

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5768

Chapter 206, Laws of 1993

53rd Legislature
1993 Regular Session

ARCHITECT OR ENGINEER SERVICES AT EMERGENCY SCENE--IMMUNITY
FROM CIVIL LIABILITY

EFFECTIVE DATE: 7/25/93

Passed by the Senate April 18, 1993
YEAS 42 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 15, 1993
YEAS 94 NAYS 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved May 6, 1993

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5768** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

May 6, 1993 - 1:24 p.m.

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5768

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senators Haugen, Oke, Loveland, Nelson, Owen, Cantu and Moyer

Read first time 02/12/93. Referred to Committee on Law & Justice.

1 AN ACT Relating to architectural and engineering inspection
2 services at an emergency scene; amending RCW 38.52.010; and adding a
3 new section to chapter 38.52 RCW.

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

5 **Sec. 1.** RCW 38.52.010 and 1986 c 266 s 23 are each amended to read
6 as follows:

7 As used in this chapter:

8 (1) "Emergency management" or "comprehensive emergency management"
9 means the preparation for and the carrying out of all emergency
10 functions, other than functions for which the military forces are
11 primarily responsible, to mitigate, prepare for, respond to, and
12 recover from emergencies and disasters, and to aid victims suffering
13 from injury or damage, resulting from disasters caused by all hazards,
14 whether natural or man-made, and to provide support for search and
15 rescue operations for persons and property in distress. However,
16 "emergency management" or "comprehensive emergency management" does not
17 mean preparation for emergency evacuation or relocation of residents in
18 anticipation of nuclear attack.

1 (2) "Local organization for emergency services or management" means
2 an organization created in accordance with the provisions of this
3 chapter by state or local authority to perform local emergency
4 management functions.

5 (3) "Political subdivision" means any county, city or town.

6 (4) "Emergency worker" means any person, including but not limited
7 to an architect registered under chapter 18.08 RCW or a professional
8 engineer registered under chapter 18.43 RCW, who is registered with a
9 local emergency management organization or the department of community
10 development and holds an identification card issued by the local
11 emergency management director or the department of community
12 development for the purpose of engaging in authorized emergency
13 management activities or is an employee of the state of Washington or
14 any political subdivision thereof who is called upon to perform
15 emergency management activities.

16 (5) "Injury" as used in this chapter shall mean and include
17 accidental injuries and/or occupational diseases arising out of
18 emergency management activities.

19 (6) "Emergency or disaster" as used in this chapter shall mean an
20 event or set of circumstances which: (a) Demands immediate action to
21 preserve public health, protect life, protect public property, or to
22 provide relief to any stricken community overtaken by such occurrences,
23 or (b) reaches such a dimension or degree of destructiveness as to
24 warrant the governor declaring a state of emergency pursuant to RCW
25 43.06.010.

26 (7) "Search and rescue" means the acts of searching for, rescuing,
27 or recovering by means of ground, marine, or air activity any person
28 who becomes lost, injured, or is killed while outdoors or as a result
29 of a natural or man-made disaster, including instances involving
30 searches for downed aircraft when ground personnel are used. Nothing
31 in this section shall affect appropriate activity by the department of
32 transportation under chapter 47.68 RCW.

33 (8) "Executive head" and "executive heads" means the county
34 executive in those charter counties with an elective office of county
35 executive, however designated, and, in the case of other counties, the
36 county legislative authority. In the case of cities and towns, it
37 means the mayor.

38 (9) "Director" means the director of community development.

1 (10) "Local director" means the director of a local organization of
2 emergency management or emergency services.

3 (11) "Department" means the department of community development.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 38.52 RCW
5 to read as follows:

6 For purposes of the liability of an architect or engineer serving
7 as a volunteer emergency worker, the exemption from liability provided
8 under RCW 38.52.195 extends to all damages, so long as the conditions
9 specified in RCW 38.52.195 (1) through (5) occur.

Passed the Senate April 18, 1993.

Passed the House April 15, 1993.

Approved by the Governor May 6, 1993.

Filed in Office of Secretary of State May 6, 1993.