

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6324

Chapter 34, Laws of 2008

60th Legislature
2008 Regular Session

AERIAL SEARCH AND RESCUE--LIABILITY

EFFECTIVE DATE: 06/12/08

Passed by the Senate February 16, 2008
YEAS 47 NAYS 1

BRAD OWEN

President of the Senate

Passed by the House March 4, 2008
YEAS 95 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved March 17, 2008, 2:50 p.m.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6324** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

March 18, 2008

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6324

Passed Legislature - 2008 Regular Session

State of Washington 60th Legislature 2008 Regular Session

By Senate Transportation (originally sponsored by Senators Sheldon, Haugen, and Shin)

READ FIRST TIME 01/31/08.

1 AN ACT Relating to liability immunity for aerial search and rescue
2 activities managed by the department of transportation; and amending
3 RCW 47.68.380.

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

5 **Sec. 1.** RCW 47.68.380 and 1995 c 153 s 1 are each amended to read
6 as follows:

7 (1) The aviation division of the department is responsible for the
8 conduct and management of all aerial search and rescue within the
9 state. This includes search and rescue efforts involving aircraft and
10 airships. The division is also responsible for search and rescue
11 activities involving electronic emergency signaling devices such as
12 emergency locator transmitters (ELT's) and emergency position
13 indicating radio beacons (EPIRB's).

14 (2) An act or omission by any person registered with the aviation
15 division of the department for the purpose of engaging in aerial search
16 and rescue activities, while engaged in such activities, shall not
17 impose any liability on the department or the person for civil damages
18 resulting from the act or omission. However, the immunity provided
19 under this subsection shall not apply to an act or omission that

1 constitutes gross negligence or willful or wanton misconduct. For the
2 purpose of this subsection, "aerial search and rescue activities"
3 includes, but is not limited to, training and training-related
4 activities, but does not include appropriate search and rescue
5 activities conducted under the authority of RCW 38.52.400.

Passed by the Senate February 16, 2008.

Passed by the House March 4, 2008.

Approved by the Governor March 17, 2008.

Filed in Office of Secretary of State March 18, 2008.