
SENATE BILL 5078

State of Washington 60th Legislature 2007 Regular Session

By Senators Honeyford and Kline

Read first time 01/10/2007. Referred to Committee on Transportation.

1 AN ACT Relating to approaching stationary emergency vehicles or
2 police vehicles; and amending RCW 46.61.212, 46.61.100, and 46.61.120.

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

4 **Sec. 1.** RCW 46.61.212 and 2005 c 413 s 1 are each amended to read
5 as follows:

6 The driver of any motor vehicle, upon approaching a stationary
7 authorized emergency vehicle that is making use of audible and/or
8 visual signals meeting the requirements of RCW 46.37.190 or of a police
9 vehicle properly and lawfully displaying a flashing, blinking, or
10 alternating emergency light or lights, shall:

11 (1) On a highway having ((at least)) four or more lanes, at least
12 two of which are intended for traffic proceeding in the same direction
13 as the approaching vehicle, proceed with caution and, if reasonable,
14 with due regard for safety and traffic conditions, yield the
15 right-of-way by making a lane change or moving away from the lane or
16 shoulder occupied by the stationary authorized emergency vehicle or
17 police vehicle; ((or))

18 (2) On a highway having less than four lanes, proceed with caution,
19 reduce the speed of the vehicle, and, if reasonable, with due regard

1 for safety and traffic conditions, and under the rules of this chapter,
2 yield the right-of-way by passing to the left at a safe distance and
3 simultaneously yield the right-of-way to all vehicles traveling in the
4 proper direction upon the highway; or

5 (3) If changing lanes or moving away would be unreasonable or
6 unsafe, proceed with due caution and reduce the speed of the vehicle.

7 **Sec. 2.** RCW 46.61.100 and 1997 c 253 s 1 are each amended to read
8 as follows:

9 (1) Upon all roadways of sufficient width a vehicle shall be driven
10 upon the right half of the roadway, except as follows:

11 (a) When overtaking and passing another vehicle proceeding in the
12 same direction under the rules governing such movement;

13 (b) When an obstruction exists making it necessary to drive to the
14 left of the center of the highway; provided, any person so doing shall
15 yield the right_of_way to all vehicles traveling in the proper
16 direction upon the unobstructed portion of the highway within such
17 distance as to constitute an immediate hazard;

18 (c) Upon a roadway divided into three marked lanes and providing
19 for two-way movement traffic under the rules applicable thereon; (~~or~~)

20 (d) Upon a street or highway restricted to one-way traffic; or

21 (e) Upon a highway having three lanes or less, when approaching a
22 stationary authorized emergency vehicle or police vehicle as described
23 under RCW 46.61.212(2).

24 (2) Upon all roadways having two or more lanes for traffic moving
25 in the same direction, all vehicles shall be driven in the right-hand
26 lane then available for traffic, except (a) when overtaking and passing
27 another vehicle proceeding in the same direction, (b) when traveling at
28 a speed greater than the traffic flow, (c) when moving left to allow
29 traffic to merge, or (d) when preparing for a left turn at an
30 intersection, exit, or into a private road or driveway when such left
31 turn is legally permitted. On any such roadway, a vehicle or
32 combination over ten thousand pounds shall be driven only in the right-
33 hand lane except under the conditions enumerated in (a) through (d) of
34 this subsection.

35 (3) No vehicle towing a trailer or no vehicle or combination over
36 ten thousand pounds may be driven in the left-hand lane of a limited
37 access roadway having three or more lanes for traffic moving in one

1 direction except when preparing for a left turn at an intersection,
2 exit, or into a private road or driveway when a left turn is legally
3 permitted. This subsection does not apply to a vehicle using a high-
4 occupancy vehicle lane. A high-occupancy vehicle lane is not
5 considered the left-hand lane of a roadway. The department of
6 transportation, in consultation with the Washington state patrol, shall
7 adopt rules specifying (a) those circumstances where it is permissible
8 for other vehicles to use the left lane in case of emergency or to
9 facilitate the orderly flow of traffic, and (b) those segments of
10 limited access roadway to be exempt from this subsection due to the
11 operational characteristics of the roadway.

12 (4) It is a traffic infraction to drive continuously in the left
13 lane of a multilane roadway when it impedes the flow of other traffic.

14 (5) Upon any roadway having four or more lanes for moving traffic
15 and providing for two-way movement of traffic, a vehicle shall not be
16 driven to the left of the center line of the roadway except when
17 authorized by official traffic control devices designating certain
18 lanes to the left side of the center of the roadway for use by traffic
19 not otherwise permitted to use such lanes, or except as permitted under
20 subsection (1)(b) of this section. However, this subsection shall not
21 be construed as prohibiting the crossing of the center line in making
22 a left turn into or from an alley, private road or driveway.

23 **Sec. 3.** RCW 46.61.120 and 2005 c 396 s 2 are each amended to read
24 as follows:

25 No vehicle shall be driven to the left side of the center of the
26 roadway in overtaking and passing other traffic proceeding in the same
27 direction unless authorized by the provisions of RCW 46.61.100 through
28 46.61.160 and 46.61.212 and unless such left side is clearly visible
29 and is free of oncoming traffic for a sufficient distance ahead to
30 permit such overtaking and passing to be completely made without
31 interfering with the operation of any traffic approaching from the
32 opposite direction or any traffic overtaken. In every event the
33 overtaking vehicle must return to an authorized lane of travel as soon
34 as practicable and in the event the passing movement involves the use
35 of a lane authorized for vehicles approaching from the opposite

1 direction, before coming within two hundred feet of any approaching
2 traffic.

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