UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE SCHEDULE OF FORFEITABLE BAIL	)))	ORDER AMENDING SCHEDULE OF FORFEITABLE BAIL AS OF MARCH 1, 1981

Pursuant to Local Magistrates Rule MR 9(j), the Schedule of Forfeitable Bail is amended, effective March 1, 1981. The changes reflect the decriminalization of many traffic violations in RCW 46 which became effective Janaury 1, 1981, and the amended Schedule lists most of RCW 46 violations that are still criminal violations. Also reflected in the amendments are some housekeeping changes with respect to the National Forest Service regulations, 36 C.F.R 212-293. The new amendment pages, dated March 1981, should be substituted for the original pages dated September 1980, as follows:

RCW 46 - Pages 1-9
36 C.F.R. 212-293 - Pages 22, 26, 27, and 28.

The replaced original pages should be discarded.

A copy of each of the amended pages is attached to the original of this Order and will be on file in the Clerk's Office, United States District Court, Western District of Washington, at Seattle.

The United States Attorney's Office should provide a copy of this Order and the amended pages to the Federal agencies issuing violation notices covered by the Schedule.

DATED this 17 day of February, 1981.

Robert E. Cooper
ROBERT E. COOPER
United States Magistrate

John L. Weinberg
JOHN L. WEINBERG
United States Magistrate

Philip R. Sweigert
PHILIP R. SWEIGERT
United States Magistrate

FILED IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

FEB 2[illegible] 1981

[illegible], Clerk
By _____ Deputy

TRAFFIC CODE - STATE OF WASHINGTON
RCW Title 46

Each section of RCW 46 set out on the following pages is classified for Federal purposes as either a petty offense or a misdemeanor.

PETTY OFFENSE--Where the section is noted as being a "PETTY OFFENSE," the maximum sentence is imprisonment of not more than 90 days and/or a fine of not more than $250.00. (See RCW 46.64.050, RCW 9.92.030, and 18 U.S.C. § 1--RCW 9A.20.020 would not appear to be applicable to crimes defined in Title 46 as 9A applies only to crimes "defined in Title 9A.")

MISDEMEANORS--Where the section is noted as being a "MISDEMEANOR," the maximum sentence is imprisonment of not more than one year and/or a fine of not more than $1,000.00. (See RCW 46.64.050, RCW 9.92.020, and 18 U.S.C. § 1.)

SPECIAL SENTENCE(S)- Where the section is noted as having a "SPECIAL SENTENCE" or "SPECIAL SENTENCES," the sentence provided for violating the section will be specifically described after the

section and noted as to whether the violation is a petty offense or a misdemeanor.

Mar. 1981

TRAFFIC CODE - STATE OF WASHINGTON
RCW Title 46

RCW	Offense	Bail
46.09.120(2) PETTY OFFENSE	Operating a non-highway vehicle while under the influence of intoxicating liquor or a controlled substance	Mandatory
46.09.130 MISDEMEANOR	Operating a non-highway vehicle in such a way as to endanger human life; or to run down or harass wildlife; or convey any loaded weapon upon; or to hunt from	Mandatory

RCW	Offense	Bail
46.10.090(2) PETTY OFFENSE	Operating a snowmobile so as to endanger the person of another; or while under the influence of intoxicating liquor or narcotics or habit forming drugs	Mandatory
46.10.130 MISDEMEANOR	Operating a snowmobile so as to endanger human life; or to run down or harass wildlife or domestic criminals; or to carry any loaded weapon upon; or to hunt from	Mandatory

RCW	Offense	Bail
46.20.021 PETTY OFFENSE	No valid license	Mandatory
	More than one valid license	Mandatory
46.20.336 PETTY OFFENSES	(1) Possession of cancelled, revoked, suspended, fictitious, or fraudulently altered driver's license	Mandatory
	(2) Loan of or knowingly permit use of driver's license	Mandatory
	(3) Use of driver's license of another	Mandatory
	(6) Permitting unlawful use of one's driver's license	Mandatory
46.20.342 SPECIAL SENTENCES	Driving while license privilege suspended or revoked First conviction-PETTY OFFENSE-not less than 10 days nor more than 6 months Second conviction--MISDEMEANOR--not less than 90 days nor more than one (1) year Third conviction--MISDEMEANOR--mandatory one (1) year Plus a fine up to $500.00 may be imposed on any conviction; and on any conviction, the Department of Motor Vehicles shall extend the period of suspension for an additional like period or the period of revocation for an additional one year.	Mandatory
46.20.410 SPECIAL SENTENCES	Violation of occupational license restriction (PETTY OFFENSE--Fine of not less than $50.00 nor more than $200.00 and/or imprisonment for not more than 6 months)	Mandatory

RCW	Offense	Bail
46.52.010 PETTY OFFENSE	Hit and run: Unattended vehicle	Mandatory
	Damage to property fixed or placed upon or adjacent to public highway	Mandatory
46.52.020 SPECIAL SENTENCE	Hit and run: Damage to attended vehicle	Mandatory
	Damage to other property	Mandatory
	(MISDEMEANOR--Imprisonment for not less than 30 days nor more than one year and/or a fine of not less than $100.00 nor more than $500.00)	
	NOTE: Hit and run involving injury to person or death is a felony. CONTACT THE U.S ATTORNEY'S OFFICE.	
46.52.090 MISDEMEANOR	Destroying or concealing evidence of damage to a vehicle	Mandatory

