
SENATE BILL 6405

State of Washington 60th Legislature 2008 Regular Session

By Senators Swecker and Rasmussen

Read first time 01/16/08. Referred to Committee on Transportation.

1 AN ACT Relating to the liability of persons rescued from flood
2 waters on roadways; and adding a new section to chapter 46.61 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW
5 to read as follows:

6 (1) A person is liable for the cost incurred by the state, local
7 municipality, or public agency that rescues that person from flood
8 waters on a roadway if:

9 (a) The rescue was necessary because the person who was rescued
10 intentionally ignored warning signs; and

11 (b) By the person obeying warning signs, the need for the rescue
12 would have been avoided.

13 (2) A person shall not be liable for the costs associated with his
14 or her rescue if:

15 (a) His or her failure to heed the warning signs was due to an
16 emergency; or

17 (b) Under the circumstances, a reasonable person would have ignored

1 the warning signs.

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