and the agreement is consistent with the adopted budget. All other renewals require Council approval.
- g) The Mayor or designee may present any contract to the Council for approval even if the contract is not required to be approved by the Council.

**4.11 Grant Applications**

The Mayor and staff are authorized to apply for grants that would carry out projects or services in the adopted biennial budget or adopted capital improvement plan (CIP). If a grant application requires material matching dollars beyond those included in the funded CIP or impacts an adopted City policy, City Council approval must be sought before grant application.

## 5 PUBLIC WORKS PROJECTS

The preparation of plans and/or specifications and an estimate of project cost may be authorized by the Mayor or designee for projects \$50,000 or less and by the City Council for larger projects.

Type of Purchase or Project	Process	Other Requirements	Contract Authorization
Projects costing under \$350K	May use Small Works Roster (the City uses the MRSC Rosters RCW 39.04.155)	<ul style="list-style-type: none"> <li>• Prevailing wage</li> <li>• Insurance</li> <li>• Contract/ Performance bond</li> <li>• Bid bond/deposit (unless using Small Works Roster) If small works roster used, retainage may be waived. RCW 39.04.122(2)(f)</li> </ul>	<ul style="list-style-type: none"> <li>• Must be budgeted.</li> <li>• If \$50,000K or less, Mayor or designee may execute.</li> <li>• All other must be approved by Council</li> </ul>
Projects costing \$350K or more	Formal bids	<ul style="list-style-type: none"> <li>• Prevailing wage</li> <li>• Insurance</li> <li>• Contract/ Performance bond</li> <li>• Bid bond/deposit</li> </ul>	<ul style="list-style-type: none"> <li>• Must be budgeted.</li> <li>• Requires Council approval</li> </ul>
Projects costing under \$50K (Alternative to the Small Works Roster)	Solicited quotes	<ul style="list-style-type: none"> <li>• Prevailing wage</li> <li>• Contract/ Performance bond required above \$10K . See RCW 39.04.155(3)(b).</li> </ul>	<ul style="list-style-type: none"> <li>• Must be budgeted.</li> <li>• Mayor or designee may execute</li> </ul>
Projects with costs exceeding \$75.5K for single trade or \$116,155 for multiple trades ) and less than \$350K. RCW 35.23.352. 7/1/2024 \$116,155 will change to \$150,000 per state legislation.	Must call for bids or use Small Works Roster process to solicit quotes	<ul style="list-style-type: none"> <li>• Prevailing wage</li> <li>• Insurance</li> <li>• Contract/ Performance bond</li> <li>• Bid bond/deposit (unless using Small Works Roster)</li> </ul>	<ul style="list-style-type: none"> <li>• Must be budgeted.</li> <li>• If \$50,00K or less Mayor or designee may execute.</li> <li>• All other must be approved by Council</li> </ul>
Projects less than \$2,500	One quote needed, two recommended	<ul style="list-style-type: none"> <li>• Appropriate form(s) for prevailing wages</li> <li>• No bond</li> <li>• No retainage</li> </ul>	<ul style="list-style-type: none"> <li>• Must be budgeted.</li> <li>• Mayor or designee may execute</li> </ul>

\*The Public Works Contract Requirements Matrix is adopted by reference as part of this policy and procedure document.

\*\* On contracts of \$150,000 or less, at the option of the contractor, the City may, in lieu of the bond, retain ten percent of the contract amount for a period of thirty days after date of final acceptance, or until receipt of all necessary releases from the department of revenue, the employment security department, and the department of labor and industries and settlement of any liens filed under chapter 60.28 RCW, whichever is later.

Regardless of cost limits, the City may in its discretion solicit formal bids at any time.

Project budget authorization may include a project contingency, not to exceed 20% (twenty percent). If additional budget authority is needed for the project, Council must approve the increase for budget amendment prior to or simultaneously with the approval of the contract.

**5.1 Change Orders**

Change orders that fall within the Council approved scope, project budget, and project contingency may be executed by the Mayor or his/her designee. Change orders that would change the scope of the project and/or exceed the Council approved project budget and Council approved project contingency require additional Council action.

All change orders, regardless of amount, will be reported to Council on a monthly basis.

**5.2 Prevailing Wage Laws**

Public work projects and maintenance, when performed by contract, are governed by Chapter 39.12 RCW, Prevailing wages on public works, regardless of contract amount. It is the responsibility of the contracting employee to notify the vendor of prevailing wage requirements and obtain compliance documentation prior to awarding any public work or maintenance contract. Public work and ordinary maintenance contracts will only be awarded to contractors who document compliance with the Washington State Prevailing Wage Law. The department director or designee managing the project is responsible for collecting ongoing compliance documents. If a contractor is found to be in violation of prevailing wage laws by the Department of Labor and Industries, the City will have to withhold payment (including retainage) from that contractor.

**6 PROFESSIONAL AND PERSONAL SERVICES**

Type of Purchase	Process	Other Requirements	Contract Authorization
Architectural, Land Surveying, and Engineering Services	Request for Qualifications (RCW 39.80) required if \$350,000 and above. Roster process can be used if under \$350,000. See RCW 39.80.040.	<ul style="list-style-type: none"> <li>• Publish RFQ</li> <li>• Must evaluate on performance and qualifications</li> <li>• Negotiate contract after selection</li> </ul>	<ul style="list-style-type: none"> <li>• Must be budgeted</li> <li>• If under \$30,000, Mayor or designee may execute</li> <li>• All other must be approved by Council</li> </ul>
All other personal services	No state law required process		<ul style="list-style-type: none"> <li>• Must be budgeted</li> <li>• If under \$30,000, Mayor or designee may execute</li> <li>• All other must be approved by Council</li> </ul>

Any professional and/or personal services contracts not part of the budget, regardless of amount, must be authorized by Council.

**7 PURCHASES OF MATERIALS, SUPPLIES, AND EQUIPMENT (not associated with Public Works projects)**

Type of Purchase	Process	Other Requirements	Contract Authorization
Items costing less than \$7,500	No state law required process		Must be within department budget Department director or designee may execute
Items costing over \$15,000 and vehicles replaced through Fund 501 Vehicle Equip Replacement Fund)	Must call for bids or use State Bid or other Interlocal Council approved bid process	Publication of RFP if bidding	Must be within department budget \$30K or less, Mayor or designee may execute Over \$30K, Council must authorize

**7.1 Miscellaneous**

7.3.1 Real Property. The purchase or acquisition of real property in fee simple or an interest in real property require City Council approval, unless:

7.3.1.1 it is the acceptance of a dedication or conveyance made in the general course of a development project required by the LFPMC, or

7.3.1.2 . it is an acquisition for a Department of Public Works project and the acquisition price is within the City Council approved budget for the project.

7.3.2 Computer and Telecommunications. A competitive negotiation process, as an alternative to bidding, may be used for computer and telecommunications equipment, software, and services pursuant to RCW 39.04.270. Item(s) must be within budget and may be authorized by the department head. If the price is \$30,000 or under, the contract may be executed, by the Mayor or designee. If the contract is above \$30,000 it must be approved by Council.

7.3.4 Street Improvements. If the public works project is for street signalization or street lighting, it is treated as a single craft or trade project for bidding purposes.

**8 BID PROCEDURES**

The following shall apply for public work contracts and when formal bidding is required for the purchase of materials, supplies, or equipment, except as otherwise noted:

- To ensure consistency and fair process, the City will use standard forms, documents, contracts, and terms and conditions, when practical. Templates will be maintained for bid-related documents for use by departments when practical. The City may use an evaluation selection committee to promote an open, proper selection. The requesting department director will appoint committee members to act in an advisory capacity.
- Minimum qualifications and/or specifications are stated to ensure bids address the



needs of the City. Minimum qualifications cannot be used to eliminate qualified contractors and vendors. Minimum qualifications should be tested against the marketplace to ensure they are not overly restrictive.

- When practical for public works contracts, the City will conduct a pre-bid conference to allow a thorough discussion of the City's intent, scope, specifications, and terms. Interested companies should be encouraged to attend.
- Selection of a winning offer is based primarily on lowest responsive bid. Quality and expertise, however, may be a consideration to the extent legally permissible.

### **8.1 Formal Competitive Bid (RCW 35A.40.200)**

#### I. Publication of Notice.

After authorization by the City Administrator or designee, the requesting department will publish the Call for Bids for sealed bids in the official newspaper, or a newspaper or publication of general circulation most likely to bring responsive bids, at least thirteen (13) days prior to bid submittal deadline. Provided, that in addition to the foregoing, the Call for Bids may also be published in any publication deemed appropriate in the sole discretion of the City Administrator or designee. This subsection does not apply if using an authorized Interlocal cooperative purchasing agreement as described in § 11.6 of these Policies.

#### II. Notice Contents for Public Works Contracts.

Notice (or advertisement) for bids should contain definite specifications and procedures for bidders to use to estimate their bids. At a minimum, a bid notice for public works must include:

- a. Project title;
- b. Nature and scope of work;
- c. Where contract documents (plans and specifications) can be reviewed or obtained;
- d. Cost to obtain a set of contract documents;
- e. Place, date, and time that bids are due;
- f. Place, date, and time that bid will be opened;
- g. Statement that a bid bond must accompany the bid;
- h. Statement that the City retains the right to reject any and all bids and to waive minor irregularities in the bids and/or the bidding process;
- i. Statement that the contract involves "public work" and that workers shall receive the prevailing rate of wage pursuant to the Prevailing Wages on Public Works Act (Chapter 39.12 RCW);
- j. List of the applicable prevailing wage rates or prevailing wage statement;
- k. Statement that the City is an equal opportunity employer and invites responsive bids from all qualified responsible bidders;
- l. The materials and equipment to be furnished, if any.

#### III. Notice Contents for Purchases of Materials, Supplies, or Equipment.

Notice (or advertisement) for bids should contain definite specifications and

procedures for bidders to use to estimate their bids. At a minimum, a bid notice must include:

- a. Name and description of requested items;
- b. Where contract documents (plans and specifications) can be reviewed or obtained;
- c. Cost to obtain a set of contract documents;
- d. Place, date, and time that bids are due;
- e. Statement that the City retains the right to reject any and all bids and to waive minor irregularities in the bidding process;
- f. Place, date, and time that bid will be opened.

**8.2 Bid Opening**

Bids are submitted to the responsible department director or designee, where they are time and date stamped and processed. The bids shall be opened at the time and place specified in the advertisement for bids.

- I. Report on Bids: The responsible department director or designee will prepare a report and recommendation on all bids received to the decision maker with the authority to approve the contract.
- II. Bid Award: The City shall award the contract to the lowest responsible, responsive bidder or shall have power by Council resolution to reject any or all bids and to make further calls for bids in the same manner as the original call.
- III. Bid Bonds for Public Works Contracts: Upon award of a public works contract or rejection of all bids, bid bonds shall be returned to the unsuccessful bidders. All bid guarantees must be deposited to the City's account. Bid guarantees belonging to the unsuccessful bidders must be returned as soon as practical after the bid opening in the form of a check written to the contractor. The City shall hold the bid guarantees of the two lowest responsible bidders. If the successful bidder fails to enter into the contract, the bid guarantee is forfeited and the contract is awarded to the next-lowest bidder. If the lowest bidder enters into the contract, the guarantee for the second-lowest bidder is returned. The successful bidder's bid bond or deposit shall be retained until the bidder enters into a contract with the City and furnishes a performance bond in the full amount of the contract price.

Per RCW 35.23.352(2), as referenced in RCW 35A.40.200, if the City has previously issued a written finding that the lowest bidder has, within the last three years, delivered to the City a project that was late, over budget, or did not meet specifications, and the City does not find in writing that the lowest bidder has shown how they would improve performance so as to be likely to meet project specifications, the City may award to the second-lowest bidder that falls within 5% (five percent) of the lowest bidder and meets the same criteria as the lowest bidder.

**9 SMALL WORKS ROSTER (RCW 39.04.155(1) AND (2))**

RCW 39.04.155 provides uniform small works roster provisions to award contracts for construction, building, renovation, remodeling, alteration, repair, or improvement of real property. The Small Works Roster may be used for public work projects valued below \$350,000, or as this amount is amended in the RCW, in lieu of formal bidding. Use of the Small Works Roster allows the City to waive the advertisement requirements of the formal competitive process.

The Washington State Municipal Research Services Center (MRSC) compiles small works rosters for cities and counties throughout the State of Washington. The City of Lake Forest Park has contracted with MRSC to use its small works rosters for public works contracts valued below \$350,000.

- a) **Invitations for Quotations.**  
Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation. This subsection does not eliminate other requirements for architectural or engineering approvals as to quality and compliance with building codes.
- b) **Number of contractors invited.**  
  
Quotations shall be invited from all, or at least five (5), appropriate contractors per the attached Public Works Contract Requirements.
- c) **Vendors/contractors selected from the Small Works Roster are not relieved from observing applicable legal requirements such as Contract Bond, Prevailing Wage, Retainage, etc.**
- d) **Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.**
- e) **As required by RCW 39.04.200, the City must post a list of contracts awarded from the small works roster once every year. The list must contain the name of the contractor, the amount of the contract, a brief description of the type of work performed, and the date of the award.**

**10 LIMITED PUBLIC WORKS PROCESS (RCW 39.04.155(3))**

For public work projects with an estimated cost of less than \$50,000, or as this amount is amended in the RCW, the City may use the Limited Public Works Process in lieu of the small works process.

- a) **Invitations for Quotations.**  
Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished.

However, detailed plans and specifications need not be included in the invitation. This subsection does not eliminate other requirements for architectural or engineering approvals as to quality and compliance with building codes.

