

SUPREME COURT OF WASHINGTON

State v. Eckblad, 152 Wash. 2d 515

98 P.3d 1184 (2004) · Decided October 14, 2004

SUMMARY

The Washington Supreme Court considered whether Washington's seat belt statute, RCW 46.61.688, was unconstitutionally vague. The court held that the statute was not facially vague or vague as applied to Trevor Eckblad's case, reversed the suppression order, and remanded for further proceedings. The court cautioned that the statute could potentially be vague as applied in a different case involving a reasonable belief that a vehicle or occupants were exempt.

CASE DETAILS

COURT	Supreme Court of Washington
WRITING FOR THE COURT	Chambers, J.; Johnson, J.; Ireland, J.; Bridge, J.; Owens, J.; Fairhurst, J.; Madsen, J.
JURISDICTION	Washington
DECIDED	October 14, 2004
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State sought direct review of a trial court order holding Washington's seat belt statute unconstitutionally vague, suppressing evidence obtained after a traffic stop, and dismissing the firearm-possession charge.
STANDARD OF REVIEW	Constitutionality of a statute is reviewed de novo. A vagueness challenge not implicating the First Amendment is evaluated in light of the particular facts of the case.
PRECEDENTIAL VALUE	Published Washington Supreme Court opinion; precedential.
PARTIES	State of Washington v. Trevor Eckblad

TOPICS

- void for vagueness
- due process
- statutory interpretation
- criminal procedure
- suppression of evidence

PRACTICE AREAS

- constitutional law
- criminal procedure
- statutory interpretation
- traffic law

QUESTIONS PRESENTED

1. Whether RCW 46.61.688 is facially unconstitutionally vague because it incorporates federal seat-belt standards and contains exemptions.
2. Whether RCW 46.61.688 is unconstitutionally vague as applied to Eckblad's circumstances.
3. Whether the evidence obtained following the seat-belt stop should be suppressed as fruit of an illegal stop.

HOLDINGS

1. RCW 46.61.688 is not facially void for vagueness.
2. Eckblad did not establish that RCW 46.61.688 was unconstitutionally vague as applied to the facts of his case.
3. Because the seat-belt statute was not vague facially or as applied to Eckblad, the trial court's suppression and dismissal rulings could not stand; the judgment was reversed and the matter remanded for further proceedings.

KEY QUOTATIONS

“RCW 46.61.688 is not vague facially or as applied to the facts of this case.” (at 522)

“The ordinary citizen reading this statute is put on notice that there is a general obligation to wear a seat belt.” (at 521-522)

FACTUAL BACKGROUND

A state patrol officer observed a seat belt dangling in the window of a traveling 1982 pickup truck near an apparently unbelted passenger and stopped the vehicle. The officer detected alcohol and marijuana, and Eckblad admitted that marijuana in the vehicle belonged to him. A search incident to arrest uncovered a handgun, loaded magazine, and ammunition; Eckblad admitted those items were his. He was charged with being a felon in possession of a firearm and challenged the stop based on the alleged vagueness of Washington's seat belt statute.

PROCEDURAL HISTORY

A state patrol officer stopped a pickup truck after observing an unseat-belted passenger. During the encounter, the officer discovered marijuana and, after arresting Eckblad, found a handgun and ammunition. Eckblad moved to suppress the evidence as fruit of an illegal stop. The trial court found RCW 46.61.688 unconstitutionally vague, suppressed the evidence, and dismissed the case. The Washington Supreme Court granted direct review, reversed, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remanded for further proceedings consistent with the opinion.

CASES CITED

- Ino Ino, Inc. v. City of Bellevue, 132 Wn.2d 103, 114, 937 P.2d 154, 943 P.2d 1358 (1997)
- City of Bremerton v. Spears, 134 Wn.2d 141, 159, 949 P.2d 347 (1998)
- City of Spokane v. Douglass, 115 Wn.2d 171, 177-82, 795 P.2d 693 (1990)
- Pennsylvania v. Hull, 705 A.2d 911, 913 (Pa. Super. Ct. 1998)
- San Filippo v. Bongiovanni, 961 F.2d 1125, 1135 (3d Cir. 1992)
- ABATE of Ga., Inc. v. Georgia, 137 F. Supp. 2d 1349, 1355 (N.D. Ga.), aff'd, 264 F.3d 1315 (11th Cir. 2001)
- Kingery v. Chapple, 504 P.2d 831, 836 (Alaska 1972)
- Buhl v. Hannigan, 16 Cal. App. 4th 1612, 1622, 20 Cal. Rptr. 2d 740 (1993)
- State v. Eitel, 227 So. 2d 489, 491 (Fla. 1969)
- State v. Albertson, 93 Idaho 640, 642, 470 P.2d 300 (1970)
- Everhardt v. City of New Orleans, 253 La. 285, 294-95, 217 So. 2d 400 (1968)
- Commonwealth v. Guest, 12 Mass. App. Ct. 941, 941-42, 425 N.E.2d 779 (1981)
- People v. Smallwood, 52 Misc. 2d 1027, 1030, 277 N.Y.S.2d 429 (1967)
- People v. Schmidt, 54 Misc. 2d 702, 703, 283 N.Y.S.2d 290 (1967)
- State v. Maxwell, 74 Wn. App. 688, 691-93, 878 P.2d 1220 (1994)
- State v. Dixon, 78 Wn.2d 796, 804, 479 P.2d 931 (1971)