

KENT MUNICIPAL COURT

Declaration of Non-Responsibility Photo Enforcement Program

The registered owner of a vehicle is presumed to have operated the vehicle at the time an infraction was detected by an automated traffic safety camera unless the registered owner overcomes the presumption by a statement, under oath, in writing to the court or in testimony before the court that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner. **The judge is not required to accept your assertion that you were not the driver so producing adequate evidence to prove that you were not the driver is crucial.**

A DECLARATION OF NON-RESPONSIBILITY may be used to transfer liability to another person other than the registered owner. Like a parking infraction, a person other than the registered owner may take responsibility for a traffic camera infraction by submitting payment directly or by requesting a hearing in his or her name. Infractions generated by traffic cameras will not appear on any Department of Licensing driver record. Employers/principals may transfer responsibility to their employees/agents, but the employee/agent must acknowledge that they were the driver. A vehicle registered to an employer/principal that is driven by an employee/agent remains in the "care, custody, and control" of the employer/agent and thus, the employer/principal is responsible for payment of the infraction penalty if they cannot identify the person who was driving the vehicle at the time of the alleged infraction or if the employee/agent refuses to accept responsibility.

If the vehicle was stolen, sold prior to the date and time of the violation or in the care, custody or control of someone else at the time of the violation, please fill out a Declaration of Non-Responsibility below. Please fill it out completely. **If this document is not filled out completely and signed by the new driver (when applicable), the Notice of Infraction will remain in the registered owner's name and a contested hearing will be scheduled.** The registered owner (or the listed driver when applicable) will be notified of the hearing date and be required to attend. The Declaration of Non-Responsibility must be mailed to Kent Municipal Court, Photo Enforcement Program, 1220 Central Ave South Kent, WA 98032 on or before the due date.

I, as the registered owner, declare under penalty of perjury under the laws of the State of Washington that the information provided in this declaration is true and correct to the best of my knowledge. I received the Notice of Infraction, the number is listed on the reverse side of this Declaration. At the time of the occurrence of the violation indicated in the Notice of Infraction, the vehicle described was:

- Sold and a copy of the seller's report is enclosed, or Stolen and a copy of the police report is enclosed, or
 In the care, custody or control of another person who cannot be identified or will not accept responsibility (this means that the registered owner must request a hearing and defend this infraction), or
 In the care, custody, or control of _____ who has, without waiving any defenses, admitted that they were driving the vehicle at the time of the alleged infraction. The defendant should be changed as noted below.

Registered Owner Date

Driver's Name

The driver would like to:

- Pay the amount in full
 Request a mitigation hearing in person by mail
 Request a contested hearing in person by mail

Driver's Street Address

Driver's City State Zip

Driver's Signature Date

Statement of Declaration for Hearing by Mail

The following is my written statement for my mitigation or contested hearing (use extra paper if necessary) and I am including this statement with my hearing request.

I declare under penalty of perjury under the laws of the State of Washington that the above information, and the information contained in the attachments hereto, is true and correct. **I understand there can be no appeal from a decision on written statement, pursuant to IRLJ3.5(4) and KMC-IRLJ3.5(e).**

Executed this _____ day of _____, 2____ at _____ (city, state).

Signature

Printed Name