- b) Number of contractors invited.  
Quotations shall be invited from a minimum of three contractors from the appropriate small works roster and shall award the contract to the lowest responsible bidder. If no bids are received, see Section 11.7 for guidance.
- c) Notification of Award.  
After an award is made, the quotations shall be open to public inspection and available by electronic request. The City shall maintain a list of the contractors contacted and the contracts awarded during the previous twenty-four months under the limited public works process, including the name of the contractor, the contractor's registration number, the amount of the contract, a brief description of the type of work performed, and the date the contract was awarded.
- d) Vendors/contractors selected using the Limited Public Works Process are required to comply with prevailing wage and insurance requirements.
- e) The City may waive the requirement for payment and performance bonds and retainage requirements for limited public works contracts. RCW 39.04.155(3)(b).

**11 EXEMPTIONS TO COMPETITIVE BIDDING REQUIREMENTS**

RCW 39.04.280 provides uniform exemptions to competitive bidding requirements utilized by municipalities when awarding contracts for public works and contracts for purchases.

**11.1 Purchases that are clearly and legitimately limited to a single source of supply (Sole Source Vendor)**

If, after conducting a good faith review of available resources, the requesting department director determines that there is only one source of the required materials, supplies, or equipment, a purchase contract may be awarded without complying with established bid requirements. The requesting department director will submit a written request for sole source procurement to the Mayor for approval, and conduct price, terms, and delivery negotiations, as appropriate. The vendor must certify in writing that the City is getting the lowest offered price.

The City Council shall approve all sole source purchases by resolution that identifies the factual basis for the sole source justification and concludes that “the purchase is clearly and legitimately limited to a single source or supply.” A sole source resolution shall not be required in case of emergency, under the terms and conditions specified in RCW 39.04.280(2)(b). On-going sole source purchases of materials, equipment, and supplies should be reviewed annually to ensure the pricing is still the lowest price for the City and

that the conditions that justify the sole source purchase still exist.

**11.2 Purchases involving special facilities or market conditions**

RCW 39.04.280(1)(b) authorizes the City Council by resolution to waive established bidding requirements if purchases involve special facilities or market conditions such as an exceptional opportunity arises to purchase favorably-priced equipment or supplies or used goods that will be sold before the City can conduct the bid process. The resolution must set forth the factual basis for the special market conditions.

RCW 70A.210.110 authorizes exceptions to the requirements of Section 7 and Section 8 of this policy as it applies to purchases for Pollution Control Facilities as they are defined in RCW 70A.210.020. RCW 35.23.351 also authorizes exceptions to the requirements in Section 7 and 8 of this policy as it applies to the selection of persons or entities to construct or develop water pollution control facilities or to provide water pollution control services or solid waste handling services.

**11.3 Auctions**

RCW 39.30.045 authorizes the City to acquire supplies, materials, and equipment through an auction conducted by an agency of the State of Washington, an agency of the United States, any municipality or other government agency, or any private party if the items can be obtained at a competitive price.

**11.4 Surplus Property**

The City may acquire surplus property from the state, a city, another political subdivision, the federal government, or a federally recognized tribe without the use of competitive quotes or bids upon terms and conditions as may be mutually agreed. RCW 39.33.010. The requesting department director will submit a written request for procurement to the Mayor for approval, and conduct price, terms, and delivery negotiations, as appropriate.

**11.5 Purchases in the event of an emergency**

RCW 39.04.280(1)(c) and (e) authorizes waiver of competitive bid processes in the case of an emergency. Emergency is defined as "...unforeseen circumstances beyond the control of the municipality that either: (a) present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken." RCW 39.04.280(3). If an emergency situation has been declared, the Mayor or designee may make or authorize others to make emergency procurements of materials, supplies, equipment, or services without complying with the requirements of this policy when there exists a threat to public health, welfare, or safety or threat to proper performance of essential functions; provided, that such emergency procurements shall be made with such competition as is practical under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor/vendor shall be included in the contract

file. As soon as practical, a record of each emergency procurement shall be made and shall set forth the contract's name, the amount and type of the contract, and listing of the item(s) procured under the contract, which shall be reported to the Council at the next subsequent meeting. If a contract is awarded without competitive bidding due to a declared emergency, the City Council must adopt a resolution certifying the emergency situation existed no later than two weeks following the award of the contract. RCW 39.04.280(2)(b).

**11.6 Interlocal Agreements**

The City may enter into Interlocal agreements with other public agencies similarly authorized under RCW 39.34.030. State law in regard to competitive bidding shall govern any cooperative purchasing agreement. The competitive bid process of the original jurisdiction may substitute for Lake Forest Park's if consistent with the bidding laws that apply to Lake Forest Park. "Piggybacking" on other jurisdiction bids requires an Interlocal agreement. All Interlocal cooperative-purchasing agreements shall be presented to Council for approval.

The City maintains an updated list of active Interlocal agreements. This list is available to all City staff for use in their procurement activities.

**11.7 No Bids or Quotations Received**

Pursuant to RCW 35.23.352, made applicable to the City by RCW 35A.40.200, when no responsive bids or quotations are received in response to an invitation to bid or request for quotations, the department director or his/her designee is authorized to procure the required supplies, material or equipment through direct negotiations with a vendor or send out another invitation to bid or request for quotations.

**12 PAYMENT PROCESSING**

**12.1 Approvals**

Vendor invoices shall be signed for approval by the department director or designee.

**12.2 Accounts Payable**

Original invoices that are received by accounts payable will be date-stamped and routed to department directors weekly. Other invoices may be received directly by the department director or other staff. For all invoices, department director or designees will verify that the invoiced items have been received and that the invoiced amount is correct. The accounts payable original invoices should include the correct account coding and have a required authorized approval signature added. The approved invoice will be routed to accounts payable for payment. There are two accounts payable check cycles scheduled each month, the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month, unless the date falls on a holiday. The Finance Director or designee audits the bills prior to City Council meetings ensuring the correct coding of the bills, authorization approvals, and proper

documentation prior to Council approval. The Finance Director or designee approval is required before bills can be paid.

**12.3 Pre-Council Meeting Checks**

Departments should avoid requests for pre-Council meeting checks by submitting approved invoices to accounts payable as soon as invoices are received. If extenuating circumstances exist, a check may be issued to avoid incurring penalties, interest, or late charges. Recurring invoices for utilities, PUD, PSE, and telephones may be paid early to avoid penalties or late fees.

DRAFT

**GENERAL FUND**

<u>Title</u>	<u>Revenue(R)/Expend.(E)</u>	<u>2023-2024</u> <u>Adjustment</u>	<u>Total Revenue</u>	<u>Total</u> <u>Expenditure</u>
		<u>Amount</u>		
	R		\$ -	
Police Services - Overtime reimbursement from outside agencies	R	\$ 145,000	\$ 145,000	
Police Body Worn Cameras Grant (Pass Through)	R	\$ 8,900	\$ 8,900	
Police Star Chase GPS Tracking Grant (Pass Through)	R	\$ 50,000	\$ 50,000	
Police Grant WASPC Traffic Safety	R	\$ 1,300	\$ 1,300	
Sewer Utility Tax	R	\$ 50,000	\$ 50,000	
Surface Water Utility Tax	R	\$ 40,000	\$ 40,000	
Donations Public Safety Police Foundation: Veh. Outfitting (Pass Through)		\$ 30,499	\$ 30,499	
Community Dev. Dept of Commerce	R	\$ 62,500	\$ 62,500	
Passport Revenue	R	\$ 45,000	\$ 45,000	
Investment Interest	R	\$ 110,000	\$ 110,000	
Other Source: Refundable Sound Transit Deposit	R	\$ 177,560	\$ 177,560	
General Fund Revenue Adjustment Total		\$ 720,759	\$ 720,759	
City Council - Travel	E	\$ 3,000		\$ 3,000
City Council - Professional Services	E	\$ 5,000		\$ 5,000
Executive Professional Services	E	\$ 40,000		\$ 40,000
Executive Training Travel	E	\$ 3,000		\$ 3,000
Volunteer & Staff Recognition (Retirements)	E	\$ 12,000		\$ 12,000
Municipal Services Salary for additional Passport Clerk	E	\$ 30,000		\$ 30,000
Municipal Services Benefits for additional Passport Clerk	E	\$ 10,000		\$ 10,000
Membership- National League of Cities	E	\$ 4,000		\$ 4,000
Finance Department Banking Services	E	\$ 14,000		\$ 14,000
Police Department Salaries: Reducing Limited Term +1, Leaving +2	E	\$ (100,000)		\$ (100,000)
Police Department - Overtime Salaries (Pass Through)	E	\$ 145,000		\$ 145,000
Police Department Benefits: Reducing Limited Term +1, Leaving +2	E	\$ (73,000)		\$ (73,000)
Police Equipment WASPC Grant (Pass Through)	E	\$ 1,300		\$ 1,300
Police Equipment Hardware Body Worn Cameras (Pass Through)	E	\$ 8,900		\$ 8,900
Police Equipment Hardware Star Chase (Pass Through)	E	\$ 50,000		\$ 50,000
Animal Control Services	E	\$ 15,000		\$ 15,000
Jail Expenses	E	\$ 455,000		\$ 455,000
Public Defender	E	\$ 33,000		\$ 33,000
Comm Dev. Professional Services (Grant Pass Through)	E	\$ 62,500		\$ 62,500
Developer Projects Sound Transit funded from ST Deposit	E	\$ 177,560		\$ 177,560
Parks Maintenance - Seasonals Salaries	E	\$ 15,000		\$ 15,000
Parks Maintenance - Seasonals Benefits	E	\$ 6,500		\$ 6,500
Parks Maintenance (Tree Removal Contract)	E	\$ 80,000		\$ 80,000
Facilities Seasonal Salaries	E	\$ 12,000		\$ 12,000
Facilities Seasonal Benefits	E	\$ 4,800		\$ 4,800
Transfer Out to Vehicle Fund 501 Police Foundation Outfitting Tahoes	E	\$ 30,499		\$ 30,499
General Fund Expenditure Adjustment Total		\$ 1,045,059		\$ 1,045,059
Total Net Change to the General Fund		\$ (324,300)		



Schedule of Adjustments: Budget Amendment 2024

Section 6, Item B.

STREET FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
Investment Interest	R	\$ 10,000	\$ 10,000	
		<u>\$ 10,000</u>	<u>\$ 10,000</u>	
Employee Salaries Seasonal Salaries	E	\$ 25,000		\$ 25,000
Employee Benefits Seasonal Benefits	E	\$ 10,000		\$ 10,000
Roadside Maintenance (Tree Removal Contract)	E	\$ 60,000		\$ 60,000
Street Fund Expenditure Adjustment Total		<u>\$ 95,000</u>		<u>\$ 95,000</u>
Total Net Change to the Street Fund		\$ (85,000)		

TRANSPORTATION BENEFIT DISTRICT FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
TBD Sales Tax .01%	R	\$ 87,000	\$ 87,000	
Investment Interest	R	\$ 15,000	\$ 15,000	
Transportation Benefit District Revenue Total		<u>\$ 102,000</u>	<u>\$ 102,000</u>	
Transportation Benefit District Expenditure Total	E	\$ -		\$ -
Total Net Change to the Transportation Benefit District Fund		<u>\$ 102,000</u>		

CONTINGENCY FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
Investment Interest	R	\$ 45,000		
Contingency Fund Revenue Adjustment Total		<u>\$ 45,000</u>	<u>\$ 45,000</u>	\$ -

BUDGET STABILIZATION FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
Investment Interest	R	\$ 19,000		
Contingency Fund Revenue Adjustment Total		<u>\$ 19,000</u>	<u>\$ 19,000</u>	\$ -

STRATEGIC OPPORTUNITY FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
Investment Interest	R	\$ 80,000	\$ 80,000	
Recreation and Conservation Grant Reimbursement		\$ 1,350,000	\$ 1,350,000	
Transfer In from Capital Improvement Fund (301)	R	\$ 600,000	\$ 600,000	
Strategic Opportunity Revenue Total		<u>\$ 2,030,000</u>	<u>\$ 2,030,000</u>	
Lakefront Park Property Development	E	\$ 870,000		\$ 870,000
IF Loan Sewer Capital		\$ 877,206		\$ 877,206
Strategic Opportunity Expenditure Total		<u>\$ 1,747,206</u>		<u>\$ 1,747,206</u>
Total Net Change to the Strategic Opportunity Fund		\$ 282,794		

ARPA FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
	R	\$ -	\$ -	
ARPA Fund Revenue Adjustment Total		\$ -	\$ -	
Lost Revenue General Governmental Services, Municode, Pub Safety	E	\$ 1,332,993		\$ 1,332,993
ARPA Management, RCR, & Auditing Services: Tran to General Fund	E	\$ -		\$ -
Lost Rev. General Governmental Services: Surface Water Master Plan	E	\$ 200,000		\$ 200,000
Lost Revenue Surface Water Material Cover Bins	E			\$ -
ARPA Fund Expenditure Adjustment Total		\$ 1,532,993		\$ 1,532,993
Total Net Change to the ARPA Fund		\$ (1,532,993)		

CAPITAL IMPROVEMENT FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
Interest Investment	R	\$ 35,000	\$ 35,000	
Capital Improvement Fund Revenue Adjustment Total		\$ 35,000	\$ 35,000	\$ -
Capital Improvement Fund Expenditure Adjustment Total	E			\$ -
Total Net Change to the Transportation Benefit District Fund		\$ 35,000		\$ -

TRANSPORTATION CAPITAL FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
Investment Interest	R	\$ 70,000	\$ 70,000	
Transportation Capital Fund Adjustment Total		\$ 70,000	\$ 70,000	
Safe Streets - Early Action: Traffic Improvements & Studies	E	\$ 110,000		\$ 110,000
Transportation Capital Fund Revenue Adjustment Total		\$ 110,000		\$ 110,000
Total Net Change to the Transportation Capital Fund		\$ (40,000)		

SEWER UTILITY FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
Sewer Utility Serv Charge - Utility Tax	R	\$ 50,000	\$ 50,000	
Investment Interest	R	\$ 21,000	\$ 21,000	
Sewer Utility Fund Revenue Adjustment Total		\$ 50,000	\$ 71,000	
Employee Salaries	E	\$ 15,000		\$ 15,000
Employee Benefits	E	\$ 6,000		\$ 6,000
Sewer Utility Tax	E	\$ 50,000		\$ 50,000
Sewer Utility Fund Expenditure Adjustment Total		\$ 50,000		\$ 71,000
Total Net Change to the Sewer Utility Fund		\$ -		

