
HOUSE BILL 2876

State of Washington

56th Legislature

2000 Regular Session

By Representatives Dunn, Cox and Rockefeller

Read first time 01/21/2000. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to vehicular assault while using personal wireless
2 services; amending RCW 46.61.522; creating a new section; and
3 prescribing penalties.

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

5 **Sec. 1.** RCW 46.61.522 and 1996 c 199 s 8 are each amended to read
6 as follows:

7 (1) A person is guilty of vehicular assault if he operates or
8 drives any vehicle:

9 (a) In a reckless manner, and this conduct is the proximate cause
10 of serious bodily injury to another; or

11 (b) While under the influence of intoxicating liquor or any drug,
12 as defined by RCW 46.61.502, and this conduct is the proximate cause of
13 serious bodily injury to another; or

14 (c) While using a personal wireless service as defined in RCW
15 80.36.375, and this conduct is the proximate cause of serious bodily
16 injury to another. However, this subsection (1)(c) does not apply to
17 authorized emergency vehicles, motorcyclists wearing a helmet with
18 built-in headsets or earphones as approved by the Washington state

1 patrol, or motorists using hands-free, wireless communications systems,
2 as approved by the equipment section of the Washington state patrol.

3 (2) "Serious bodily injury" means bodily injury which involves a
4 substantial risk of death, serious permanent disfigurement, or
5 protracted loss or impairment of the function of any part or organ of
6 the body.

7 (3) Vehicular assault is a class B felony punishable under chapter
8 9A.20 RCW.

9 NEW SECTION. **Sec. 2.** This act may be known and cited as the
10 Rhoades Act.

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