RCW	Offense	Bail
46.61.022 PETTY OFFENSE	Failure to stop when requested to do so by officer; or failure to identify oneself to officer pursuant to investigation of traffic infraction	Mandatory
46.61.500 PETTY OFFENSE	Reckless driving Suspension of license for not less than 30 days in addition to petty offense sentence of not more than 90 days' imprisonment and not more than a $250.00 fine.	Mandatory
46.61.502 SPECIAL SENTENCES	Driving under the influence of intoxicating liquor or drug	Mandatory
46.61.504 SPECIAL SENTENCES	Being in physical control of a motor vehicle while under the influence of intoxicating liquor or drug	Mandatory

.502 (DWI) and .504 (physical control)- MISDEMEANORS-

First conviction, imprisonment for not less than one day nor more than one year and by fine of not more than $500.00 (plus alcohol info school). Cannot suspend or defer as to the one day minimum unless physical or mental problem and reason for suspension or deferral must be set out in writing.

Second conviction within five-year period, imprisonment for not less than seven days nor more than one year and a fine not more than $1,000.00. Cannot suspend or defer as to the seven-day minimum unless physical or mental problem and reason for suspension or deferral must be set out in writing.

RCW	Offense	Bail
46.61.504 continued	For third and subsequent .504 physical control convictions within a five-year period, same as a second conviction. For a third and subsequent .502 DWI convictions within a five-year period, a fine of not less than $100.00 and not more than $1,000.00, and imprisonment for not less than 30 days and not more than one year, and neither minimum fine nor minimum imprisonment sentence may be suspended; and the Court is to revoke license.--See RCW 46.52.100. If also driving while license suspended or revoked, minimum sentence is not less than 90 days and not less than a $200.00 fine which cannot be suspended or deferred. See RCW 46.52.100 and 46.61.515. In addition to any nonsuspendable and nondeferrable jail sentence required for a second or subsequent conviction, the sentence is to be imprisonment not exceeding 180 days, which is to be suspended, but not deferred, for not more than 2 years. In addition to any fine and costs, there is a minimum 25% (of any fines and costs) penalty assessment, to be paid to highway safety fund. The penalty assessment may not be deferred, suspended, waived, or modified.	
	Suspension and revocation-- First conviction--not less than 30 days suspension, but Court may recommend that no suspension action be taken. Second conviction within five years--Not less than 60 days suspension. Third and subsequent conviction within five years--revocation.	
46.61.525 SPECIAL SENTENCE	Negligent driving (PETTY OFFENSE--no imprisonment, fine up to $250.00)	Mandatory

RCW	Offense	Bail
46.61.530 PETTY OFFENSE	Racing of Vehicles	Mandatory
46.61.685 PETTY OFFENSE	Leaving children unattended in vehicle with motor running	Mandatory

NATIONAL FORESTS

Title	Offense	Bail
PART 212 - Forest Service Rules--DELETED--Now covered in Part 261		

Title	Offense	Bail
36 CFR 261.56	Use of vehicles off forest development roads	$ 40.00
36 CFR 261.57	National forest wilderness	
	(a) Entering or being in the area	$ 40.00
	(b) Possessing camping or pack outfitting equipment	$ 40.00
	(c)(1) Possession of fireworks	$ 40.00
	(2) Possession of firearm	$ 40.00
	(d) Possessing non-burnable container	$ 40.00
	(e) Grazing	$ 40.00
	(f) Storing equipment	$ 40.00
	(g) Disposing of garbage	$ 40.00
36 CFR 261.58	Occupancy and use	
	(a) Camping for longer than allowed	$ 40.00
	(b) Prohibited entry	$ 40.00
	(c) Overnight camping	$ 40.00
	(d) Prohibited camping equipment	$ 40.00
	(e) Camping	$ 40.00
	(f) Use of campsite by too many persons	$ 40.00
	(g) Parking or leaving vehicle	$ 40.00
	(h) Parking in other than designated spot	$ 40.00
	(i) More than two vehicles per camp unit	$ 40.00
	(j) Public nudity	$ 40.00
	(k) Entering or being in a body of water	$ 40.00
	(l) In the area after sundown or before sunrise	$ 40.00
	(m) Discharging a firearm	$ 40.00
	(n) Possessing or operating a motor boat	$ 40.00
	(o) Water skiing	$ 40.00
	(p) Storing or leaving a boat or raft	$ 40.00
	(q) Operating watercraft in excess of speed limit	$ 40.00
	(r) Launching a boat in undesignated area	$ 40.00
	(s) Possessing a bird or animal	$ 40.00
	(t) Possessing a tree or plant	$ 40.00
	(u) In the area between 10 p.m. and 6 a.m., except campers and visitors	$ 40.00
	(v) Hunting or fishing	$ 40.00
	(w) Motor and mechanical devices for propelling watercraft	$ 40.00
	(x) Use of device to transport watercraft	$ 40.00
	(y) Use of aircraft	$ 40.00
	(z) Entering or being on lands or waters of National Wild and Scenic River System	$ 40.00

Title	Offense	Bail

PART 291 - Occupancy and Use--DELETED--Now covered in Part 261

Title	Offense	Bail
PART 293 - Wilderness - Primitive Areas—DELETED-Now covered in Part 261		