SURFACE WATER UTILITY FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
Surface Water Serv Charge- Utility Tax	R	\$ 40,000	\$ 40,000	
Transfer In from ARPA Fund for SW Master Plan Orig Budget	R	\$ 200,000	\$ 200,000	
Investment Interest	R	\$ 20,000	\$ 20,000	
		\$ 260,000	\$ 260,000	
Employee Salaries	E	\$ 35,000		\$ 35,000
Employee Benefits	E	\$ 14,000		\$ 14,000
Surface Water Maintenance (Tree Removal Contract)	E	\$ 10,000		\$ 10,000
Surface Water Utility Tax	E	\$ 40,000		\$ 40,000
System Maintenance & Operations	E	\$ 50,000		\$ 50,000
Surface Water Master Plan	E	\$ 200,000		\$ 200,000
Surface Water Utility Fund Revenue Adjustment Total		\$ 349,000		\$ 349,000
Total Net Change to the Surface Water Utility Fund				(89,000)

SURFACE WATER CAPITAL FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
Investment Interest	R	\$ 15,000	\$ 15,000	
Surface Water Capital Revenue Adjustment Total		\$ 15,000	\$ 15,000	
35th Ave Drainage - Design	E	136,000		
35th Ave Drainage - Construction	E	424,000		
28th Ave Culvert Repair Design	E	30,000		
28th Ave Culvert Repair Construction	E	\$ 125,000		\$ 125,000
Surface Water Capital Fund Expenditure Adjustment Total		\$ 715,000		\$ 125,000
Total Net Change to the Surface Water Capital Fund				(110,000)

VEHICLE & EQUIPMENT REPLACEMENT FUND				
<u>Title</u>		<u>2023-2024</u>		<u>Total</u>
		<u>Budget Amount</u>	<u>Total Revenue</u>	<u>Expenditure</u>
Transfer In from General Fund Police Foundation Donation	R	\$ 30,499	\$ 30,499	
Investment Interest	R	\$ 15,000	\$ 15,000	
Vehicle and Equipment Revenue Adjustment Total		\$ 45,499	\$ 45,499	
Police Vehicle Replacement: Tahoe Outfitting	E	\$ 30,499		\$ 30,499
Public Works Contract Fund Expenditure Adjustment Total		\$ 30,499		\$ 30,499
Total Net Change to the Vehicle & Equipment Fund		\$ 15,000		

**ORDINANCE NO. 23-XXXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, AMENDING CHAPTER 10.06 AUTOMATIC TRAFFIC SAFETY CAMERAS, OF THE LAKE FOREST PARK MUNICIPAL; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake Forest Park is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and has the authority to regulate the use of City streets pursuant to RCW 35A.11.020; and

**WHEREAS**, the City has seen double digit increases in traffic safety infractions in school speed zones enforced with traffic safety cameras; and

**WHEREAS**, Engrossed Substitute House Bill 2384 takes effect on June 6, 2024, and allows fines in an amount not to exceed \$145 for infractions generated through the use of an automated traffic safety camera, and for fines to be doubled to \$290 for school speed zone infractions generated through the use of an automated traffic safety camera; and

**WHEREAS**, the City Council has determined it is in the interest of public safety and the welfare to establish greater fines as allowed by state statute.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1. AMENDMENT.** Lake Forest Park Municipal Code (“LFPMC”), 10.06.010, Automated traffic safety cameras – Detection of violations – Restrictions is amended as set forth in the attached and incorporated Exhibit A to this Ordinance.

**Section 2. AMENDMENT.** LFPMC 10.06.050, Fine, is amended as set forth in the attached and incorporated Exhibit A to this Ordinance.

**Section 3. SEVERABILITY.** Should any portion of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 4. CORRECTIONS.** The City Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of

scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 5. EFFECTIVE DATE.** This ordinance shall take effect June 7, 2024, which is more than five (5) days after passage and publication.

**APPROVED BY A MAJORITY** the Lake Forest Park City Council this XXX day of XXX, 2024.

APPROVED:

\_\_\_\_\_

Jeff Johnson  
Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_

Matthew McLean  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_

Kim Adams Pratt  
City Attorney

- Introduced:
- Adopted:
- Posted:
- Published:
- Effective:

**EXHIBIT A**

**10.06.010**

...

D. "Automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs or electronic images of the front or rear of a motor vehicle at the time the ~~whenever a~~ vehicle fails to stop when facing a steady red traffic control signal, or exceeds a speed limit ~~to a school speed zone~~ as detected by a speed measuring device.

**10.06.50 Fine.**

A. The fine for an infraction detected under authority of this chapter shall be a base monetary penalty of ~~\$136~~ 145.00; ~~and provided further, that whenever, in the future, the state of Washington increases the fine imposed under this chapter, by legislation or court rule, the city's fine shall be increased to a like amount upon the effective date of such legislation or court rule.~~

B. Provided that the fine for an infraction detected under authority of this chapter for school speed zone cameras shall be as follows:

1. a base monetary penalty of \$145.00 for the first offense, unless B.3 applies;

2. a base monetary penalty of \$290 for repeat offenses; and

3. a base monetary penalty of \$290 for any offense in excess of ~~13~~1 miles per hour over the posted school zone speed limit.

C. The base monetary fine for all infractions shall automatically be adjusted for inflation every five years, beginning January 1, 2029, based on the changes in the consumer price index as calculated by State Office of Financial Management for that time period.

## MEMORANDUM

<b>Date:</b>	April 17, 2024	<b>TG:</b>	1.18166.21
<b>To:</b>	Jeffrey Perrigo, PE – City of Lake Forest Park		
<b>From:</b>	Jon Pascal, PE- Transpo Group Bahar Azin - Transpo Group		
<b>Subject:</b>	Extending Operational Hours of the NE 178th Street Traffic Safety Cameras		

The City of Lake Forest Park is proposing to modify the existing school zone traffic safety cameras located along the NE 178th Street corridor to monitor vehicle speeds throughout the day. Such a change would allow the cameras to be activated 24 hours a day and 7 days a week to monitor the 25 mph corridor speed limit, while also continuing to monitor the 20 mph school zone speed limit during the morning and afternoons when Brookside Elementary School is in session. The City has requested a speed and safety analysis to provide an understanding of the existing conditions along NE 178th Street from 25th Avenue NE (western city limits) to State Route 104. This memorandum provides a summary of existing vehicle speeds, traffic volumes, crashes, and citations issued by the existing school zone traffic safety cameras and will be used as a basis for monitoring safety performance along the corridor.

### State Law on Automated Traffic Safety Cameras

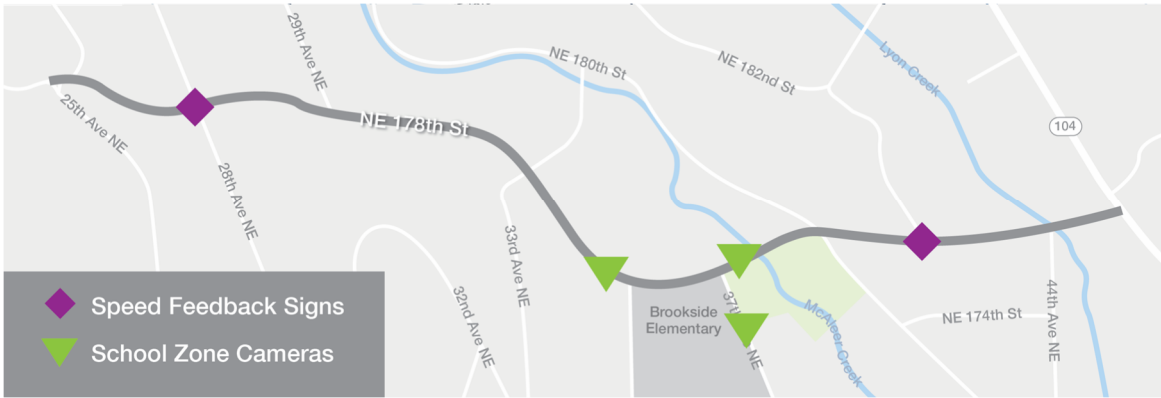
State law allows for additional “at-large” automated traffic safety cameras to detect speed violations based on specific population thresholds. The cameras can only be placed in locations that comply with one of the following:

- A. The location has been identified as a priority location in a local road safety plan that a city has submitted to the Washington state department of transportation and where other speed reduction measures are not feasible or have not been sufficiently effective at reducing travel speed;
- B. The location has a significantly higher rate of collisions than the city average in a period of at least three years prior to installation and other speed reduction measures are not feasible or have not been sufficiently effective at reducing travel speed; or
- C. The location is in an area within the city limits designated by local ordinance as a zone subject to specified restrictions and penalties on racing and race attendance.

The City of Lake Forest Park has designated NE 178th Street from 25th Avenue NE to State Route 104 as a “no racing zone” through adoption of Ordinance 23-1284 and codified in LFPMC 9.35.050. Such a designation allows Lake Forest Park to install “at-large” automated traffic safety cameras along the corridor to monitor vehicle speeds.

### Corridor Description

The NE 178th Street corridor within the City of Lake Forest Park is shown in Figure 1. The figure highlights the location of the existing school zone speed cameras and radar speed feedback signs that are in place along the corridor.



**Figure 1. NE 178th Street Corridor with Existing Speed Management Tools**

NE 178th Street is a two-lane east-west roadway with a posted speed limit of 25 miles per hour (mph), including a single lane in both eastbound and westbound directions. The roadway is classified as a Minor Arterial by the City of Lake Forest Park based on the adopted Comprehensive Plan.

There is a school zone located between 35th Avenue NE and 37th Avenue NE, with speed cameras operating from 7:30 am to 9:30 am and 2:30 pm to 4:30 pm, with a reduced speed limit of 20 mph. Additionally, two speed feedback signs are positioned at the intersections of NE 178th Street and 28th Avenue NE, and NE 178th Street and 40th Avenue NE.

## Vehicle Speeds

Speeds for all vehicles were collected along the study corridor at two locations by using the speed feedback signs at the intersection of NE 178th Street and 40th Avenue NE, and the intersection of NE 178th Street and 28th Avenue NE over two months from April to May 2023. The posted speed limit on the corridor during the data collection period was 25 mph.

Key speed indicators include the median speed, 85th percentile speed, 10 mph pace, percent in pace, and percent of vehicles 5 mph over the speed limit. The key indicators are used to help identify if a speeding problem exists and to what extent. The definition and purpose of the speed indicators are described below. Table 1 summarizes the key speed indicators for the study corridor.

**Median Speed** – The speed in which 50 percent of all traffic is traveling at or below. The statistical median is not typically used in determining the appropriate posted speed limit, but is used as a point of reference in understanding the prevailing conditions. Ideally, the median speeds should be under the posted speed limit.

**85th Percentile Speed** – The speed in which 85 percent of the traffic is traveling at or below. Typically, the 85th percentile speed should be within 5 to 10 mph of the posted speed.

**10 mph Pace** – The 10 mph pace is a measure of the range in speeds and is defined as the consecutive 10 mph range containing the highest number of vehicles. Typically, the upper limit of the 10 mph pace should be near the posted speed limit.

**Percent in Pace** – The percent in pace represents the percentage of all vehicles traveling within the 10 mph pace. It is desirable to have a high percentage of the total number of vehicles in the 10 mph pace.



**Percent of Vehicles 5 mph over the Speed Limit** – A measure representing the number of vehicles traveling over the posted speed limit by at least 5 mph. This represents the percentage of vehicles that could be the target of automated traffic safety cameras since citations are usually given to vehicles exceeding the speed limit by more than 5 mph.

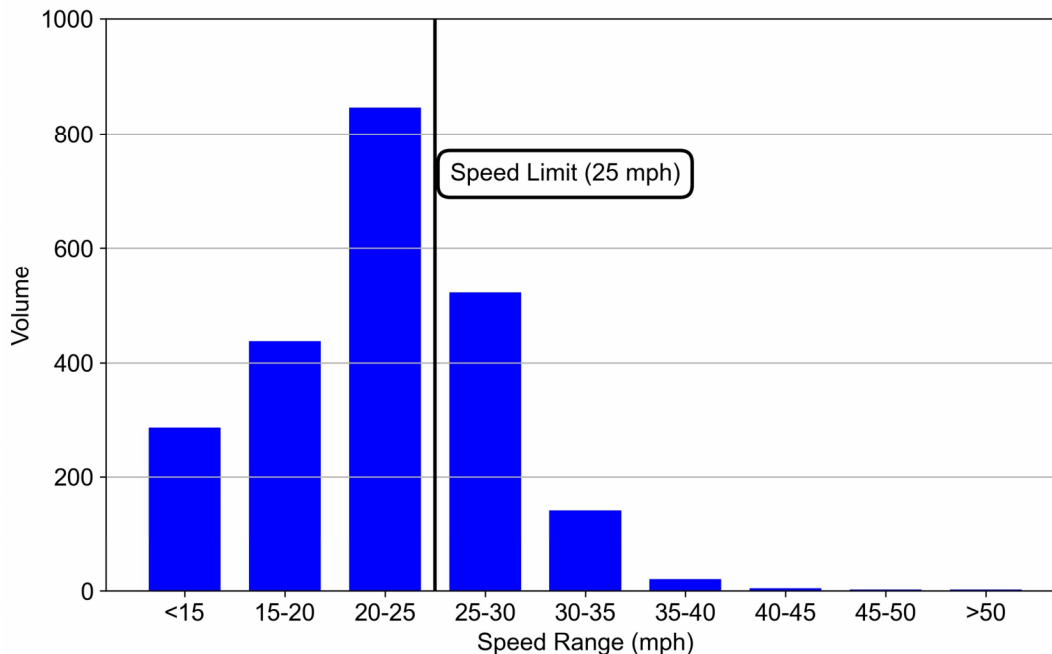
**Table 1. NE 178th Street Speed Data Summary (2023)**

