
SUBSTITUTE SENATE BILL 5957

State of Washington

64th Legislature

2015 Regular Session

By Senate Transportation (originally sponsored by Senators Lias, Rivers, Billig, King, Hobbs, Frockt, and Hasegawa)

READ FIRST TIME 02/27/15.

1 AN ACT Relating to the pedestrian safety advisory council; adding
2 a new section to chapter 43.59 RCW; and providing an expiration date.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.59
5 RCW to read as follows:

6 (1) The commission must convene a pedestrian safety advisory
7 council comprised of stakeholders who have a unique interest or
8 expertise in pedestrian and road safety.

9 (2) The purpose of the council is to review and analyze data
10 related to pedestrian fatalities and serious injuries to identify
11 points at which the transportation system can be improved and to
12 identify patterns in pedestrian fatalities and serious injuries.

13 (3)(a) The council may include, but is not limited to:

14 (i) A representative from the commission;

15 (ii) A coroner from the county in which the most pedestrian
16 deaths have occurred;

17 (iii) A representative from the Washington association of
18 sheriffs and police chiefs;

19 (iv) A representative from the department of transportation;

1 (v) A representative of cities, and other representatives of
2 municipal governments in which a pedestrian fatality has occurred
3 that want to participate; and

4 (vi) A representative from a pedestrian advocacy group.

5 (b) The commission may invite other representatives of
6 stakeholder groups to participate in the council as deemed
7 appropriate by the commission. Additionally, the commission may
8 invite a victim or family member of a victim to participate in the
9 council.

10 (4) The council must meet at least quarterly. By December 31st of
11 each year, the council must issue an annual report detailing any
12 findings and recommendations to the governor and the transportation
13 committees of the legislature. The commission must provide the annual
14 report electronically to all municipal governments and state agencies
15 that participated in the council during that calendar year.
16 Additionally, the council must report any budgetary or fiscal
17 recommendations to the office of financial management and the
18 legislature by August 1st on a biennial basis.

19 (5) As part of the review of pedestrian fatalities and serious
20 injuries that occur in Washington, the council may review statutes,
21 rules, policies, or ordinances governing pedestrians and traffic
22 related to the incidents, and any other relevant information, and may
23 make recommendations regarding changes in statutes, ordinances, rules,
24 and policies that could improve pedestrian safety. Additionally, the
25 council may make recommendations on how to improve traffic fatality
26 and serious injury data quality.

27 (6)(a) An oral or written communication or a document shared
28 within or produced by the council related to a pedestrian fatality
29 and serious injury review is confidential and not subject to
30 disclosure or discoverable by a third party. An oral or written
31 communication or a document provided by a third party to the council
32 or between a third party and the council is confidential and not
33 subject to disclosure or discovery by a third party. However,
34 recommendations from the council and the commission generally may be
35 disclosed without personal identifiers.

36 (b) The council may review, only to the extent otherwise
37 permitted by law or court rule when determined to be relevant and
38 necessary: Any law enforcement incident documentation, such as
39 incident reports, dispatch records, and victim, witness, and suspect
40 statements; any supplemental reports, probable cause statements, and

1 911 call taker's reports; and any other information determined to be
2 relevant to the review. The commission and the council must maintain
3 the confidentiality of such information to the extent required by any
4 applicable law.

5 (7) If acting in good faith, without malice, and within the
6 parameters of and protocols established under this chapter,
7 representatives of the commission and the council are immune from
8 civil liability for an activity related to reviews of particular
9 fatalities and serious injuries.

10 (8) This section must not be construed to provide a private civil
11 cause of action.

12 (9)(a) The council may receive gifts, grants, or endowments from
13 public or private sources that are made from time to time, in trust
14 or otherwise, for the use and benefit of the purposes of the council
15 and spend the gifts, grants, or endowments from the public or private
16 sources according to their terms, unless the receipt of the gifts,
17 grants, or endowments violates RCW 42.17A.560.

18 (b) Subject to the appropriation of funds for this specific
19 purpose, the council may provide grants targeted at improving
20 pedestrian safety in accordance with recommendations made by the
21 council.

22 (10) By December 1, 2020, the council must report to the
23 transportation committees of the legislature on the strategies that
24 have been deployed to improve pedestrian safety by the council and
25 make a recommendation as to whether the council should be continued
26 and if there are any improvements the legislature can make to improve
27 the council.

28 (11) For purposes of this section:

29 (a) "Council" means the pedestrian safety advisory council.

30 (b) "Pedestrian fatality" means any death of a pedestrian
31 resulting from a collision with a vehicle, whether on a roadway, at
32 an intersection, along an adjacent sidewalk, or on a path that is
33 contiguous with a roadway.

34 (c) "Serious injury" means any injury other than a fatal injury
35 that prevents the injured person from walking, driving, or normally
36 continuing the activities the person was capable of performing before
37 the injury occurred.

38 (12) This section expires June 30, 2021.

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