
HOUSE BILL 2292

State of Washington

57th Legislature

2002 Regular Session

By Representatives Buck, Dunn, Benson, Lisk, Alexander and Pflug

Read first time 01/14/2002. Referred to Committee on Judiciary.

1 AN ACT Relating to admissibility of evidence of remedial measures;
2 adding a new section to chapter 5.64 RCW; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 5.64 RCW
5 to read as follows:

6 The department of transportation is encouraged to take reasonable
7 precautions to aid drivers in safely negotiating icy state highways,
8 including providing signs warning of icy conditions.

9 (1) When, after an accident on a state highway potentially caused
10 by icy conditions, the department takes measures which, if taken
11 previously, would have made the event less likely to occur, evidence of
12 the subsequent measures is not admissible to prove negligence or
13 culpable conduct in connection with the event.

14 (2) Evidence of measures taken by the department of transportation
15 to aid drivers in safely negotiating icy state highways in one location
16 is not admissible to prove negligence or culpable conduct in connection
17 with an accident occurring at another location.

18 (3) This section does not require the exclusion of evidence of
19 subsequent measures when offered for another purpose, such as proving

1 ownership, control, or feasibility of precautionary measures, if
2 controverted, or impeachment.

3 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of the
5 state government and its existing public institutions, and takes effect
6 immediately.

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