Indicator	Westbound <sup>1</sup>	Eastbound <sup>2</sup>
Posted Speed Limit (mph)	25 mph	25 mph
Average Daily Traffic	2,250 vehicles	3,655 vehicles
Median Speed	23 mph	24 mph
85th Percentile Speed	28 mph	29 mph
10 mph Pace	19-29 mph	20-30 mph
% in Pace	63%	62%
% of Vehicles 5 mph over Speed Limit <sup>3</sup>	7%	9%

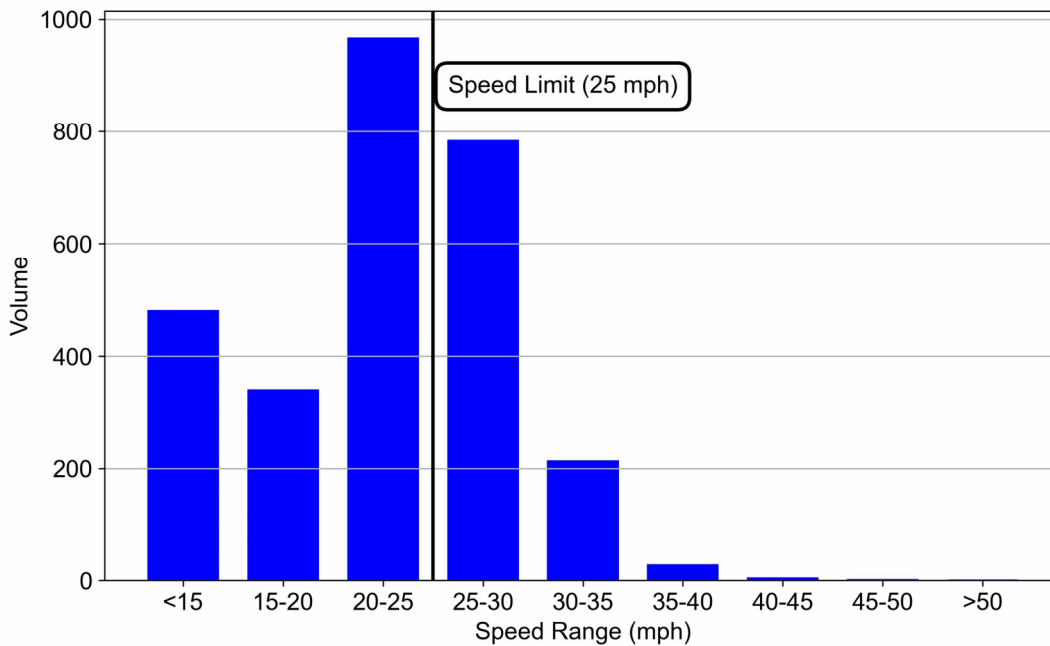
1. Data collected in the westbound direction at 40th Avenue NE.  
 2. Data collected in the eastbound direction at 28th Avenue NE  
 3. Represents the vehicles exceeding the posted speed limit by at least 5 mph.

As shown in Table 1 the number of vehicles driving at 31 mph or more is about 7 percent of the total daily westbound traffic and 9 percent of the total daily eastbound traffic.

For a more comprehensive understanding of speed distribution within the corridor, Figure 2 and Figure 3 present a summary of speed distribution data gathered from the speed feedback signs. The graphs show the average daily number of vehicles operating in speed ranges of 5 mph.



**Figure 2 Vehicle Speed Distribution for NE 178th Street at 40th Avenue NE (Westbound)**



**Figure 3 Vehicle Speed Distribution for NE 178th Street at 28th Avenue NE (Eastbound)**

The figures highlight that a majority number of vehicles operate at or under 25 mph. However, they also highlight many vehicles continue to exceed the speed limit, specifically in the eastbound direction. The second highest volume of vehicles falls within the speed range of 25 to 30 mph.

## Collision Records

Crash records over the most recent complete five-year period were reviewed for the corridor. The crash records are summarized in Table 2. Historical crash data was provided by WSDOT for the period of January 1, 2019 to December 31, 2023.

**Table 2. Annual Collision Summary – 2019 to 2023**

Roadway Segment	2019	2020	2021	2022	2023	Total	Annual Average
NE 178th Street	8	1	2	2	1	21	3.5

Source: WSDOT, 2023.

Note: Under 23 U.S. Code § 409 and 23 U.S. Code § 148, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

As shown in Table 2, the corridor experienced an annual average of more than 3 collisions over the last 5-year period, with 21 collisions total along the corridor. The majority of collisions resulted in property damage only, with no fatalities and two injuries over the last 5-year period.

Of the total collisions, six involved improper vehicle movements (improper passing, improper backing, or not granting right-of-way to another vehicle), three involved driver inattention or distraction, and one involved a driver under the influence of alcohol. No collisions involved pedestrians or bicyclists.

## School Zone Speed Camera Citations

In addition to the radar speed feedback sign, data for both directions of travel were collected from the school zone speed cameras. The cameras currently operate from 7:30 to 9:30 am and 2:30 to 4:30 pm when school is in session and enforce the 20 mph school zone speed limit. While the cameras record driver speeds continuously, citations are issued during enforcement hours only. The cameras also operate during school early release time periods, which is why some citations are noted during the midday period. The citation data were collected for the most recent year, 2023. The summary of citations issued by each hour of the day is shown in Table 3.

**Table 3. School Speed Camera Citations Records by Time of the Day**

Time Period	% of Total Citations	Average Number of School Zone Citations per Hour per Day <sup>1</sup>	Average Number of School Zone Citations per Hour per Year
7-7:59 AM	8%	4	607
8-8:59 AM	18%	8	1,460
9-9:59 AM	14%	6	1,092
10-10:59 AM	-	-	-
11-11:59 AM	2%	1	132
12-12:59 PM	1%	-	72
1-1:59 PM	4%	2	301
2-2:59 PM	15%	6	1,147
3-3:59 PM	24%	11	1,925
4-4:59 PM	15%	6	1,167
<b>TOTAL</b>	<b>100%</b>	<b>44</b>	<b>7,903</b>

NOTE: 2023 data for both directions

1. Represents the ratio of the average daily citations recorded by time of the day.

Based on the citation records from school zone speed cameras in Table 3, there are on average approximately 44 citations recorded daily, which results in approximately 7,903 citations recorded per year. A higher number of citations is generally observed during the afternoon hours.

## Estimated Number of Citations with All-Day Speed Enforcement

Expanding the operating hours of the traffic safety cameras would extend the duration that speeding violations would be captured. To estimate the total number of citations that may be issued with the extended operating hours of the cameras, it was assumed that the proportion of vehicles exceeding the posted speed limit by over 5 mph will remain consistent at approximately 7 percent of total westbound daily traffic and 9 percent for eastbound daily traffic (see Table 1). In addition, vehicle speeds and traffic volumes fluctuate on a daily basis, so a +/- 15 percent range in total citations was assumed. As a result, the number of vehicles receiving citations could fluctuate between 350 to 470 vehicles per day if the camera operating hours are expanded to monitor vehicle speeds 24 hours a day, 7 days per week. Based on the experience of other agencies, it is also expected that vehicle speeds and the number of citations would decrease over time as more drivers become familiar with the cameras.

## Key Findings

The key findings of the speed and safety analysis along NE 178th Street are the following:

- No-Racing Zone:** NE 178th Street has been designated as a "no racing zone," subject to specified restrictions and penalties on racing and race attendance, under Ordinance 23-1284 and LFPMC 9.35.050. Such a designation allows the City to install

“at-large” automated traffic safety cameras along the corridor to monitor vehicle speeds.

- **Vehicle Speeds:** Existing speed data shows a persistent trend of vehicles traveling over the speed limit despite existing speed management tools. While a significant portion of vehicles drive below the posted speed limit, a considerable number of vehicles exceed the speed limit. Records show that approximately 7 percent of vehicles travel over 5 mph above the speed limit in the westbound direction and 9 percent in the eastbound direction.
- **Collision Records:** Over the past five years, the corridor has experienced an average of more than five collisions annually, totaling 21 collisions. While most collisions resulted in property damage only, improper vehicle movements, driver distraction, and exceeding safe speeds were the key contributing factors.
- **School Zone Speed Camera Citations:** With operating hours from 7:30 am to 9:30 am and 2:30 pm to 4:30 pm, and a reduced speed limit to 20 mph, an average of 44 daily citations and 7,903 yearly citations are issued to vehicles traveling at 26 mph or greater.
- **Extending Speed Camera Operating Hours:** Expanding the operating hours of the traffic safety cameras would extend the duration that speeding violations would be captured. It is estimated that approximately 350 to 470 citations would be issued per day if the camera operating hours were expanded to monitor vehicle speeds 24 hours a day, 7 days per week.
- **Monitoring:** The data summarized in this study may be used to monitor changes in vehicle speeds, collisions, and number of citations and track the safety performance of the corridor over time.

# Lake Forest Park, WA

## Safety Camera Program Analysis

### 2023



SUBMITTED BY VERRA MOBILITY



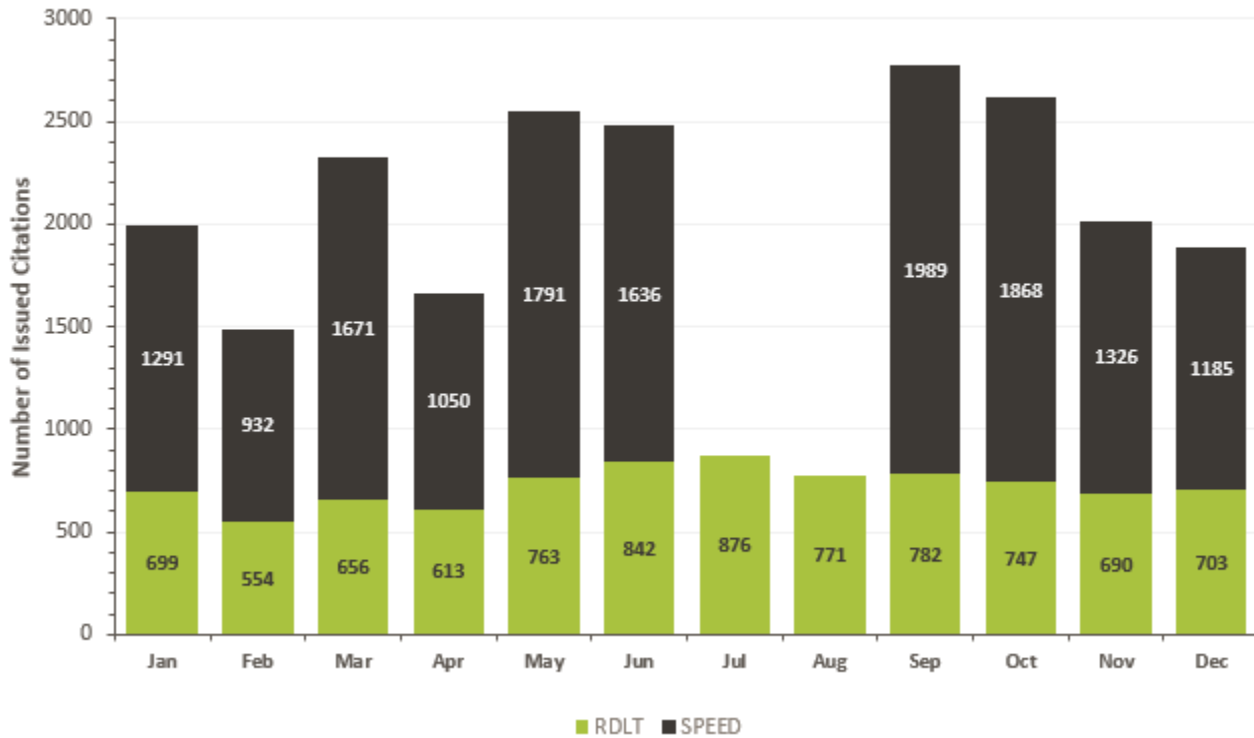
Trend:

Lake Forest Park, WA - Red Light 2023 Issued Citations by Program Month													
Month:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Total Issued Citations (Red Light)	700	555	657	614	764	843	877	772	783	748	691	704	8,708
Active Days Capturing Events	31	28	31	30	31	30	31	31	30	31	30	31	365
Average Citations Per Active Day	22.6	19.8	21.2	20.5	24.6	28.1	28.3	24.9	26.1	24.1	23.0	22.7	23.9
Average Citations Per Site Per Active Day	3.37	2.94	3.08	3.04	3.54	4.46	4.04	3.59	4.08	3.82	3.42	3.37	3.56

Lake Forest Park, WA - Speed 2023 Issued Citations by Program Month													
Month:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Total Issued Citations (Speed)	1,292	933	1,672	1,051	1,792	1,637			1,990	1,869	1,327	1,186	14,749
Active Days Capturing Events	18	14	22	17	22	13			10	23	18	15	172
Average Citations Per Active Day	71.8	66.6	76.0	61.8	81.5	125.9			199.0	81.3	73.7	79.1	85.8
Average Citations Per Site Per Active Day	10.25	10.14	11.45	8.91	11.71	18.19			99.50	15.32	10.62	11.86	13.51

Lake Forest Park, WA - Safety Camera Program

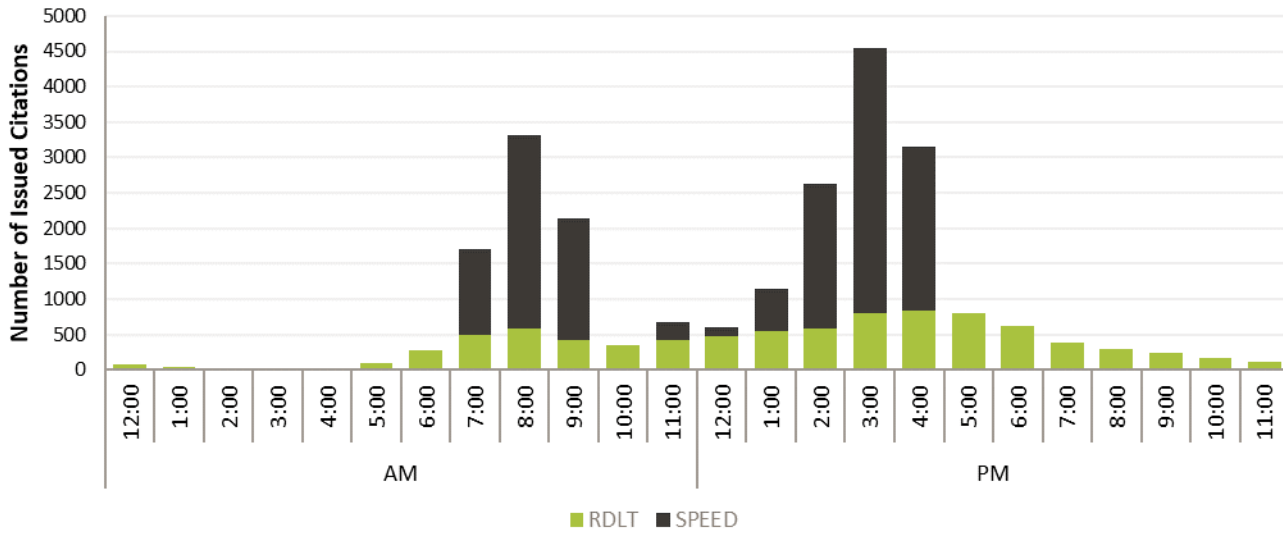
2023 Total Issued Citations by Month



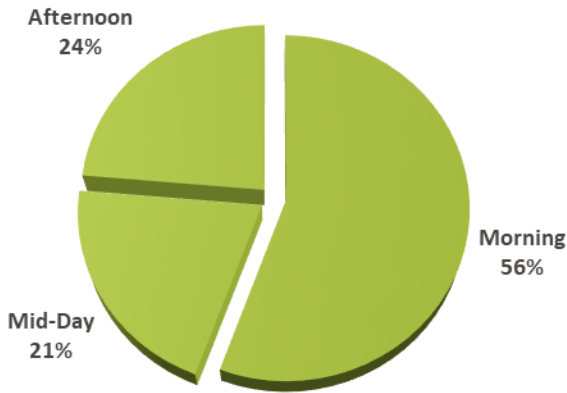
**Time:**

**Lake Forest Park, WA - Safety Camera Program**

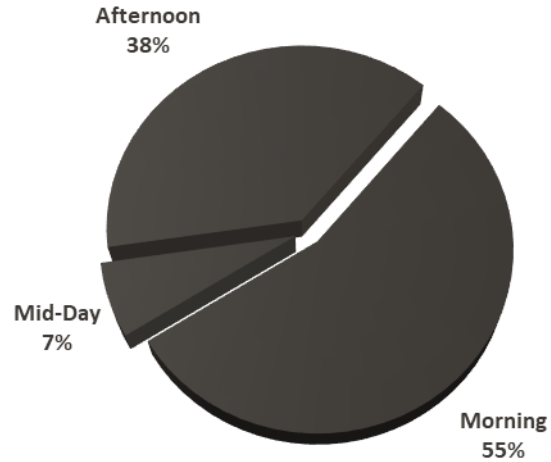
Issued Citations by Hour of the Day



**Lake Forest Park, WA**  
Red Light Citations by Time Period



**Lake Forest Park, WA**  
Speed Citations by Time Period

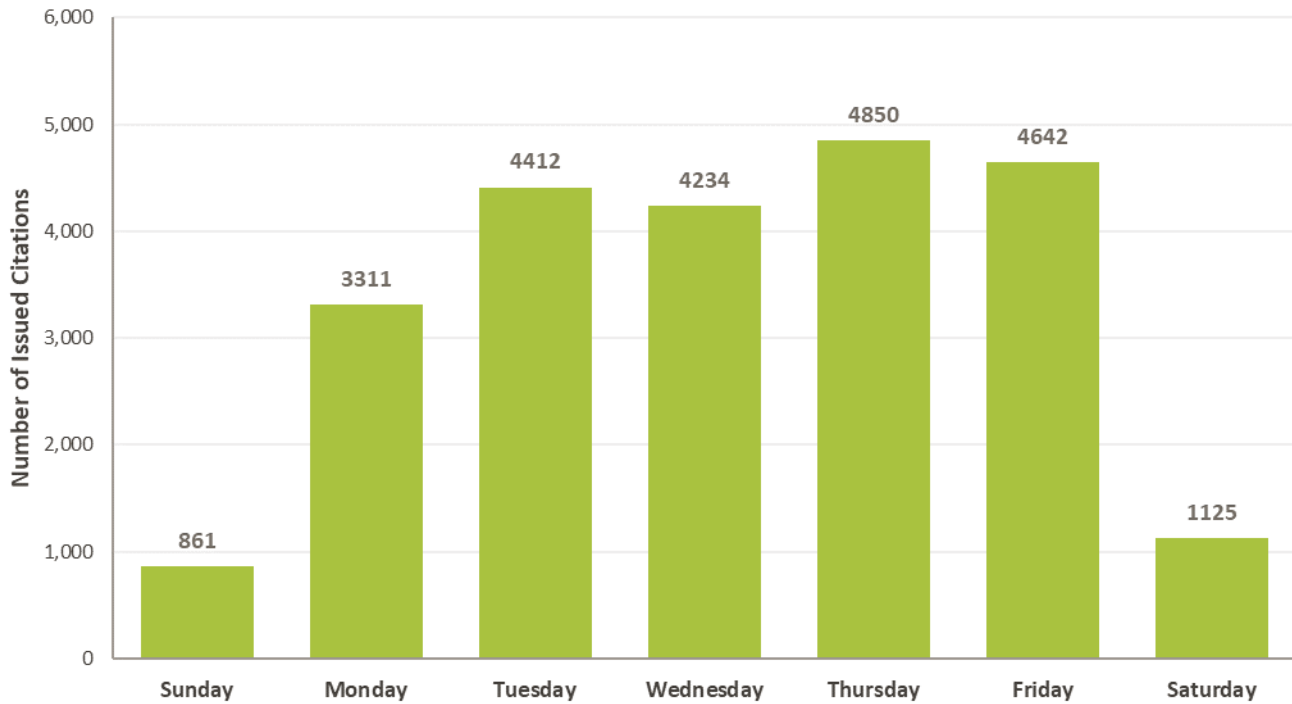


**Weekday:**

Day of the Week	Issued Citations	Number of Active Days	Issued Citations Per Active Day	%
Sunday	861	52	16.6	4%
Monday	3,311	52	63.7	14%
Tuesday	4,412	53	83.2	19%
Wednesday	4,234	52	81.4	18%
Thursday	4,850	52	93.3	21%
Friday	4,642	52	89.3	20%
Saturday	1,125	52	21.6	5%

**Lake Forest Park, WA - Safety Camera Program**

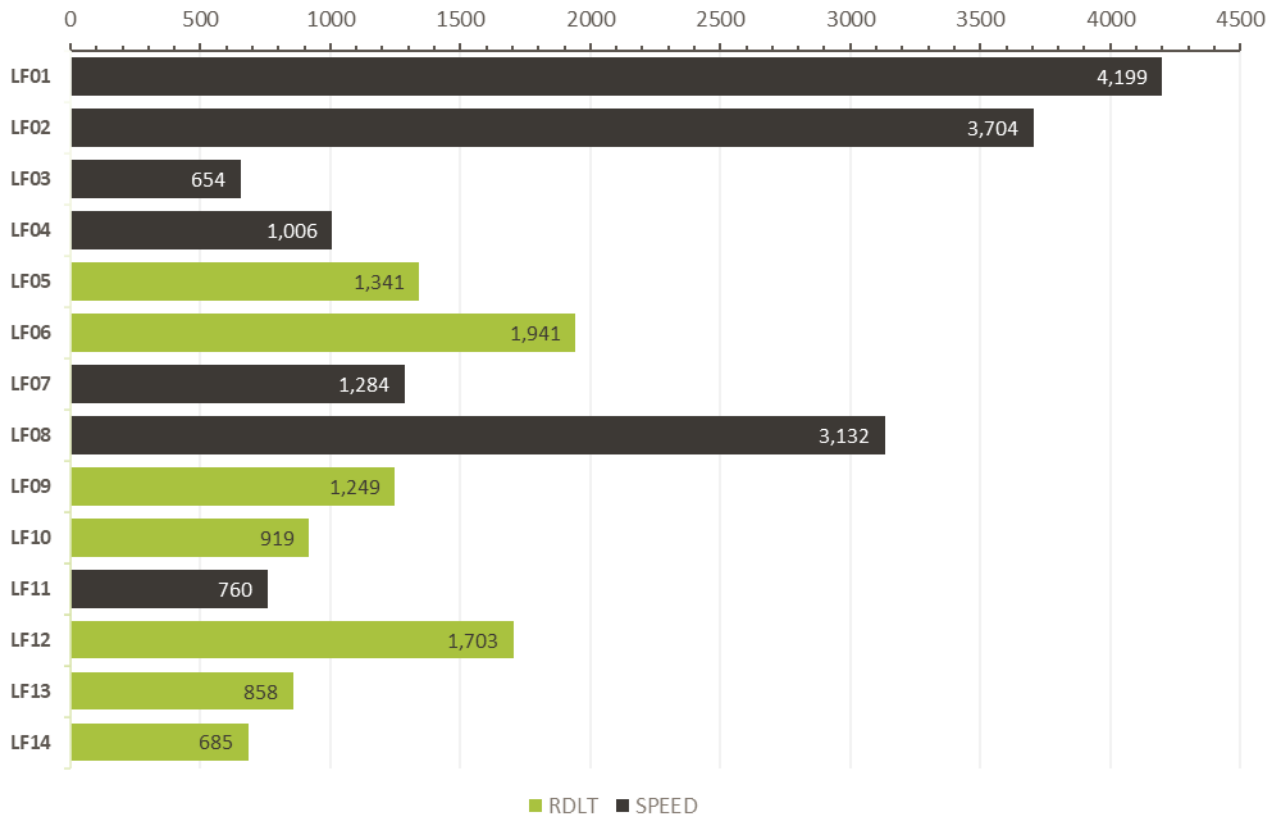
Issued Citations by Day of the Week





**By Location:**

**Lake Forest Park, WA - Safety Camera Program**  
2023 Total Issued Citations by Location



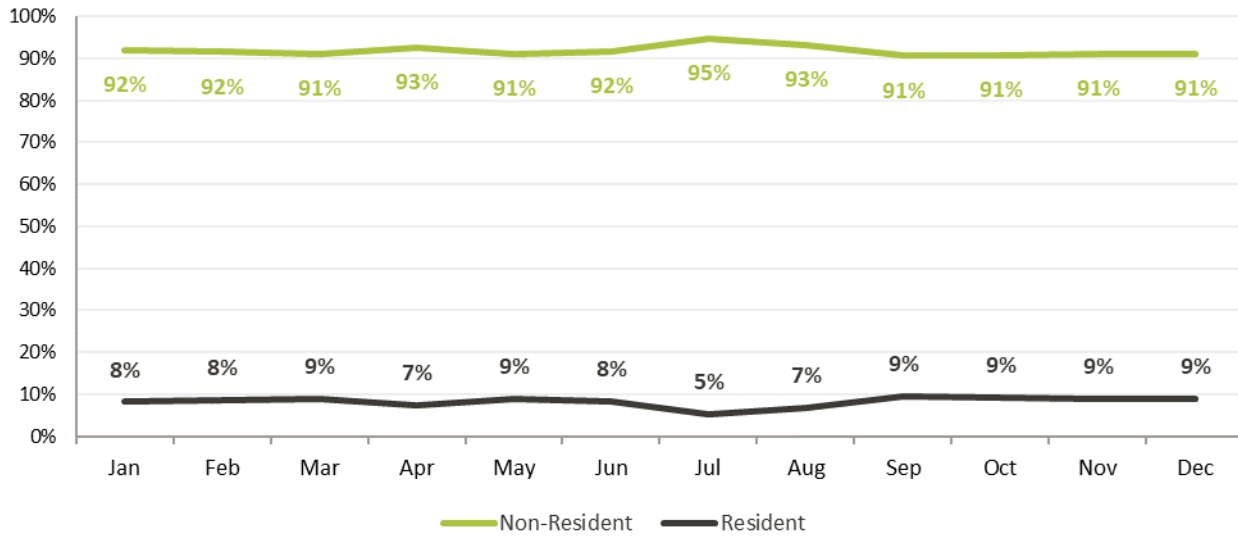
**Legend:**

- ▣ LF01  
WB NE 178TH ST @ 37TH AVE NE
- ▣ LF02  
EB NE 178TH ST @ 37TH AVE NE
- ▣ LF03  
NB 35TH AVE NE @ NE 187TH ST
- ▣ LF04  
SB 35TH AVE NE @ NE 187TH ST
- ▣ LF05  
NB BOTHELL WAY NE @ NE 165TH ST
- ▣ LF06  
SB BOTHELL WAY NE @ NE 165TH ST
- ▣ LF07  
NB 40TH PL NE @ 185TH ST
- ▣ LF08  
SB 40TH PL NE @ 185TH ST
- ▣ LF09  
NB BOTHELL WAY NE/ SR 522 @ NE 170TH ST
- ▣ LF10  
SB BOTHELL WAY NE/ SR 522 @ NE 170TH ST
- ▣ LF11  
NB 37TH AVE NE @ BROOKSIDE ELEMENTARY SCHOOL
- ▣ LF12  
NB BOTHELL WAY NE/ SR 522 @ BALLINGER WAY NE/ SR 104
- ▣ LF13  
SB BOTHELL WAY NE/ SR 522 @ BALLINGER WAY NE/ SR 104
- ▣ LF14  
EB BALLINGER WAY NE/ SR 104 @ BOTHELL WAY NE/ SR 522

**Residency:**

**Lake Forest Park, WA - Safety Camera Program**

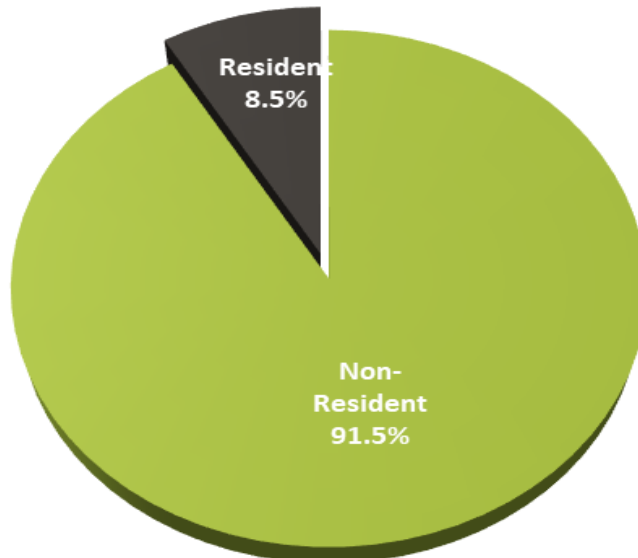
Issued Monthly Citations by Violator City of Residence



Top 5 Cities by Residency of Violators		Top 5 Zip Codes by Residency of Violators	
City Name	Percent of Total Citations	Zip Code	Percent of Total Citations
SEATTLE, WA	17.1%	98155	14.7%
SHORELINE, WA	9.4%	98028	5.3%
LAKE FOREST PARK, WA	8.5%	98125	4.7%
BOTHELL, WA	7.2%	98133	3.8%
KENMORE, WA	5.7%	98034	3.5%

**Lake Forest Park, WA - Safety Camera Program**

Citations by Violator City of Residence



**Violator Speed:**

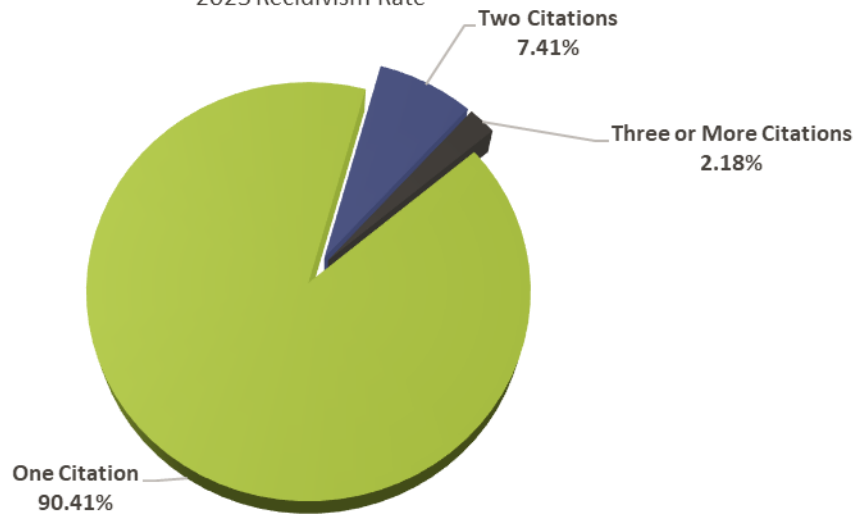
Citations by Speed (MPH)																									
26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	50	51	56
2,953	2,466	2,015	1,663	1,327	1,098	905	696	499	359	243	182	133	63	50	32	23	11	8	7	1	1	1	1	1	1

Citations by Speed Bucket		
Speed Bucket	Total Citations	Percent
26-30 MPH	10,424	71%
31 + MPH	4,315	29%

**Recidivism:**

**Lake Forest Park, WA - Safety Camera Program**

2023 Recidivism Rate



CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 2384**

68th Legislature  
2024 Regular Session

Passed by the House March 5, 2024  
Yeas 55 Nays 38

\_\_\_\_\_  
**Speaker of the House of  
Representatives**

Passed by the Senate February 29,  
2024  
Yeas 26 Nays 23

\_\_\_\_\_  
**President of the Senate**  
Approved

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2384** as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2384

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2024 Regular Session

By House Transportation (originally sponsored by Representatives Donaghy, Fitzgibbon, Walen, and Pollet)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to automated traffic safety cameras; amending RCW
2 46.16A.120, 46.63.030, 46.63.180, 46.63.075, and 46.68.480; adding
3 new sections to chapter 46.63 RCW; and repealing RCW 46.63.170.

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

5 NEW SECTION. Sec. 1. A new section is added to chapter 46.63
6 RCW to read as follows:

7 The definitions in this section apply throughout this section and
8 sections 2 through 6 of this act unless the context clearly requires
9 otherwise.

10 (1) "Automated traffic safety camera" means a device that uses a
11 vehicle sensor installed to work in conjunction with an intersection
12 traffic control system, a railroad grade crossing control system, or
13 a speed measuring device, and a camera synchronized to automatically
14 record one or more sequenced photographs, microphotographs, or
15 electronic images of the front or rear of a motor vehicle at the time
16 the vehicle fails to stop when facing a steady red traffic control
17 signal or an activated railroad grade crossing control signal, or
18 exceeds a speed limit as detected by a speed measuring device.
19 "Automated traffic safety camera" also includes a device used to
20 detect stopping at intersection or crosswalk violations; stopping
21 when traffic obstructed violations; public transportation only lane

1 violations; stopping or traveling in restricted lane violati  
2 public transportation bus stop zone violations detected by a public  
3 transportation vehicle-mounted system.

4 (2) "Hospital speed zone" means the marked area within hospital  
5 property and extending 300 feet from the border of the hospital  
6 property (a) consistent with hospital use; and (b) where signs are  
7 posted to indicate the location is within a hospital speed zone,  
8 where "hospital" has the same meaning as in RCW 70.41.020.

9 (3) "Public park speed zone" means the marked area within public  
10 park property and extending 300 feet from the border of the public  
11 park property (a) consistent with active park use; and (b) where  
12 signs are posted to indicate the location is within a public park  
13 speed zone.

14 (4) "Public transportation vehicle" means any motor vehicle,  
15 streetcar, train, trolley vehicle, ferry boat, or any other device,  
16 vessel, or vehicle that is owned or operated by a transit authority  
17 or an entity providing service on behalf of a transit authority that  
18 is used for the purpose of carrying passengers and that operates on  
19 established routes. "Transit authority" has the same meaning as  
20 provided in RCW 9.91.025.

21 (5) "Roadway work zone" means an area of any city roadway,  
22 including state highways that are also classified as city streets  
23 under chapter 47.24 RCW, or county road as defined in RCW 46.04.150,  
24 with construction, maintenance, or utility work with a duration of 30  
25 calendar days or more. A roadway work zone is identified by the  
26 placement of temporary traffic control devices that may include  
27 signs, channelizing devices, barriers, pavement markings, and/or work  
28 vehicles with warning lights. A roadway work zone extends from the  
29 first warning sign or high intensity rotating, flashing, oscillating,  
30 or strobe lights on a vehicle to the end road work sign or the last  
31 temporary traffic control device or vehicle.

32 (6) "School speed zone" has the same meaning as described in RCW  
33 46.61.440 (1) and (2).

34 (7) "School walk zone" means a roadway identified under RCW  
35 28A.160.160 or roadways within a one-mile radius of a school that  
36 students use to travel to school by foot, bicycle, or other means of  
37 active transportation.

38 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.63  
39 RCW to read as follows:

1 (1) Nothing in this section prohibits a law enforcement  
2 from issuing a notice of traffic infraction to a person in control of  
3 a vehicle at the time a violation occurs under RCW 46.63.030(1) (a),  
4 (b), or (c).

5 (2) Any city or county may authorize the use of automated traffic  
6 safety cameras and must adopt an ordinance authorizing such use  
7 through its local legislative authority.

8 (3) The local legislative authority must prepare an analysis of  
9 the locations within the jurisdiction where automated traffic safety  
10 cameras are proposed to be located before adding traffic safety  
11 cameras to a new location or relocating any existing camera to a new  
12 location within the jurisdiction. The analysis must include equity  
13 considerations including the impact of the camera placement on  
14 livability, accessibility, economics, education, and environmental  
15 health when identifying where to locate an automated traffic safety  
16 camera. The analysis must also show a demonstrated need for traffic  
17 cameras based on one or more of the following in the vicinity of the  
18 proposed camera location: Travel by vulnerable road users, evidence  
19 of vehicles speeding, rates of collision, reports showing near  
20 collisions, and anticipated or actual ineffectiveness or  
21 infeasibility of other mitigation measures.

22 (4) Automated traffic safety cameras may not be used on an on-  
23 ramp to a limited access facility as defined in RCW 47.52.010.

24 (5) A city may use automated traffic safety cameras to enforce  
25 traffic ordinances in this section on state highways that are also  
26 classified as city streets under chapter 47.24 RCW. A city government  
27 must notify the department of transportation when it installs an  
28 automated traffic safety camera to enforce traffic ordinances as  
29 authorized in this subsection.

30 (6) (a) At a minimum, a local ordinance adopted pursuant to this  
31 section must contain the restrictions described in this section and  
32 provisions for public notice and signage. Cities and counties must  
33 also post such restrictions and other automated traffic safety camera  
34 policies on the city's or county's website. Cities and counties using  
35 automated traffic safety cameras before July 24, 2005, are subject to  
36 the restrictions described in this section, but are not required to  
37 adopt an authorizing ordinance.

38 (b) (i) Cities and counties using automated traffic safety cameras  
39 must post an annual report on the city's or county's website of the  
40 number of traffic crashes that occurred at each location where a

1 automated traffic safety camera is located, as well as the n  
2 notices of infraction issued for each camera. Beginning January 1,  
3 2026, the annual report must include the percentage of revenues  
4 received from fines issued from automated traffic safety camera  
5 infractions that were used to pay for the costs of the automated  
6 traffic safety camera program and must describe the uses of revenues  
7 that exceeded the costs of operation and administration of the  
8 automated traffic safety camera program by the city or county.

9 (ii) The Washington traffic safety commission must provide an  
10 annual report to the transportation committees of the legislature,  
11 and post the report to its website for public access, beginning July  
12 1, 2026, that includes aggregated information on the use of automated  
13 traffic safety cameras in the state that includes an assessment of  
14 the impact of their use, information required in city and county  
15 annual reports under (b)(i) of this subsection, and information on  
16 the number of automated traffic safety cameras in use by type and  
17 location, with an analysis of camera placement in the context of area  
18 demographics and household incomes. To the extent practicable, the  
19 commission must also provide in its annual report the number of  
20 traffic accidents, speeding violations, single vehicle accidents,  
21 pedestrian accidents, and driving under the influence violations that  
22 occurred at each location where an automated traffic safety camera is  
23 located in the five years before each camera's authorization and  
24 after each camera's authorization. Cities and counties using  
25 automated traffic safety cameras must provide the commission with the  
26 data it requests for the report required under this subsection in a  
27 form and manner specified by the commission.

28 (7) All locations where an automated traffic safety camera is  
29 used on roadways or intersections must be clearly marked by placing  
30 signs at least 30 days prior to activation of the camera in locations  
31 that clearly indicate to a driver either that: (a) The driver is  
32 within an area where automated traffic safety cameras are authorized;  
33 or (b) the driver is entering an area where violations are enforced  
34 by an automated traffic safety camera. The signs must be readily  
35 visible to a driver approaching an automated traffic safety camera.  
36 Signs placed in automated traffic safety camera locations after June  
37 7, 2012, must follow the specifications and guidelines under the  
38 manual of uniform traffic control devices for streets and highways as  
39 adopted by the department of transportation under chapter 47.36 RCW.  
40 All public transportation vehicles utilizing a vehicle-mounted system



1 must post a sign on the rear of the vehicle indicating to  
2 that the vehicle is equipped with an automated traffic safety camera  
3 to enforce bus stop zone violations.

4 (8) Automated traffic safety cameras may only record images of  
5 the vehicle and vehicle license plate and only while an infraction is  
6 occurring. The image must not reveal the face of the driver or of  
7 passengers in the vehicle. The primary purpose of camera placement is  
8 to record images of the vehicle and vehicle license plate when an  
9 infraction is occurring. Cities and counties must consider installing  
10 automated traffic safety cameras in a manner that minimizes the  
11 impact of camera flash on drivers.

12 (9) A notice of infraction must be mailed to the registered owner  
13 of the vehicle within 14 days of the violation, or to the renter of a  
14 vehicle within 14 days of establishing the renter's name and address  
15 under subsection (17) of this section. The notice of infraction must  
16 include with it a certificate or facsimile thereof, based upon  
17 inspection of photographs, microphotographs, or electronic images  
18 produced by an automated traffic safety camera, stating the facts  
19 supporting the notice of infraction. This certificate or facsimile is  
20 prima facie evidence of the facts contained in it and is admissible  
21 in a proceeding charging a violation under this chapter. The  
22 photographs, microphotographs, or electronic images evidencing the  
23 violation must be available for inspection and admission into  
24 evidence in a proceeding to adjudicate the liability for the  
25 infraction. A person receiving a notice of infraction based on  
26 evidence detected by an automated traffic safety camera may respond  
27 to the notice by mail.

28 (10) The registered owner of a vehicle is responsible for an  
29 infraction under RCW 46.63.030(1)(d) unless the registered owner  
30 overcomes the presumption in RCW 46.63.075, or, in the case of a  
31 rental car business, satisfies the conditions under subsection (17)  
32 of this section. If appropriate under the circumstances, a renter  
33 identified under subsection (17)(a) of this section is responsible  
34 for an infraction.

35 (11) Notwithstanding any other provision of law, all photographs,  
36 microphotographs, or electronic images, or any other personally  
37 identifying data prepared under this section are for the exclusive  
38 use of authorized city or county employees, as specified in RCW  
39 46.63.030(1)(d), in the discharge of duties under this section and  
40 are not open to the public and may not be used in a court in

1 pending action or proceeding unless the action or proceeding  
2 to a violation under this section. No photograph, microphotograph, or  
3 electronic image, or any other personally identifying data may be  
4 used for any purpose other than enforcement of violations under this  
5 section nor retained longer than necessary to enforce this section.  
6 Transit authorities must provide to the appropriate local  
7 jurisdiction that has authorized traffic safety camera use under  
8 section 6(2) of this act any images or evidence collected  
9 establishing that a violation of stopping, standing, or parking in a  
10 bus stop zone has occurred for infraction processing purposes  
11 consistent with this section.

12 (12) If a county or city has established an automated traffic  
13 safety camera program as authorized under this section, the  
14 compensation paid to the manufacturer or vendor of the equipment used  
15 must be based only upon the value of the equipment and services  
16 provided or rendered in support of the system and may not be based  
17 upon a portion of the fine or civil penalty imposed or the revenue  
18 generated by the equipment. If the contract between the city or  
19 county and manufacturer or vendor of the equipment does not provide  
20 for performance or quality control measures regarding camera images,  
21 the city or county must perform a performance audit of the  
22 manufacturer or vendor of the equipment every three years to review  
23 and ensure that images produced from automated traffic safety cameras  
24 are sufficient for evidentiary purposes as described in subsection  
25 (9) of this section.

26 (13) (a) Except as provided in (d) of this subsection, a county or  
27 a city may only use revenue generated by an automated traffic safety  
28 camera program as authorized under this section for:

29 (i) Traffic safety activities related to construction and  
30 preservation projects and maintenance and operations purposes  
31 including, but not limited to, projects designed to implement the  
32 complete streets approach as defined in RCW 47.04.010, changes in  
33 physical infrastructure to reduce speeds through road design, and  
34 changes to improve safety for active transportation users, including  
35 improvements to access and safety for road users with mobility,  
36 sight, or other disabilities; and

37 (ii) The cost to administer, install, operate, and maintain the  
38 automated traffic safety cameras, including the cost of processing  
39 infractions.

40 (b) Except as provided in (d) of this subsection:

1 (i) The automated traffic safety camera program revenue u  
2 county or city with a population of 10,000 or more for purposes  
3 described in (a)(i) of this subsection must include the use of  
4 revenue in census tracts of the city or county that have household  
5 incomes in the lowest quartile determined by the most currently  
6 available census data and areas that experience rates of injury  
7 crashes that are above average for the city or county. Funding  
8 contributed from traffic safety program revenue must be, at a  
9 minimum, proportionate to the share of the population of the county  
10 or city who are residents of these low-income communities and  
11 communities experiencing high injury crash rates. This share must be  
12 directed to investments that provide direct and meaningful traffic  
13 safety benefits to these communities. Revenue used to administer,  
14 install, operate, and maintain automated traffic safety cameras,  
15 including the cost of processing infractions, are excluded from  
16 determination of the proportionate share of revenues under this  
17 subsection (13)(b); and

18 (ii) The automated traffic safety camera program revenue used by  
19 a city or county with a population under 10,000 for traffic safety  
20 activities under (a)(i) of this subsection must be informed by the  
21 department of health's environmental health disparities map.

22 (c) Except as provided in (d) of this subsection, beginning four  
23 years after an automated traffic safety camera authorized under this  
24 section is initially placed and in use after the effective date of  
25 this section, 25 percent of the noninterest money received for  
26 infractions issued by such cameras in excess of the cost to  
27 administer, install, operate, and maintain the cameras, including the  
28 cost of processing infractions, must be deposited into the Cooper  
29 Jones active transportation safety account created in RCW 46.68.480.

30 (d)(i)(A) Jurisdictions with an automated traffic safety camera  
31 program in effect before January 1, 2024, may continue to allocate  
32 revenue generated from automated traffic safety cameras authorized  
33 under sections 3 and 5(2)(c) of this act as determined by the  
34 jurisdiction, as well as for the purposes established in (a) through  
35 (c) of this subsection, by:

36 (I) Up to a 10 percent increase in the number of traffic safety  
37 camera locations authorized to detect violations for automated  
38 traffic safety cameras authorized under section 3 of this act; and

1 (II) Up to a 10 percent increase in the number of traffi  
2 camera locations authorized to detect violations for automated  
3 traffic safety cameras authorized under section 5(2)(c) of this act.

4 (B)(I) Any automated traffic safety camera program in effect  
5 before January 1, 2024, with fewer than 10 traffic safety camera  
6 locations for automated traffic safety cameras authorized under  
7 section 3 of this act, which adds automated traffic safety cameras to  
8 one additional location for the use of cameras authorized under  
9 section 3 of this act, may continue to allocate revenue generated  
10 from automated traffic safety cameras authorized under section 3 of  
11 this act as determined by the jurisdiction, as well as for the  
12 purposes established in (a) through (c) of this subsection.

13 (II) Any automated traffic safety camera program in effect before  
14 January 1, 2024, with fewer than 10 traffic safety camera locations  
15 for automated traffic safety cameras authorized under section 5(2)(c)  
16 of this act as of January 1, 2024, which adds automated traffic  
17 safety cameras to one additional location for the use of cameras  
18 authorized under section 5(2)(c) of this act, may continue to  
19 allocate revenue generated from automated traffic safety cameras  
20 authorized under section 5(2)(c) of this act as determined by the  
21 jurisdiction, as well as for the purposes established in (a) through  
22 (c) of this subsection.

23 (C) For the purposes of this subsection (13)(d)(i), a location  
24 is:

25 (I) An intersection for automated traffic safety cameras  
26 authorized under section 3 of this act where cameras authorized under  
27 section 3 of this act are in use; and

28 (II) A school speed zone for automated traffic safety cameras  
29 authorized under section 5(2)(c) of this act where cameras authorized  
30 under section 5(2)(c) of this act are in use.

31 (ii) The revenue distribution requirements under (a) through  
32 (d)(i) of this subsection do not apply to automated traffic safety  
33 camera programs in effect before January 1, 2024, for which an  
34 ordinance in effect as of January 1, 2024, directs the manner in  
35 which revenue generated from automated traffic safety cameras  
36 authorized under section 3 or 5(2)(c) of this act must be used.

37 (14) A county or city may adopt the use of an online ability-to-  
38 pay calculator to process and grant requests for reduced fines or  
39 reduced civil penalties for automated traffic safety camera  
40 violations.

1 (15) Except as provided in this subsection, registered o  
2 vehicles who receive notices of infraction for automated traffic  
3 safety camera-enforced infractions and are recipients of public  
4 assistance under Title 74 RCW or participants in the Washington  
5 women, infants, and children program, and who request reduced  
6 penalties for infractions detected through the use of automated  
7 traffic safety camera violations, must be granted reduced penalty  
8 amounts of 50 percent of what would otherwise be assessed for a first  
9 automated traffic safety camera violation and for subsequent  
10 automated traffic safety camera violations issued within 21 days of  
11 issuance of the first automated traffic safety camera violation.  
12 Eligibility for medicaid under RCW 74.09.510 is not a qualifying  
13 criterion under this subsection. Registered owners of vehicles who  
14 receive notices of infraction must be provided with information on  
15 their eligibility and the opportunity to apply for a reduction in  
16 penalty amounts through the mail or internet.

17 (16) Infractions detected through the use of automated traffic  
18 safety cameras are not part of the registered owner's driving record  
19 under RCW 46.52.101 and 46.52.120. Additionally, infractions  
20 generated by the use of automated traffic safety cameras under this  
21 section must be processed in the same manner as parking infractions,  
22 including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120,  
23 and 46.20.270(2). The amount of the fine issued for an infraction  
24 generated through the use of an automated traffic safety camera may  
25 not exceed \$145, as adjusted for inflation by the office of financial  
26 management every five years, beginning January 1, 2029, based upon  
27 changes in the consumer price index during that time period, but may  
28 be doubled for a school speed zone infraction generated through the  
29 use of an automated traffic safety camera.

30 (17) If the registered owner of the vehicle is a rental car  
31 business, the issuing agency must, before a notice of infraction  
32 being issued under this section, provide a written notice to the  
33 rental car business that a notice of infraction may be issued to the  
34 rental car business if the rental car business does not, within 18  
35 days of receiving the written notice, provide to the issuing agency  
36 by return mail:

37 (a) A statement under oath stating the name and known mailing  
38 address of the individual driving or renting the vehicle when the  
39 infraction occurred; or

1 (b) A statement under oath that the business is un  
2 determine who was driving or renting the vehicle at the time the  
3 infraction occurred because the vehicle was stolen at the time of the  
4 infraction. A statement provided under this subsection must be  
5 accompanied by a copy of a filed police report regarding the vehicle  
6 theft; or

7 (c) In lieu of identifying the vehicle operator, the rental car  
8 business may pay the applicable penalty. Timely mailing of this  
9 statement to the issuing agency relieves a rental car business of any  
10 liability under this chapter for the notice of infraction.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.63  
12 RCW to read as follows:

13 (1) Automated traffic safety cameras may be used to detect  
14 stoplight violations, subject to section 2 of this act.

15 (2) Automated traffic safety cameras used to detect stoplight  
16 violations are restricted to intersections of two or more arterials  
17 with traffic control signals that have yellow change interval  
18 durations in accordance with RCW 47.36.022, which interval durations  
19 may not be reduced after placement of the camera.

20 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.63  
21 RCW to read as follows:

22 (1) Automated traffic safety cameras may be used to detect  
23 railroad grade crossing violations, subject to section 2 of this act.

24 (2) Automated traffic safety cameras at railroad grade crossings  
25 may be used only to detect instances when a vehicle fails to stop  
26 when facing an activated railroad grade crossing control signal.

27 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.63  
28 RCW to read as follows:

29 (1) Automated traffic safety cameras may be used to detect speed  
30 violations, subject to section 2 of this act.

31 (2) Automated traffic safety cameras may be used to detect speed  
32 violations within the following locations:

- 33 (a) Hospital speed zones;
- 34 (b) Public park speed zones;
- 35 (c) School speed zones;
- 36 (d) School walk zones;

1 (e) Roadway work zones, except that a notice of infrac  
2 only be issued if an automated traffic safety camera captures a speed  
3 violation when workers are present; and

4 (f) State highways within city limits that are classified as city  
5 streets under chapter 47.24 RCW.

6 (3) In addition to the automated traffic safety cameras that may  
7 be authorized for specified zones or roads in subsection (2) of this  
8 section, the local legislative authority may authorize the use of one  
9 additional automated traffic safety camera per 10,000 population to  
10 detect speed violations in locations deemed by the local legislative  
11 authority to experience higher crash risks due to excessive vehicle  
12 speeds. For automated traffic safety cameras authorized to detect  
13 speed violations as part of a pilot program prior to the effective  
14 date of this section, the location must be deemed by a local  
15 legislative authority to have experienced higher crash risks due to  
16 excessive vehicle speeds prior to installation of the automated  
17 traffic safety camera.

18 (4) Notices of infraction for automated traffic safety camera-  
19 detected speed violations may not be issued to the registered vehicle  
20 owner of:

21 (a) A marked fire engine equipped with emergency lights and  
22 siren; or

23 (b) An ambulance licensed by the department of health and  
24 equipped with emergency lights and siren.

25 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.63  
26 RCW to read as follows:

27 (1)(a) Subject to section 2 of this act and as limited in this  
28 subsection, automated traffic safety cameras may be used in cities  
29 with populations of more than 500,000 residents to detect one or more  
30 of the following violations:

- 31 (i) Stopping when traffic obstructed violations;
- 32 (ii) Stopping at intersection or crosswalk violations;
- 33 (iii) Public transportation only lane violations; or
- 34 (iv) Stopping or traveling in restricted lane violations.

35 (b) Use of automated traffic safety cameras as authorized in this  
36 subsection (1) is restricted to the following locations only:  
37 Intersections as described in section 3(2) of this act; railroad  
38 grade crossings; school speed zones; school walk zones; public park  
39 speed zones; hospital speed zones; and midblock on arterials. The us

1 of such automated traffic safety cameras is further limited  
2 following:

3 (i) The portion of state and local roadways in downtown areas of  
4 the city used for office and commercial activities, as well as retail  
5 shopping and support services, and that may include mixed residential  
6 uses;

7 (ii) The portion of state and local roadways in areas in the city  
8 within one-half mile north of the boundary of the area described in  
9 (b)(i) of this subsection;

10 (iii) Portions of roadway systems in the city that travel into  
11 and out of (b)(ii) of this subsection that are designated by the  
12 Washington state department of transportation as noninterstate  
13 freeways for up to four miles; and

14 (iv) Portions of roadway systems in the city connected to the  
15 portions of the noninterstate freeways identified in (b)(iii) of this  
16 subsection that are designated by the Washington state department of  
17 transportation as arterial roadways for up to one mile from the  
18 intersection of the arterial roadway and the noninterstate freeway.

19 (2) Subject to section 2 of this act, automated traffic safety  
20 cameras may also be used in cities with a bus rapid transit corridor  
21 or routes to detect public transportation only lane violations.

22 (3) Subject to section 2 of this act, automated traffic safety  
23 cameras that are part of a public transportation vehicle-mounted  
24 system may be used by a transit authority within a county with a  
25 population of more than 1,500,000 residents to detect stopping,  
26 standing, or parking in bus stop zone violations if authorized by the  
27 local legislative authority with jurisdiction over the transit  
28 authority.

29 (4) Subject to section 2 of this act, and in consultation with  
30 the department of transportation, automated traffic safety cameras  
31 may be used to detect ferry queue violations under RCW 46.61.735.

32 (5) A transit authority may not take disciplinary action  
33 regarding a warning or infraction issued pursuant to subsections (1)  
34 through (3) of this section against an employee who was operating a  
35 public transportation vehicle at the time the violation that was the  
36 basis of the warning or infraction was detected.

37 **Sec. 7.** RCW 46.16A.120 and 2012 c 83 s 5 are each amended to  
38 read as follows:



1 (1) Each court and government agency located in this state  
2 jurisdiction over standing, stopping, and parking violations, the use  
3 of a photo toll system under RCW 46.63.160, the use of automated  
4 traffic safety cameras under (~~RCW 46.63.170~~) sections 2 through 6  
5 of this act, and the use of automated school bus safety cameras under  
6 RCW 46.63.180 may forward to the department any outstanding:

- 7 (a) Standing, stopping, and parking violations;
- 8 (b) Civil penalties for toll nonpayment detected through the use  
9 of photo toll systems issued under RCW 46.63.160;
- 10 (c) Automated traffic safety camera infractions issued under RCW  
11 46.63.030(1)(d); and
- 12 (d) Automated school bus safety camera infractions issued under  
13 RCW 46.63.030(1)(e).

14 (2) Violations, civil penalties, and infractions described in  
15 subsection (1) of this section must be reported to the department in  
16 the manner described in RCW 46.20.270(3).

17 (3) The department shall:

18 (a) Record the violations, civil penalties, and infractions on  
19 the matching vehicle records; and

20 (b) Send notice approximately (~~one hundred twenty~~) 120 days in  
21 advance of the current vehicle registration expiration date to the  
22 registered owner listing the dates and jurisdictions in which the  
23 violations, civil penalties, and infractions occurred, the amounts of  
24 unpaid fines and penalties, and the surcharge to be collected. Only  
25 those violations, civil penalties, and infractions received by the  
26 department (~~one hundred twenty~~) 120 days or more before the current  
27 vehicle registration expiration date will be included in the notice.  
28 Violations, civil penalties, and infractions received by the  
29 department later than (~~one hundred twenty~~) 120 days before the  
30 current vehicle registration expiration date that are not satisfied  
31 will be delayed until the next vehicle registration expiration date.

32 (4) The department, county auditor or other agent, or subagent  
33 appointed by the director shall not renew a vehicle registration if  
34 there are any outstanding standing, stopping, and parking violations,  
35 and other civil penalties issued under RCW 46.63.160 for the vehicle  
36 unless:

37 (a) The outstanding standing, stopping, or parking violations and  
38 civil penalties were received by the department within (~~one hundred~~  
39 ~~twenty~~) 120 days before the current vehicle registration expiration;

40 (b) There is a change in registered ownership; or

1 (c) The registered owner presents proof of payment  
2 violation, civil penalty, and infraction provided in this section and  
3 the registered owner pays the surcharge required under RCW 46.17.030.

4 (5) The department shall:

5 (a) Forward a change in registered ownership information to the  
6 court or government agency who reported the outstanding violations,  
7 civil penalties, or infractions; and

8 (b) Remove the outstanding violations, civil penalties, and  
9 infractions from the vehicle record.

10 **Sec. 8.** RCW 46.63.030 and 2023 c 17 s 1 are each amended to read  
11 as follows:

12 (1) A law enforcement officer has the authority to issue a notice  
13 of traffic infraction:

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

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

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

22 (d) When the infraction is detected through the use of an  
23 automated traffic safety camera under ((RCW 46.63.170)) sections 2  
24 through 6 of this act. A trained and authorized civilian employee of  
25 a general authority Washington law enforcement agency, as defined in  
26 RCW 10.93.020, or an employee of a local public works or  
27 transportation department performing under the supervision of a  
28 qualified traffic engineer and as designated by a city or county, has  
29 the authority to review infractions detected through the use of an  
30 automated traffic safety camera under sections 2 through 6 of this  
31 act and to issue notices of infraction consistent with section 2(9)  
32 of this act. These employees must be sufficiently trained and  
33 certified in reviewing infractions and issuing notices of infraction  
34 by qualified peace officers or by traffic engineers employed in the  
35 jurisdiction's public works or transportation department. Nothing in  
36 this subsection impairs decision and effects collective bargaining  
37 rights under chapter 41.56 RCW;

38 (e) When the infraction is detected through the use of an  
39 automated school bus safety camera under RCW 46.63.180. A trained and

1 authorized civilian employee of a general authority Washington  
2 enforcement agency, as defined in RCW 10.93.020, or an employee of a  
3 local public works or transportation department performing under the  
4 supervision of a qualified traffic engineer and as designated by a  
5 city or county, has the authority to review infractions detected  
6 through the use of an automated school bus safety camera under RCW  
7 46.63.180 and to issue notices of infraction consistent with RCW  
8 46.63.180(1)(b). These employees must be sufficiently trained and  
9 certified in reviewing infractions and issuing notices of infraction  
10 by qualified peace officers or by traffic engineers employed in the  
11 jurisdiction's public works or transportation department. Nothing in  
12 this subsection impairs decision and effects collective bargaining  
13 rights under chapter 41.56 RCW; or

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

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

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

26 (4) In the case of failure to redeem an abandoned vehicle under  
27 RCW 46.55.120, upon receiving a complaint by a registered tow truck  
28 operator that has incurred costs in removing, storing, and disposing  
29 of an abandoned vehicle, an officer of the law enforcement agency  
30 responsible for directing the removal of the vehicle shall send a  
31 notice of infraction by certified mail to the last known address of  
32 the person responsible under RCW 46.55.105. The notice must be  
33 entitled "Littering—Abandoned Vehicle" and give notice of the  
34 monetary penalty. The officer shall append to the notice of  
35 infraction, on a form prescribed by the department of licensing, a  
36 notice indicating the amount of costs incurred as a result of  
37 removing, storing, and disposing of the abandoned vehicle, less any  
38 amount realized at auction, and a statement that monetary penalties  
39 for the infraction will not be considered as having been paid until  
40 the monetary penalty payable under this chapter has been paid and th

1 court is satisfied that the person has made restitution in th  
2 of the deficiency remaining after disposal of the vehicle.

3 **Sec. 9.** RCW 46.63.180 and 2013 c 306 s 716 are each amended to  
4 read as follows:

5 (1) School districts may install and operate automated school bus  
6 safety cameras on school buses to be used for the detection of  
7 violations of RCW 46.61.370(1) if the use of the cameras is approved  
8 by a vote of the school district board of directors. School districts  
9 are not required to take school buses out of service if the buses are  
10 not equipped with automated school bus safety cameras or functional  
11 automated safety cameras. Further, school districts shall be held  
12 harmless from and not liable for any criminal or civil liability  
13 arising under the provisions of this section.

14 (a) Automated school bus safety cameras may only take pictures of  
15 the vehicle and vehicle license plate and only while an infraction is  
16 occurring. The picture must not reveal the face of the driver or of  
17 passengers in the vehicle.

18 (b) A notice of infraction must be mailed to the registered owner  
19 of the vehicle within (~~fourteen~~) 14 days of the violation, or to  
20 the renter of a vehicle within (~~fourteen~~) 14 days of establishing  
21 the renter's name and address under subsection (2)(a)(i) of this  
22 section. The (~~law enforcement officer issuing the~~) notice of  
23 infraction (~~shall~~) must also include a certificate or facsimile of  
24 the notice, based upon inspection of photographs, microphotographs,  
25 or electronic images produced by an automated school bus safety  
26 camera, stating the facts supporting the notice of infraction. This  
27 certificate or facsimile is prima facie evidence of the facts  
28 contained in it and is admissible in a proceeding charging a  
29 violation under this chapter. The photographs, microphotographs, or  
30 electronic images evidencing the violation must be available for  
31 inspection and admission into evidence in a proceeding to adjudicate  
32 the liability for the infraction. A person receiving a notice of  
33 infraction based on evidence detected by an automated school bus  
34 safety camera may respond to the notice by mail.

35 (c) The registered owner of a vehicle is responsible for an  
36 infraction under RCW 46.63.030(1)(e) unless the registered owner  
37 overcomes the presumption in RCW 46.63.075, or, in the case of a  
38 rental car business, satisfies the conditions under subsection (2) of  
39 this section. If appropriate under the circumstances, a renter

1 identified under subsection (2)(a)(i) of this section is res  
2 for an infraction.

3 (d) Notwithstanding any other provision of law, all photographs,  
4 microphotographs, or electronic images prepared under this section  
5 are for the exclusive use of (~~law enforcement~~) authorized city or  
6 county employees, as specified in RCW 46.63.030(1)(e), in the  
7 discharge of duties under this section and are not open to the public  
8 and may not be used in a court in a pending action or proceeding  
9 unless the action or proceeding relates to a violation under this  
10 section. No photograph, microphotograph, or electronic image may be  
11 used for any purpose other than enforcement of violations under this  
12 section nor retained longer than necessary to enforce this section.

13 (e) If a school district installs and operates an automated  
14 school bus safety camera under this section, the compensation paid to  
15 the manufacturer or vendor of the equipment used must be based only  
16 upon the value of the equipment and services provided or rendered in  
17 support of the system, and may not be based upon a portion of the  
18 fine or civil penalty imposed or the revenue generated by the  
19 equipment. Further, any repair, replacement, or administrative work  
20 costs related to installing or repairing automated school bus safety  
21 cameras must be solely paid for by the manufacturer or vendor of the  
22 cameras. Before entering into a contract with the manufacturer or  
23 vendor of the equipment used under this subsection (1)(e), the school  
24 district must follow the competitive bid process as outlined in RCW  
25 28A.335.190(1).

26 (f) Any revenue collected from infractions detected through the  
27 use of automated school bus safety cameras, less the administration  
28 and operating costs of the cameras, must be remitted to school  
29 districts for school zone safety projects as determined by the school  
30 district using the automated school bus safety cameras. The  
31 administration and operating costs of the cameras includes infraction  
32 enforcement and processing costs that are incurred by local law  
33 enforcement or local courts. During the 2013-2015 fiscal biennium,  
34 the infraction revenue may also be used for school bus safety  
35 projects by those school districts eligible to apply for funding from  
36 the school zone safety account appropriation in section 201, chapter  
37 306, Laws of 2013.

38 (2)(a) If the registered owner of the vehicle is a rental car  
39 business, the (~~law enforcement~~) issuing agency shall, before a  
40 notice of infraction is issued under this section, provide a written

1 notice to the rental car business that a notice of infraction  
2 issued to the rental car business if the rental car business does  
3 not, within (~~eighteen~~) 18 days of receiving the written notice,  
4 provide to the issuing agency by return mail:

5 (i) A statement under oath stating the name and known mailing  
6 address of the individual driving or renting the vehicle when the  
7 infraction occurred;

8 (ii) A statement under oath that the business is unable to  
9 determine who was driving or renting the vehicle at the time the  
10 infraction occurred because the vehicle was stolen at the time of the  
11 infraction. A statement provided under this subsection (2)(a)(ii)  
12 must be accompanied by a copy of a filed police report regarding the  
13 vehicle theft; or

14 (iii) In lieu of identifying the vehicle operator, the rental car  
15 business may pay the applicable penalty.

16 (b) Timely mailing of a statement under this subsection to the  
17 issuing (~~law enforcement~~) agency relieves a rental car business of  
18 any liability under this chapter for the notice of infraction.

19 (3) For purposes of this section, "automated school bus safety  
20 camera" means a device that is affixed to a school bus that is  
21 synchronized to automatically record one or more sequenced  
22 photographs, microphotographs, or electronic images of the rear of a  
23 vehicle at the time the vehicle is detected for an infraction  
24 identified in RCW 46.61.370(1).

25 **Sec. 10.** RCW 46.63.075 and 2023 c 17 s 2 are each amended to  
26 read as follows:

27 (1) In a traffic infraction case involving an infraction detected  
28 through the use of an automated traffic safety camera under (~~RCW~~  
29 ~~46.63.170~~) sections 2 through 6 of this act, detected through the  
30 use of a speed safety camera system under RCW 46.63.200, or detected  
31 through the use of an automated school bus safety camera under RCW  
32 46.63.180, proof that the particular vehicle described in the notice  
33 of traffic infraction was in violation of any such provision of  
34 sections 2 through 6 of this act or RCW (~~46.63.170~~) 46.63.200(~~7~~)  
35 and 46.63.180, together with proof that the person named in the  
36 notice of traffic infraction was at the time of the violation the  
37 registered owner of the vehicle, constitutes in evidence a prima  
38 facie presumption that the registered owner of the vehicle was the

1 person in control of the vehicle at the point where, and for  
2 during which, the violation occurred.

3 (2) This presumption may be overcome only if the registered owner  
4 states, under oath, in a written statement to the court or in  
5 testimony before the court that the vehicle involved was, at the  
6 time, stolen or in the care, custody, or control of some person other  
7 than the registered owner.

8 **Sec. 11.** RCW 46.68.480 and 2023 c 431 s 8 are each amended to  
9 read as follows:

10 The Cooper Jones active transportation safety account is created  
11 in the state treasury. All receipts from penalties collected under  
12 ((RCW 46.63.170)) section 2(13)(c) of this act and funds designated  
13 by the legislature shall be deposited into the account. Expenditures  
14 from the account may be used only to fund grant projects or programs  
15 for bicycle, pedestrian, and nonmotorist safety improvement  
16 administered by the Washington traffic safety commission. By December  
17 1, 2024, and every two years thereafter, the commission shall report  
18 to the transportation committees of the legislature regarding the  
19 activities funded from the account. The account is subject to  
20 allotment procedures under chapter 43.88 RCW. Moneys in the account  
21 may be spent only after appropriation.

22 NEW SECTION. **Sec. 12.** RCW 46.63.170 (Automated traffic safety  
23 cameras—Definition) and 2022 c 182 s 424, 2022 c 182 s 423, 2020 c  
24 224 s 1, 2015 3rd sp.s. c 44 s 406, 2015 1st sp.s. c 10 s 702, & 2013  
25 c 306 s 711 are each repealed.

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